

Water Rights Division - DWNR

File No. 103-1B

Conversation or File Documentation

NAME OF PERSON OF FILE: Winifred Bauer

ADDRESS: Rt 1, Box 35, Vale, SD 57788 COUNTY Meade

DATE: October 21, 1983 TELEPHONE 456-2971

RE: transfer of portions of W.R. 403-1 to Winifred Bauer

COMMENTS:

I spoke with Ms. Bauer about the ownership of land covered under Water
Right No. 403-1. She indicated that she does own the "Meade County"
portion (N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 3-7N-7E; 22 acres)

I indicated to her that the water right would be split since
Darrel Cox owns the land in Butte County covered under this water
right.

403-1A would cover S $\frac{1}{2}$ SW $\frac{1}{4}$ 34-8N-7E--69 acres-.99 cfs (Darrel Cox)
403-1B would cover N $\frac{1}{2}$ NW $\frac{1}{4}$ 3-7N-7E--22 acres-.31 cfs (Winifred Bauer)

Feb. 9, 1984

Water Right No. 403-1 will be divided into 403-1A and 403-1B

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: Garry McRatko

WATER RIGHTS DIVISION
(605) 773-3352

October 24, 1983

Winifred Bauer
Route #1, Box 35
Vale, South Dakota 57788

Dear Ms. Bauer:

In reference to our telephone conversation of October 21, 1983, enclosed is a partially completed transfer form. Please check over, date, sign before a notary and return the form to this office with a \$2.50 filing fee. The water right will then be split and given an "A" number. The portion of land in Meade County covered under this water right will be transferred to your 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 be filed with this office within ninety days.

If you have any questions, please advise.

Sincerely,

Genny McMath
Water Rights Specialist

GM:ms
Enc.

NO. 403-1B

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Oct. 31, 1983

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

22 Acres N1/4NW1/4 Section 3, T7N, R7E

formerly owned by Tom and Sandra DeYoe

has been transferred to Winifred Bauer, Route #1, Box 35, Vale, SD 57788

(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 403-1B 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 Mende) ss.

I, Winfred E. Bauer
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.

Winfred E. Bauer
(Signed)

Subscribed and sworn to before me this 31st Day of October, 1983.

Juanita Roth
(Notary Public)

JUANITA ROTH, Notary Public
My Commission Expires August 23, 1984

RECEIPT

Division of Water Rights

No 4 9421

South Dakota Department of Water and Natural Resources

Pierre, December 2, 1983

RECEIVED OF Winifred Bauer, Route #1, Box 35, Vale, SD 57788

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 for WR# 403-1A	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 (MS)

WATER RIGHTS DIVISION
(605) 773-3352

March 1, 1984

Winifred Bauer
RR#1, Box 35
Vale, South Dakota 57788

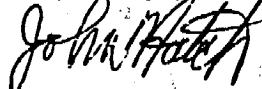
Dear Ms. Bauer:

Enclosed is receipt No. 4-9421 in the amount of \$2.50 which you paid for the transfer of portions of Water Right No. 403-1 to your name. Also enclosed is Water License No. 403-1B.

Water License No. 403-1 was divided and re-issued as No. 403-1A, Darrel Cox and No. 403-1B, Winifred Bauer.

If you have any questions concerning this procedure, please feel free to contact us.

Very truly yours,



John Hatch, Chief Engineer
Water Rights Division

JH:ms
Enc.

State of South Dakota

Division of No. 403-1
Into No. 403-1A &
403-1B

RE-ISSUANCE OF Water License No. 403-1B

(1) Pete Johnson
of Vale, South Dakota Issued Water License
made application No. 403-1 May 4, 1964 for a water permit to appropriate
1.3 cubic feet per second of water from Nine Mile Creek,
Butte & Meade County, South Dakota for Irrigation purposes.
Permit No. _____, with a priority date of July 15, 1959
was removed _____ and is now to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before _____ and for the application to beneficial use of said
water on or before _____.

January 14, 1972, Water Right No. 403-1 was transferred to Roy Christensen of Vale, SD; on June 11, 1974, the Water Right was transferred to Anton Frederickson, and on May 12, 1980, a transfer was made to Tom and Sandra DeYoe, Newell, SD.

Land irrigated under Water License No. 403-1 has been transferred to two new owners. Water License No. 403-1 is being divided and re-issued as No. 403-1A, Darrell Cox and No. 403-1B, Winifred Bauer.

Water License No. 403-1A is being reissued for irrigation of 69 acres in Section 34, T8N, R7E and authorizes diversion of .99 cfs.

