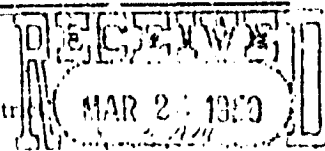


1. Considered July 9, 1958 Appl. No. 318-1
2. Name of Applicant Kagner Boe
3. Post Office Address Newell, South Dakota
4. Amount of water claimed 2.9 cfs
5. Source of water supply Horse Creek
6. Water to be used for waterproof irrigation
Acres to be irrigated 200
7. Water to be diverted and used in Butte County about
15-16 miles east of Newell.
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☒
Subject to _____
Not approved ☐
Action deferred ☐

10. Remarks:

No. 318-1Water Division No. 1

(Blanks to be filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES BOARD
SARASOTA, FLORIDA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

William & Casey Timm

1. Name of applicant RAYMOND & DORIS SCHILD
 Postoffice address Box 43, County BUTTE, State S.D.

I. If a corporation

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

(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)

Direct labor and the employment of others.

- (b) Cash on hand, \$
 (c) Treasury stock, \$
 (d) Bonds to be issued, \$
 (e) Other resources, \$

2. Name of diversion work THE BOE IRRIGATION PROJECT3. Amount of water claimed 2.9 cubic feet per second4. Source of water supply HORSE CREEK

Between a point 1900 ft. W of the E $\frac{1}{4}$ corner Sec. 13, T.8 N., R.6 E and a
 5. Location of point of diversion point S 69 E 2510 ft. from the W $\frac{1}{4}$ corner Sec. 13, T.8 N., R.7 E-1/4M
 on both bank s Butte County.

6. Annual period or periods during which water is to be used April 1st thru Nov. 1st7. To be used for: irrigation

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?
- combination

(a) Number of acres to be irrigated 204 acres.

NW $\frac{1}{4}$ -SE $\frac{1}{4}$ -35 Ac.	NE $\frac{1}{4}$ -SE $\frac{1}{4}$ -33 Ac.	SW $\frac{1}{4}$ -SE $\frac{1}{4}$ -11 Ac.	SE $\frac{1}{4}$ -SE $\frac{1}{4}$ -14 Ac.	Sec. 13, T.8 N., R.6 E	Total	38 Ac.
NW $\frac{1}{4}$ -SW $\frac{1}{4}$ -30 Ac.	NE $\frac{1}{4}$ -SW $\frac{1}{4}$ -30 Ac.	SW $\frac{1}{4}$ -SW $\frac{1}{4}$ -30 Ac.	Sec. 18, T.8 N., R.7 E.	Total	70 Ac.	
NW $\frac{1}{4}$ -NW $\frac{1}{4}$ -19 Ac.	Sec. 19, T.8 N., R.7 E.	Total	19 Ac.			
NE $\frac{1}{4}$ -NE $\frac{1}{4}$ -27 Ac.	Sec. 34, T.8 N., R.6 E-1/4M	Total	27 Ac.			
Total Irrigable				-	-	204 Ac

204
70 = 2.9 Sec. Ft.(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 By percolation

Map No. 286-1

8. Estimated cost of work:

(b) Pumping plant, \$-----

(c) Fluming, \$-----

(d) Canal-earth, \$-----

Rock, \$-----

(e) Other structures

Total, \$-----

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

II. Dimensions of works: Pump powered by P.T.O. from tractor est. \$ 3500.00

II. Dimensions of works:

(a) Dam: Height _____ feet; length at bottom _____ feet; length at top _____ feet

Operator has a considerable ditch system under the Belle Fourche Project which will serve with this project over most of the land.

feet; slope at front water face -----; slope at back face -----

material used in construction -----

(b) Reservoir: Capacity when filled -----acre feet. Surface area at highwater mark -----acres.

[illegible]

(c)* Head gate/ Width _____ feet; height _____ feet;
Material Ballo Fourche Project.

(d) Canal: Total length -----miles.

LOCAT.ON BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At ----- Mile	----- feet	----- feet	----- feet	----- feet
" " ----- 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 ----- 4 ----- years.

11. Time required for complete application of water to the proposed beneficial use 4 years.

12. Choice of newspaper for publication of notice of intention to appropriate -----

THE VALLEY IRRIGATOR, NEWELL, SOUTH DAKOTA

STATE OF SOUTH DAKOTA

County of BUTTE

ss.

I, ROGNER BOE, 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:

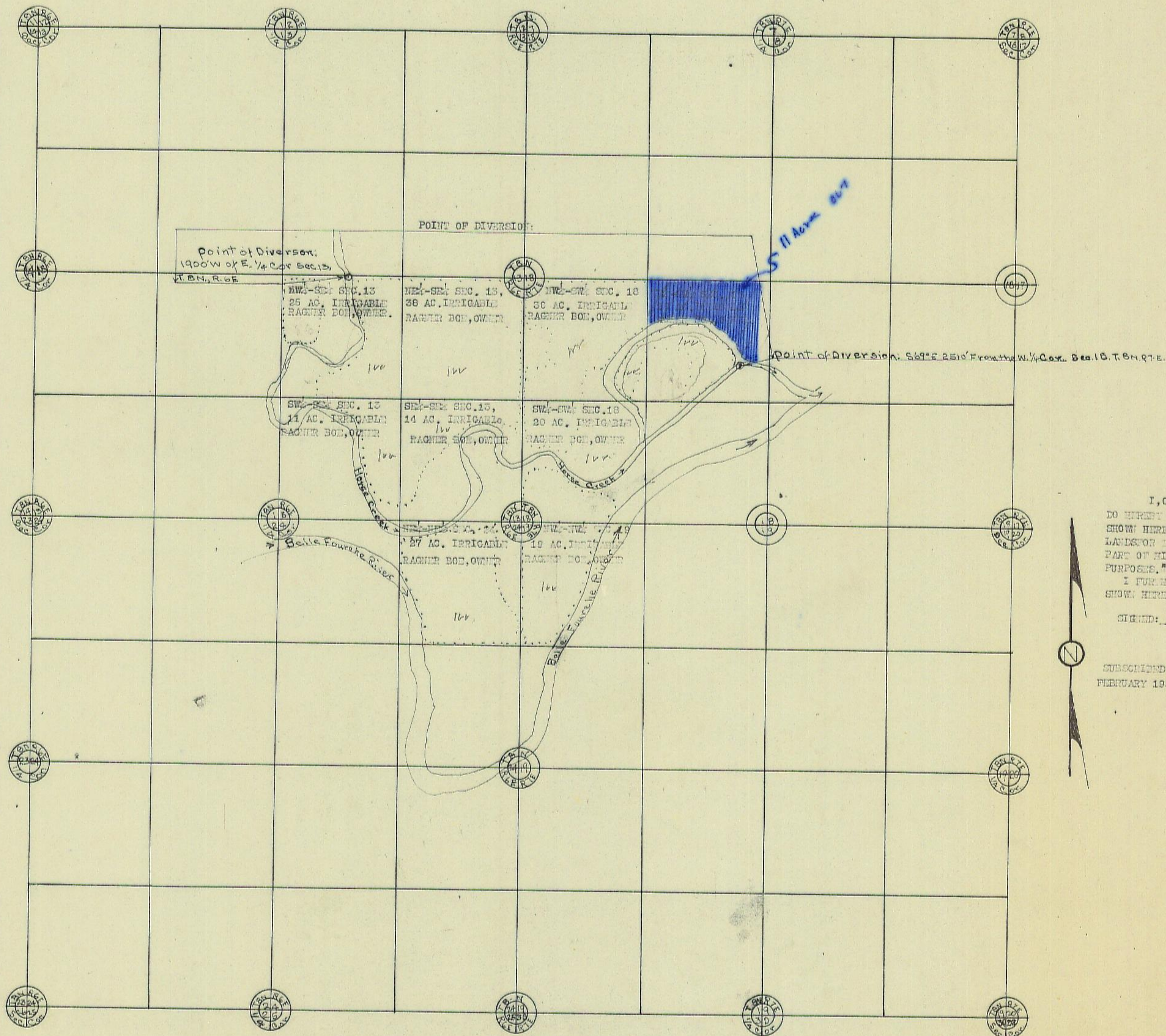
Subscribed and sworn to before me this NEXX 17th day of February 1952

Carl M. Cornell

Notary Public (the undersigned) do hereby certify that the foregoing is a true and correct copy of the original as shown to me by [Name] who claims to be the owner thereof.

PLAT
OF THE
THE BOE IRRIGATION PROJECT
SITUATED IN BUTTE COUNTY, SOUTH DAKOTA
RAGNER BOE, NEWELL, SOUTH DAKOTA
OWNER.

SCALE - 1 INCH = 660'



SURVEYOR'S CERTIFICATE:
" " " " " "

I, CARL M. CORNELL, LICENSED SURVEYOR IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT, AT THE REQUEST OF RAGNER BOE, OWNER OF THE LANDS SHOWN HEREON, I HAVE MADE A SURVEY AND PREPARED THIS MAP OF THE SAID LANDS FOR THE PURPOSE OF FURNISHING THE REQUIRED MAP TO BE FURNISHED AS A PART OF HIS APPLICATION FOR A PERMIT TO APPROPRIATE WATER FOR IRRIGATION PURPOSES.

I FURTHER CERTIFY THAT THE VARIOUS LENGTHS AND BEARINGS OF THE LINES SHOWN HEREON ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

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

SUBSCRIBED AND SWORN TO BEFORE ME AT BUFFALO, SOUTH DAKOTA THIS 20TH DAY OF FEBRUARY 1960.

Carroll Henderson
NOTARY PUBLIC (SEAL)

Map No. 286-1
App. No. 318-1

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota,

March 27, 1958

This is to certify that the foregoing application was received by the Commission at 8:15 o'clock

9 m. upon the 24 day of March, 1958

State Water Resources Commission

By:

Joe Brimer

Chief Engineer, Executive Officer

Number of permit 318-1

Date of first receipt of application

March 24, 1958

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

Date of receipt of corrected application

Date from which applicant may claim right

March 24, 1958

Approved July 9, 1958, Recorded in Book 5 Page 4

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

July 9, 1960

2nd. The whole of said work is to be completed on or before

July 9, 1962

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

July 9, 1966

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 2.9 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 July 9, 1966, said water to be used during the following described annual period:

April to October inclusive

Witness my hand this 28 day of July, 1958

State Water Resources Commission

By:

Joe Brimer

Chief Engineer, Executive Officer

Certificate of Construction Issued

JANUARY 9, 1963

Water License Issued

JANUARY 9, 1963

STATE OF SOUTH DAKOTA

WATER LICENSE No. 318-1

WHEREAS On the 24th day of March A. D. 1958
Ragnar Hon

of Belle Fourche County of Butte and State of
South Dakota duly made application (No. 318-1) to us for a permit to use 2.9
cubic feet per second of the waters of Horse Creek
County of Butte, State of South Dakota, for Irrigation
purposes; and

WHEREAS, On the 28th day of July A. D. 1958
Permit No. 318-1 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 9th
day of July A. D. 1962 and for the application to beneficial use of said
water on or before the 9th day of July A. D. 1966
and,

WHEREAS, On the 10th day of December A. D. 1962
the holder of said permit duly made proof of the completion of adequate works for the diversion of 3.5
cubic feet per second of said waters, as evidenced by our Certificate No. 318-1
dated January 9, 1963 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 3.5 cubic feet per second of water, with date of
priority of March 24, 1958 and,

WHEREAS, On the 10th day of December A. D. 1962
proof was duly made of the application to beneficial use of 2.75 cubic feet per second of said water;
for irrigating 193 acres in Sections 13 and 24, T8N, R6E, and in Sections 18 and 19,
T8N, R7E

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 Ragner Boe
of Nowell the holder and owner of said permit No. 318-1
a water right, dating from March 24, 1958 to the use of 2.75
cubic feet per second of the waters of Horse Creek
in the County of Butte and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinafter mentioned, to be diverted ~~xx~~ between a point 1900' W of the
E¹ corner, Section 13, T8N, R6E, and a point S 69° E 2510' from the W¹ corner,
Section 18, T8N, R7E
and conducted to and upon portions of Sections 13 and 24, T8N, R6E, and Sections 18 and
19, T8N, R7E, more specifically described in the Certificate of Completion of Works

irrigation
for the purpose of

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
ad pted from time to time by a majority of the users from a common source of supply, canal or lateral from
wh h such water may be taken, when such rules and regulations have for their object the economical use of such
wa t.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 9th day of January A. D. Nineteen
Sixty-Three
Hundred and

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GRIMES

Permit No. 318-1River
Water Division No. 1 Belle Fourche Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Hagner Boe

of Newell, County of Butte, and State of South Dakota, the holder of Permit No. 318-1, issued upon Application No. 318-1, bearing date of priority of March 24, 1958, authorizing the diversion of 2.9 cu. ft. per second of the waters of Horse Creek

County of Butte, State of South Dakota, at between a point 1900' W of the E $\frac{1}{4}$ corner, Section 13, T8N, R6E, and a point S 69° E 2510' from the W $\frac{1}{4}$ corner Section 18, T8N, R7E, 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 3.5 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: Section 13, T8N, R6E NW $\frac{1}{4}$ SE $\frac{1}{4}$ DB 25 acres

NE $\frac{1}{4}$ SE $\frac{1}{4}$ DA 38 "

SW $\frac{1}{4}$ SE $\frac{1}{4}$ DB 11 "

SE $\frac{1}{4}$ SE $\frac{1}{4}$ DB 14 "

Section 24, T8N, R6E NE $\frac{1}{4}$ NE $\frac{1}{4}$ DA 27 "

Section 18, T8N, R7E NW $\frac{1}{4}$ SW $\frac{1}{4}$ DB 30 "

NE $\frac{1}{4}$ SW $\frac{1}{4}$ DB 9 "

SW $\frac{1}{4}$ SW $\frac{1}{4}$ DB 20 "

Section 19, T8N, R7E NW $\frac{1}{4}$ NW $\frac{1}{4}$ DB 19 "

193 "

Witness my hand this 9th day of January, A. D. 1963

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. ORINES

Permit No. 318-1

Water Division No. 1 Belle Fourche
Robert Water District

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 _____
 19____, I have this day made a thorough examination of the diversion works constructed by _____
RAGNER BOE, of NEWELL
Bottle County, South Dakota, holder of Permit No. 318-1, issued
 upon Application No. 318-1, bearing date of priority of March 24, 1933, authorizing the
 diversion of 2.9 cu. ft. per second of the waters of Horse Creek for irrigation
 purposes. I have to report on the condition of the same as follows:

The diversion works comprise: _____
Ditches already constructed for Belle Fourche Irrigation District
Tractor powered Pump - Rainmaster, Model 8PR-8' suction 10" discharge
100 feet 10 inch aluminum pipe 20 feet 8 inch alum. pipe

and the system is in the following condition: Good

The point of diversion is located As shown on Map No 286-1

The works are capable of diverting and conveying to the place of use 3 1/2 cu. ft. per second of water,
 which is to be used for irrigation

The legal sub-divisions to be irrigated are: _____

As shown on corrected print of Map No 286-1 being
eleven acres less that that shown in the original
application

_____ comprising a total of 193 acres of land.

The domestic use intended comprises _____

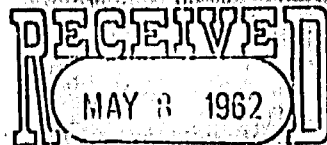
Incidental stockwatering

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

Witness my hand, this 10 day of December, A. D. 1933

—SEAL—

Donald H. Hirsch
 Examining Engineer.