Water License No. 403-1B is being reissued for irrigation of 22 acres in Section 3, R7N, R7E and authorizes diversion of .31 cfs.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.31 cubic feet per second of water for beneficial use. The location of the diversion point(s) is between a point 230 feet N of the SW Corner (CC) Section 34, T8N, R7E and a point S660 feet from the N½ Corner (BA), Section 3, T7N, R7E.

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, Water License No. 403-1B authorizes irrigation of the
following land all in Section 3, T7N, R7E

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 7 Acres (BB)

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 15 Acres (BA)

TOTAL 22 ACRES

NOTE: Land is in Meade County only.

(4) Pursuant to §16-5-30.1 Winifred Bauer
Route #1, Box 35, Vale, South Dakota 57788
the holder(s) and/or owner(s) of Water Right Permit No. 403-1B is issued a license to appropriate water, the right to use
0.31 cubic feet per second of water from Nine Mile Creek with a priority date
of July 15, 1959 from the location specified in (2) of this license. The water to be
conducted to and upon lands specified in (3) of this license for the purpose of Irrigation

Right
This license is subject to any limitations or qualifications listed in Water Permit No. 403-1B and subject
to South Dakota State Law.

John Hatch
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JOHN HATCH

February 9, 1984

WATER RIGHTS DIVISION
(605) 773-3352

January 23, 1986

Bob Sulzbach
RR#1
Vale, South Dakota 57788

Dear Mr. Sulzbach:

Enclosed is the 1985 Irrigation Questionnaire pertaining to Water Right No. 403-1B, Winfred Bauer. Mrs. Bauer has indicated to our office that you rented her land during the 1985 irrigation season.

Please complete the questionnaire and return it to this office by February 10, 1986. A postage paid envelope is enclosed.

If you have any questions please contact our office. Thank you for your assistance in this matter.

Sincerely, "

Genny McElath
Natural Resources Analyst

GL:ms
Enc.

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

Division of Water Rights
605 773-3352

No. 403-1B

September 8, 1986

Bruce Hubbard
PO Box 580
Sturgis, South Dakota 57785

Dear Mr. Hubbard:

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/
Enc.

DWNR-820A-8/83

LAW OFFICES

MORRILL HANSEN HUBBARD & BROWN

P. O. BOX 585 - 1113 SHERMAN STREET
STURGIS, SOUTH DAKOTA 57785

November 5, 1986

STURGIS PHONE
(605) 347-2551

RAPID CITY OFFICE:
625 NINTH STREET - 8TH FLOOR
P.O. BOX 0108
RAPID CITY SD 57701
PHONE: (605) 349-7316

DAVID E. MORRILL
DALE H. HANSEN
BRUCE A. HUBBARD
PORTIA K. BROWN

TIMOTHY L. THOMAS

South Dakota Department of
Water and Natural Resources
Division of Water Rights
423 East Capital
Pierre, South Dakota 57501

Attention: Maxine Stirling

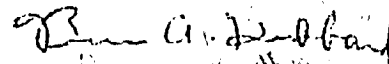
RE: William J. Cacek

Dear Ms. Stirling:

Enclosed please find an original Notice of Transfer of
Water Permit executed by William J. Cacek and a check
payable to your order in the amount of \$2.50. I would
appreciate it if you would file this notice.

Thank you.

Very truly yours,


Bruce A. Hubbard

BAH:mr

Enclosures.

CC: Mr. William J. Cacek

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 11/3/86

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

22 Acres N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 3, T7N R7E

formerly owned by Winifred Bauer

has been transferred to William J. Cacek, P.O. Box 124, Black Hawk, SD 57718
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 403-1B 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 MEADE) ss.

I, WILLIAM J. CACEK 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.

William J. Cacek
(Signed)

Subscribed and sworn to before me this 3RD Day of NOVEMBER, 1986.

Bruce A. Hubbard
(Notary Public)

BRUCE A. HUBBARD
NOTARY PUBLIC

My Commission Expires May 21, 1992

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

410815

Pierre, November 6, 1936

RECEIVED OF William J. Cacel, PO Box 124, Black Hawk, SD 57718

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 403-16 _____

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

By

Chief Engineer

JOHN HATCH

SOUTH DAKOTA Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

Phone (605) 773-3352

November 17, 1986

William J. Cacek
PO Box 124
Black Hawk, South Dakota 57718

Dear Mr. Cacek:

Enclosed is receipt No. 410615 in the amount of \$2.50 which you
paid for transfer of Water Right No. 403-1B.

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

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.
cc: Bruce A. Hubbard



**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 403-1B

January 9, 1987

Connie Ruebel
920 1st Street
Sturgis, South Dakota 57785

Dear Ms. Ruebel:

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
Secretary

ms/
Enc.