Permit No. 318-1STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Water Division No. _____

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.) Newell J. Hak(Date) May 5 1962TO 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 water
from Horse Creek 2.9 cu. ft. per second of the waters of the state from
through the Bee Irrigation Project
for irrigation purposes
in accordance with the terms and con-
ditions 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 Ragnar Bros
2. The postoffice address of such person or the place of business of such corporation is Newell
County of Butte State of S. Dak
3. The number of such permit is 318-1 and the date set for the completion of such work is July 9 1962
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 _____ cubic feet per second.
6. The amount of land for which said water is available is 2.04 acres,
particularly described as follows: Between a point 1900 ft W of the
1/4 corner Sec 13 T 8 N R 6 E and a point 1,691.25 ft
from the 1/4 corner Sec 18 T 8 N R 7 E B & M.

I hereby certify that the facts set forth in the above notice are true.

Ragnar Bros

(Signature of Owners) _____

(First Publication before May 2, 1958)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., March 25, 1958

Notice is hereby given that Ragner Bce whose postoffice address is Newell 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 2.9 cubic feet of water per second of time from ~~xxx~~ Horse Creek through the Bce Irrigation Project the point of diversion of which is to be located on ~~xxx~~ both between a point in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T 8 N, R 6 E and a point banks of said stream/in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 18 Twp. 8 N Range 7 E. Said water to be used for the purpose of providing irrigation on the following described land:

parts of the SE $\frac{1}{4}$, Sec. 13 and NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, all in T 8 N, R 6 E;
parts of the SW $\frac{1}{4}$, Sec. 18 and NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 all in T 8 N, R 7 E.

~~XXXXXX~~ ~~XXXXXXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 9th day of July, 1958, 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 Ragner Bce
Newell, South Dakota

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Butte } ss.

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

Valley Irrigator 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 _____ Nowell County of _____ Butte and State of South Dakota; that the said notice was published in said newspaper on the following dates:

April 3, 1958

April 10, 1958

April 17, 1958

April 24, 1958

in each and every issue of the full number thereof, the first publication being made on the 3rd day of April

1958 and the last publication on the 24th day of

April 1958, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was editor the printer and publisher of the said newspaper.

F. Lyn Gladstone

Subscribed and sworn to before me this 1st day of May A. D. 1958

Notary Public Butte County, S. D.

APPROPRIATION OF WATER
 Office of State Water Resources
 Commission, Pierre, S. Dak.,
 March 25, 1958.

Notice is hereby given that Ragner Boe, whose postoffice address is Nowell, 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 2.9 cubic feet of water per second of time from Horse Creek through the Boe Irrigation Project, the point of diversion of which is to be located on both banks of said stream between a point in the NW $\frac{1}{4}$ -SE $\frac{1}{4}$, Sec. 13; T. 8N., R. 6E., and a point in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 18, Twp. 8N., Range 7E. Said water to be used for the purpose of providing irrigation on the following described land: parts of the SE $\frac{1}{4}$, Sec. 13 and NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, all in T. 8N., R. 6E.; parts of the SW $\frac{1}{4}$, Sec. 18 and NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, all in T. 8N., R. 7E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 9th day of July, 1958, 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. (87-30)

RECEIVED
 MAY 21 1958
 STATE WATER RESOURCES COMMISSION
 PIERRE, SOUTH DAKOTA

BEST IMAGE POSSIBLE FROM POOR ORIGINAL

313-1

September 6, 1961

Mr. Ragner Boe
Newell, South Dakota

Dear Mr. Boe:

Because there is now insufficient water to maintain continuous flows in the stream, upon which you have a water right, to enable the delivery of water on a priority basis, there will be no further orders from the Watermaster during this irrigation season unless conditions change.

Unless you receive further notice, you may pump from pools contained entirely on your own land as you desire during the remainder of this irrigation season. You may not construct any dam in the stream, or close the bypass of any existing dam to store any local flows for irrigation diversions. You may not pump from pools contained jointly on land owned by others as well as your own land without agreement of the other land-owners involved.

You should keep in mind that if rains occur in sufficient runoff amounts to reestablish flowing stream conditions it may be necessary to stop any irrigation diversions for indefinite periods of time in order to satisfy stockwater or other domestic uses downstream.

Sincerely,

J. W. GRUBBS
Executive Officer &
Chief Engineer

JWG:ls
cc to each Water Resources Commissioner

COPY

SOUTH DAKOTA
State Water Resources Commission

STATE OFFICE BUILDING
PIERRE, SOUTH DAKOTA

March 28, 1962

Ragner Boe
Newell, South Dakota

Dear Mr. Boe:

This is to inform you that a public hearing pertaining to Water Use Control Area No. 1, will be held in the Nisland City Hall starting at 10:00 A.M. on Friday, April 13, 1962.

One purpose of the hearing is to consider if the services of a Watermaster should be continued or discontinued during the 1962 irrigation season.

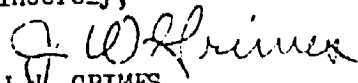
Other matters pertaining to Water Use Control Area No. 1 will also be discussed.

You as holder of Water Right No. 318-1 are within the boundaries of Water Use Control Area No. 1. In 1961, you were assessed a fee of Ten Dollars for each cubic feet per second of your irrigation diversion rate plus twenty-five cents for each acre irrigated under your Water Right. This fee was used in paying for the services of a Watermaster during the 1961 irrigation season.

For your information, the area within Water Use Control Area No. 1 is as follows:

"Those areas irrigated with water obtained from (1) the reach of the Belle Fourche River between a point in the NW $\frac{1}{4}$, Section 2, T 8N, R2E, immediately downstream from the Belle Fourche Project Diversion Dam and the point where said Belle Fourche River crosses the Southern boundary of Butte County, South Dakota, in the SW $\frac{1}{4}$, Section 35, T 8N, R 7E, (2) the reach of Cottonwood Creek between the point said Creek enters Butte County, South Dakota, in the SW $\frac{1}{4}$, Section 31, T 8N, R 6E, and the confluence of said Cottonwood Creek with the Belle Fourche River in the NW $\frac{1}{4}$, Section 28, T 8N, R 6E, (3) the reach of Owl Creek between a point in the NE $\frac{1}{4}$, Section 19, T 9N, R 4E, immediately downstream from the Belle Fourche (Orman) Dam and the confluence of said Owl Creek with the Belle Fourche River in N $\frac{1}{2}$, Section 11, T 8N, R 5E, and (4) the reach of Horse Creek between the point of confluence of Indian Creek and Horse Creek in the NW $\frac{1}{4}$, Section 27, T 9N, R 5E, and the confluence of said Horse Creek with the Belle Fourche River in the SW $\frac{1}{4}$, Section 18, T 8N, R 7E".

Sincerely,


J.W. GRIMES
Chief Engineer and
Executive Officer

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Resources Commission
State Office Building No. 2
Pierre, South Dakota 57501

Date November 23, 1970

This is to notify you that title to the lands described as follows:
Portions of Sections 18 and 19, T8N, R7E and Sections 13 and 24, T8N, R6E
described in Water Permit No. 318-1

formerly owned by Ragner Boe, Newell, S.D.

has been transferred to Raymond Schild, R.R., Newell, S.D.
~~to Doris Schild~~

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 318-1 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 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 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

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

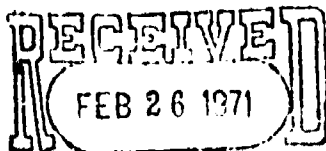
I, Raymond Schild being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Raymond Schild
(Signed)

Subscribed and sworn to before me this 25th day of February, 19 71

My Commission Expires Oct. 5, 1975

W. P. A. Mart
(Notary Public)



STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTA

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8353

June 30, 19 81

PIERRE,

Wm. & Casey Timm, Box 43, Newell, SD 57760

RECEIVED OF

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 filling transfer of WR# 318-1	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

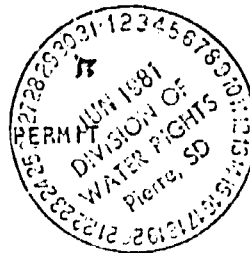
By

Chief Engineer, Executive Officer

JOHN HATCHER

NO. 318-1

NOTICE OF TRANSFER OF WATER



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 6-26-81

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

193 acre - SE $\frac{1}{4}$ Sec. 13, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 24, T8N, R6E; N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 18,

NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19, T8N, R7E

formerly owned by Raymond & Doris Schild

has been transferred to William & Casey Timm, Box 43, Newell, SD 57760

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

Water Right Permit No. 318-1 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 Water Rights, Water Management Board 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.

STATE OF SOUTH DAKOTA)
County of _____) ss.

I, William & Casey Timm 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.

Casey Timm William Timm
(Signed)

Subscribed and sworn to before me this 27 Day of June, 1981.

COLGAN J. HUBER, Notary Public
Butte County
My Commission Expires April 23, 1987

Colgan Huber
(Notary Public)



Department of Water & Natural Resources

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

April 15, 1985

Casey & William Timm
Rt 1 Box 47A
Newell SD 57760

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s) 318-1. The request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 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 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

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:

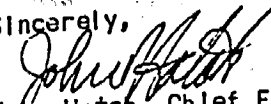
1. Amend Permit No(s) 318-1 to require the Irrigation Water Use Questionnaire to be submitted each year;

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.

Sincerely,


John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

NOTE: If the questionnaire(s) is received in this office before the May 15th hearing date, your name will be deleted from the agenda for the hearings.



Department of Water & Natural Resources

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

June 12, 1985

Notice of Amendment to Water Permit(s)

To: Casey & William Timm
Rt #1, Box 47A
Newell, SD 57760

FROM: John Hatch, Chief Engineer
Water Rights Division 773-3352

A handwritten signature in dark ink, appearing to read "John Hatch".

SUBJECT: Amendment to Water Permit No(s). 318-1.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 318-1 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 the required Irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.



Department of Water & Natural Resources

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

Attachment to Water Permit No(s). 318-1

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 318-1 to add the following qualification:

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



**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 318-1

November 20, 1985

Raymond Schild
HC 66, Box 0
Chadron, Nebraska 69337

Dear Mr. Schild:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper name. 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.

Please advise if you have any questions.

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Eon.

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

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

193 Acres - SE $\frac{1}{4}$ Section 13, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, T8N, R6E; N $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18,
NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19, T8N, R7E

formerly owned by William and Casey Timm

has been transferred to *Doris Schild* Raymond Schild, HC 66, Box 0, Chadron, NE 69337

(please include complete mailing address)

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

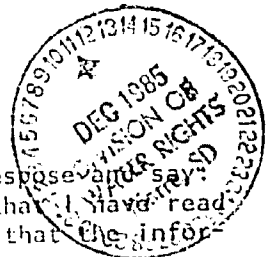
Water Right Permit No. 318-1 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board 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.