403-1B

WATER RIGHTS DIVISION
(605) 773-3352

January 22, 1987

Tom Bowen
American Real Estate
920 1st Street
Sturgis, South Dakota 57785

Dear Mr. Bowen:

With reference to our telephone conversation of January 22, 1987, enclosed is your check No. 3347 in the amount of \$163.20. The check accompanied the "Notice of Transfer" for Water Right No. 403-1B.

The transfer form is correct but should include a mailing address for Ron Sass and Judy Piersol. Please include these addresses when remitting the \$2.50 filing fee. Upon receipt of the filing fee, Water Right No. 403-1B can be transferred to the new owners.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst

GJM:ms
Enc.



Department of Water & Natural Resources

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

403-1B

March 11, 1987

Tom Bowen
American Real Estate
920 1st Street
Sturgis, SD 57785

Dear Mr. Bowen:

This letter is to remind you that the transfer of Water Right No. 403-1B from William Casek to Ron Sass and Judy Piersol has not yet been completed due to lack of a \$2.50 filing fee. I wrote to you regarding payment of the fee January 22, 1987, but to date, have not heard from you.

Please remit the \$2.50 as soon as possible. The mailing address of Ron Sass and Judy Piersol is also needed. The transfer can be completed upon receipt of the fee and mailing addresses of the new owners.

If you have any questions, please contact me.

Sincerely,

GENNY MCMATH
Natural Resources Analyst
605 773-3352

403.15

March 17, 1987

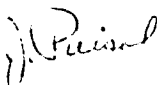
Genny McMath
Natural Resources Analyst
Dept. of Water & Natural Resources
Joe Foss Bldg.
Pierre, SD 57501

Dear Genny:

We are remitting the \$2.50 fee for transfer of Water Right No. 403-1B from William Cacek to Ron Sass and Judy Piersol.

We apologize for the delay. Thank you.

Sincerely,



Judy Piersol/Ron Sass
R.R. 1, Box 35
Vale, SD 57788
605/456-2988

jp

Enc.

Form 20.

NOTICE OF TRANSFER OF WATER PERMIT

No. 403-113

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

Date: January, 1987

This is to notify you that title to the lands described as follows:
Remainder of Government Lot 3, formerly portions of Government Lot 3, remainder
of Government Lot 4, formerly a portion of Gov. Lot 4, remainder of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Lot PS-3,
Lot PS-4 and Lot PS-5, all located in J.W. Subdivision, located in NW $\frac{1}{4}$ of Section 3,
T7N, R7E BHM, Meade County, SD, as shown in PB11, P57; and SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$; and NW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 3, T7N, R7E BHM, Meade County, South Dakota.
formerly owned by William J. Cacek and Nancy N. Cacek,

has been transferred to Ron Sas, and Judy Piersol RR #1 Box 35, Vale, SD 57788
together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 403-1B as provided for in Section 61.0127 of the 1960
Supplement to the South Dakota Code of 1939.

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

A fee of Two Dollars and Fifty Cnts (\$2.50) is hereto attached to cover
filing fees as required under Section 61.0159 of the 1960 Supplement to the South
Dakota Code of 1939..

STATE OF SOUTH DAKOTA)
) SS.
County of MEADE)

I, William J. Cacek 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.

William J. Cacek
WILLIAM J. CACEK (Signed)

Subscribed and sworn to before me this 13 day of January

1987

Conne L Phillips
(Notary Public) CONNIE L. PHILLIPS

Notary Public, South Dakota

COMM. EXP.: My Commission Expires February 27, 1988

(SEAL)

(SECOND ACKNOWLEDGEMENT ON REVERSE)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, March 19, 1987

RECEIVED OF Judy Piersol/Ron Sass, RR 1, Box 35, Vale, SD 57159

the 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>405-16</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 John Hatch
Chief Engineer JOHN HATCH (MS)

No. 403-18

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

March 20, 1987

Judy Piersol/Ron Sass
RR 1, Box 35
Vale, South Dakota 57788

Dear Ms. Piersol & Mr. Sass:

Enclosed is receipt No. 410789 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 403-18.

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

Sincerely,

Maxine Stirling
Secretary

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

403-1B

July 26, 1988

Tom Bowen
Century 21 American Real Estate
920 1st Street
Sturgis, SD 57785

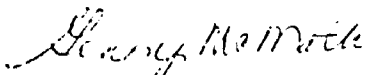
Dear Mr. Bowen:

Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 403-1B. The form should be signed by the new owner 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 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.