STATE OF SOUTH DAKOTA)
County of Bute) ss.

I, _____ 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.



Raymond Schild
(Signed) *Doris Schild*

Subscribed and sworn to before me this 5th Day of Dec, 1985.

Justine
(Notary Public)

Notary Public, State of South Dakota
Commission Expires July 1, 1988

**MEDICINE
WITH
MUSCLE.**

LIQUAMYCIN[®]
LA-200

A single shot gives three days therapy.

No. 470-1

No. 318-1

No. 577-1

These WATER RIGHTS
ARE the one's we own,
TRANSFER ALL these
At one time.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

No 4 10252

Pierre, December 11, 1935

RECEIVED OF Doris/Raymond Schild, Rt 4, Box 0, Chadron, NE 69337
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 319-1 _____		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 _____
Chief Engineer JOHN HATCH/MS



Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

Phone (605) 773-3352

December 12, 1985

Doris & Raymond Schild
HC 66, Box 0
Chadron, NE 69337

Dear Mr. & Mrs. Schild:

Enclosed is receipt No. 4 10252 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 318-1.

Our records now show you as the owner of this Water Right.

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

WNR-821-7/79

Receipt & Notice of filing of Transfer of Water Right



Department of Water & Natural Resources

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

January 29, 1988

RAYMOND & DORIS SCHILD
HC 66 BOX 0
CHADRON, NE 69337

NOTICE

Re: Violation of Water Permit No(s). 318-1

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 318-1. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 318-1 qualification:

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

The hearing(s) will be at 9:00 am, March 2, 1988, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) 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. Suspend Permit No(s). 318-1 until either the 1987 Questionnaire is submitted or for a period of up to one 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 March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

February 25, 1988

318-1
470-1
577-1

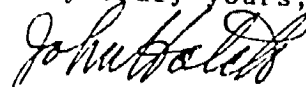
Raymond & Doris Schild
HC 66, Box 0
Chadron NE 69337

Dear Mr. & Mrs. Schild:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 318-1, 470-1, 577-1 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



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

cc: Paul Schild
RR 1, Box 47
Newell SD 57760

SOUTH DAKOTA
Department of
Water & Natural Resources

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

April 11, 1990

318-1
470-1

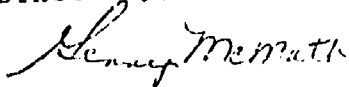
Tom Bowen
Land Office Realty
Box 187
Vale, SD 57788

Dear Mr. Bowen:

Enclosed, as you requested, are copies of Water Right Nos. 318-1 and 470-1. These water rights are currently listed in the name of Raymond & Doris Schild, Newell, SD.

If you have any questions concerning the enclosed information, please contact me.

Sincerely,



Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures



January 30, 1996

318-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: PAUL SCHILD, OPERATOR, RR 1 BOX 47, NEWELL, SD 57760
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Water Permit No(s) 318-1, 470B-1 and 1995 Irrigation Questionnaire Requirements

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 318-1, 470B-1. The request for the Questionnaires was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 470B-1 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 318-1 qualification:

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

The hearing will be held at 9:45 am, March 6, 1996 in 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 318-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 470B-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before March 1, 1996, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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.

C: Raymond Schild, HC 66 Box 0, Chadron, NE 69337

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:

PAUL SCHILD, OPERATOR
RR 1 BOX 47
NEWELL SD 57760

4a. Article Number

2 348 318 809

4b. Service Type

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

7. Date of Delivery

1-31-96

5. Received By: (Print Name)**8. Addressee's Address (Only if requested and fee is paid)****6. Signature (Addressee or Agent)**

X

Paul Schild

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.

3. Article Addressed to:

RAYMOND/DORIS SCHILD
3928 BROOKSIDE DR.
RAPID CITY, SD 57702-2219

Signature (Addressee)

Signature (Agent)

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

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

4a. Article Number

Z 161 984 004

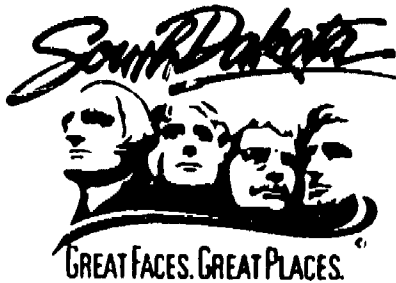
4b. Service Type

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

7. Date of Delivery

2-8-96

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



318-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 14, 1996

318-1 ✓
470B-1

Paul Schild
RR 1 Box 47
Newell, SD 57760

Dear Mr. Schild:

I am writing to acknowledge receipt of your 1995 irrigation questionnaires. You may disregard the January 30, 1996, **Notice of Violation of Water Permit and Violation of the Requirement to Submit the 1995 irrigation questionnaires.**

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

c: Raymond & Doris Schild, 3928 Brookside Dr., Rapid City, SD 57702-2219



December 17, 2002

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

Paul Schild, Operator
RR 1 Box 47
Newell SD 57760

Dear Mr. Schild:

Thank you for returning the 2002 Irrigation Questionnaire. The form indicated that you will not be farming after the first of the year and that Curt Anderson is the new land owner. Would you have a mailing address for Mr. Anderson?

A postage prepaid envelope for your reply is enclosed. Any information you can give us would be appreciated. If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

2002 Water Management Board Irrigation Questionnaire

Please fill out and return before December 2, 2002

No. 318-1

PAUL SCHILD, OPERATOR
RR 1 BOX 47
NEWELL SD 57760

*Not farming
after 1-1-03*

Any address corrections?

*Curt Anderson
Rapid City*

Telephone No.

341 4253

Return the completed form(s) to the Water Rights Program at 523 E Capitol, Pierre, SD 57501-3181 (605) 773-3352 or send your form(s) electronically over the internet at <http://www.state.sd.us/eforms/secure/eforms/E0455V1-IQ.pdf>

1. Is the system constructed? *yes ☒ no ☐

*Type of system used (check all that apply):

center pivots ☐ towlines ☐ big gun ☐
flood ☒ sprinklers ☐ other ☐

3. Is the land enrolled in CRP? *yes ☐ no ☒

*If yes, through what year?

4. Did you apply chemicals or fertilizer through the system in 2002? yes ☐ no ☒

2. Did you irrigate in 2002? *yes ☐ **no ☒

*If yes, number of acres irrigated

**If no, list reason(s) in comment box and answer No. 3:

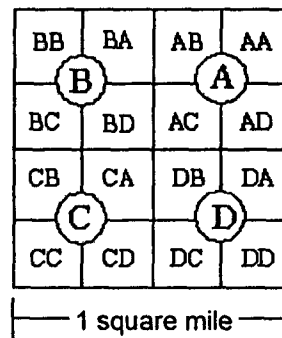
5. If permitted for more than one water source, circle each source used. A. HORSE CREEK

B.

C.

Comment Box

*Dry early, crops did
NOT germinate*



Office use only

RECEIVED

DEC 04 2002

WATER RIGHTS
PROGRAM

Acreage permitted for irrigation under No. 318-1

(see above section map for help reading legal descriptions)

sec 13-T008N-R06E, DB -- 25.00 acres
sec 13-T008N-R06E, DA -- 38.00 acres
sec 13-T008N-R06E, DC -- 11.00 acres
sec 13-T008N-R06E, DD -- 14.00 acres
sec 24-T008N-R06E, AA -- 27.00 acres
sec 18-T008N-R07E, CB -- 30.00 acres
sec 18-T008N-R07E, CA -- 9.00 acres
sec 18-T008N-R07E, CC -- 20.00 acres
sec 19-T008N-R07E, BB -- 19.00 acres

*Dint letter
12/17/02*

Please provide your 2002 water use to irrigate the above acreage on the REVERSE side of this form.

For a sample completed questionnaire, please refer to the reverse side of your cover letter.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 28, 2003

318-1
470B-1

Curt Anderson
8855 Clarkson Rd
Rapid City SD 57702

Dear Mr. Anderson:

Thank you for visiting with me today about ownership of land under Water Right Nos. 318-1 and 470B-1, listed in the names of Raymond and Doris Schild. I have included copies for your files.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change. Please review the forms and make any necessary corrections. Upon completion, please sign the forms and return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

Each year our program mails out irrigation questionnaires to water right holders to find out how much water was used during that particular crop season. I am enclosing a sample copy of the questionnaire to give you an idea of what type of information you will need to keep track of during the season. The actual forms needing completion will be sent to you in October, 2003.

At this time, the only materials that you will need to complete and return to us are the transfer of ownership forms (and filing fee). Thank you in advance for your help. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 5, 20 03

RECEIVED OF Kurt & Barbara Anderson, 8855 Clarkson Raod, Rapid City SD 57702

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	2	50
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>318-1</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No. 000574

By

Darland Erbe
Chief Engineer

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED
MAR - 5 2003
WATER RIGHTS
PROGRAM

No. 318-1
Date: 3-03-2003

I/We request that Water Right No. 318-1

formerly owned by: Raymond & Doris Schild

be transferred to: (name & address) Kurt D and Barbara J. Anderson
8855 CLARKSON Road Rapid City South Dakota 57702
Telephone No. 605-341-4253
605-721-1225

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

193 acres, SE ¼ Section 13, NE ¼ NE ¼ Section 24, T8N, R6E; N ½ SW ¼, SW ¼ SW ¼ Section 18,
NW ¼ NW ¼ Section 19, T8N, R7E

I/We understand that the validity of Water Right No. 318-1 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 Two Dollars and Fifty Cents (\$2.50) 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 Kurt and Barb Anderson, the new owner, certify that the above information is true and correct.
or


(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 ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

March 6, 2003

318-1
470B-1

Kurt D & Barbara J Anderson
8855 Clarkson Rd
Rapid City SD 57702

Dear Mr. & Mrs. Anderson:

I am writing to acknowledge receipt of the transfer of ownership forms and filing fees for Water Right Nos. 318-1 and 470B-1. The transfers have been completed. The water rights, formerly listed in the names of Raymond and Doris Schild are now listed in your names.

Enclosed are Receipt Nos. 000673 and 000674 in the amounts of \$2.50 each. You may keep these for your records.

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

Sincerely,

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

enclosures



318-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

November 4, 2005

318-1
470B-1

Kurt D & Barbara J Anderson
8855 Clarkson Rd
Rapid City SD 57702

Dear Mr. & Mrs. Anderson:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. The forms are being returned to you for completion. In order for the questionnaires to be considered complete, the back side also needs to be filled out.

Please include the number of acres, pump rate (in gallons per minute), days per month and hours per day the system(s) was running. The information is important to us in calculating how much water was used from a specific source. You do not need to report any water that was obtained through the Belle Fourche Irrigation District.

Please complete the forms and return them to us by **December 2, 2005.** Thank you in advance for your help. If you have any questions, please contact me.

Sincerely,

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

enclosures



318-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

December 12, 2006

318-1
470B-1
1859-1

Kurt D & Barbara J Anderson
8855 Clarkson Rd
Rapid City SD 57702

Dear Mr. & Mrs. Anderson:

We have received your irrigation questionnaires for 2006 and are returning them to you for completion.

Some of the information from last year may be used but the precipitation from year to year is different and the need for increased or decreased irrigation changes each year. Reporting the "same as the year before" would not be entirely accurate. Water Permit No. 1859-1 was just approved in May of 2006 so there would not be a form on file for the year before.

Please take a few minutes complete the forms with the amount of irrigation that took place during 2006. The information received from the irrigators each year is very valuable and assists us in making determinations on whether or not additional water permits can be recommended to the Water Management Board for approval.

I am enclosing a postage paid envelope for your convenience in returning the forms. The completed forms should reach our office prior to December 29th.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

PAID

NOV 07 2018

Ck# 10416

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

RECEIVED

NOV 07 2018 Water Right/Permit No. 318-1

WATER RIGHTS
PROGRAM

Date: 11.5.2018

I/We request that Water Right/Permit No. 318-1 formerly owned by:

Kurt D. and Barbara J. Anderson

be transferred to:

New Owner Name: Craig and Sherby Weirather

Address: 18941 Schild Rd.

City, State, Zip: Newell SD 57760 Telephone No. 406 552-3177

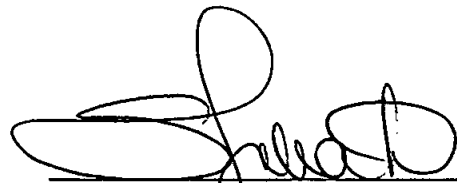
Title to the following described land(s)/property has been transferred as described above:

☒ I understand that the validity of Water Right/Permit No. 318-1 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, Sherby Weirather, the new owner, certify that the above information is true and correct.


(signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date November 7, 2018

RECEIVED OF Craig & Shelby Weirather 18941 Schild Rd Newell SD 57760

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>318-1</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. 08798

By

Jeanne Goodman
Chief Engineer
vm

McMath, Genny

From: McMath, Genny
Sent: Wednesday, November 07, 2018 12:53 PM
To: 'shelbyweirather@gmail.com'
Subject: ownership of land covered under Water Right Nos. 318-1, 470B-1 & 1859-1

Hi Shelby,

The three transfer forms were received. In the absence of legal descriptions to the property, I need verification from you that the entire property covered under Mr. Anderson's water rights were included in the sale.

Water Right No. 318-1: 193 acres in the SE ¼, Section 13; NE ¼ NE ¼ Section 24, T8N, R6E, N ½ SW ¼, SW ¼ SW ¼ Section 18 and NW ¼ NW ¼ Section 19, T8N, R7E.

Water Right No. 470B-1: 416 acres in the S ½ SE ¼ Section 12; NE ¼ and Lot 1, E ½ NW ¼ and Lot 2 of Section 13, T8N, R6E; NE ¼ Section 18, T8N, R7E

Water Permit No. 1859-1: 83.7 acres in the NE ¼ NE ¼ Section 24, T8N, R6E; NW ¼ NW ¼ Section 19 and N ½ SE ¼, S ½ SW ¼ Section 18, all in T8N, R7E

Please review the above descriptions and let me know whether or not all of the lands were purchased. I will include your response in each file.

Thank you in advance,

Genny McMath
DENR - Water Rights Program

605.773.5455 (desk)
605.773.3352 (main phone)
605.773.4068 (fax)

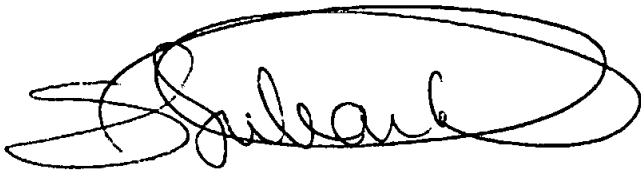
318-1

11.07.2018

Hi Genny,

We bought all the property described on water rights 318-1, 470B-1, 1859-1, from Kurt and Barabara Anderson.

Thank you,

A handwritten signature in black ink, appearing to read 'Shelby Weirather', enclosed within a large, loopy oval scribble.

Shelby Weirather



318-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 7, 2018

318-1
470B-1
1859-1

Craig & Shelby Weirather
18941 Schild Rd
Newell SD 57760

Dear Mr. & Mrs. Weirather:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on Water Right Nos. 318-1, 470B-1 and Water Permit No. 1859-1.

The ownership changes have been completed. The above listed water rights and water permit formerly held by Kurt D & Barbara J Anderson are now listed in your names.

Enclosed for your records are Receipt Nos. 08798, 08799 and 08800 in the amounts of \$50 each. If I can answer any questions for you, please let me know.

Sincerely,

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

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

enclosures