If you have any questions, please contact us.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



403-1B

Century 21
AMERICAN REAL ESTATE
920 First Street
Sturgis, South Dakota 57765
(605) 347-4567

August 6, 1988
Sturgis, S. D.



Dear Sirs;

Please send confirmation of this transfer to Century 21
American Real Estate at the address on the letterhead.

Sincerely,

Tom Bowen
Tom Bowen

Each Office Is Independently Owned And Operated

NO. 403-1B

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 7-21-88

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

22 acres - N½ NW¼ Section 3, T7N, R7E

formerly owned by Ron Sass & Judy Piersol, RR #1 Box 35, Vale, SD 57788
has been transferred to Norman J. and Joyce Olson, Rt. 1, Box 64, Williams, Minn. 56686
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 403-1B 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.

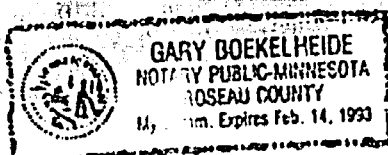
A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Meade) ss.

I, Norman J. & Joyce Olson 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.

Norman J. Olson
Joyce Olson
(Signed)

Subscribed and sworn to before me this 21st Day of AUGUST, 1988.



Gary Boekelheide
(Notary Public)

WNR-820-9/83
Notice of Transfer of Water Permit



Form 20.

No. 430-1B

NOTICE OF TRANSFER OF WATER PERMIT

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

Date: 7-29-88

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

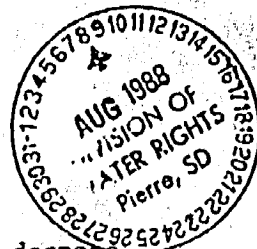
SEE ATTACHED PROPERTY DESCRIPTION

formerly owned by Ron Sass and Judy Sass, formerly Judy Piersol, Husband and Wife,
has been transferred to Norman J. Olson and Joyce Olson, Husband and Wife
Rt 1 Box 64 Williams MN 56686
together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 430-1B as provided for in Section 61.0127 of the 1960
Supplement to the South Dakota Code of 1939.

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

A fee of Two Dollars and Fifty Cents (\$2.50) 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)
County of MEADE) SS.



We, Ronn Sass and Judy Sass, being first duly sworn onour oath depose and say: That our relation to the above described undertaking is that of Owner, that we have read the above foregoing statement, and we know of our own personal knowledge that the information herein stated is true.

Ron Sass
RON SASS

Judy Sass
JUDY SASS

(Signed) formerly Judy Piersol

Subscribed and sworn to before me this 29 day of July

19 88

Tom Cowen
(Notary Public)

Commission Expires:

Tom Cowen

Notary Public

My (SEAL) Commission Expires December 6, 1993

ATTACHMENT TO NOTICE OF TRANSFER OF WATER PERMIT

PROPERTY DESCRIPTION:

Remainder of Government Lot 3, formerly portions of Government Lot 3, remainder of Government Lot 4, formerly a portion of Government Lot 4, remainder of the Southwest Quarter of the Northwest Quarter, Lot PS-3, Lot PS-4 and Lot PS-5 all located in J.W. Subdivision located in the Northwest Quarter of Section 3, Township 7 North, Range 7 East of the Black Hills Meridian, Meade County, South Dakota, as shown by Plat recorded in Plat Book 11, Page 57 of the records of the Register of Deeds Office, and the Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Southwest Quarter of Section 3, Township 7 North, Range 7 East of the Black Hills Meridian, Meade County, South Dakota

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

Pierre, _____, 19____

RECEIVED OF American Real Estate 920 First St., Sturgis, SD 57785
the following amount in fees for services rendered as provided for by law: FOR Norman J & Joyce Olson

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>Permit #403-18</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 *John Hatch*
Chief Engineer JOHN HATCH MS

No. 403-1B

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

August 8, 1988

American Real Estate
920 First Street
Sturgis, South Dakota 57785

RE: Transfer of Water Right #403-1B
Norman J & Joyce Olson

Dear Sir:

Enclosed is receipt No. 411345 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 403-1B.

Our records now show ^{Norman J. & Joyce Olson} ~~you~~ as the owner of this Water Right.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

WNR-821-7/79
Receipt & Notice of filing of Transfer of Water Right

403-1B

Williams, MI 56686
November 21, 1988

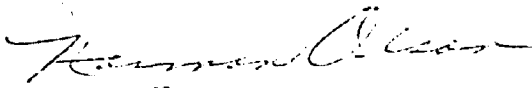
Water Rights Division
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Dear Sir:

Enclosed please find our completed 1988 Water Management Board
Irrigation Questionnaire. We just purchased this farm in
August of 1988 so did not do any irrigating in 1988. However,
we plan to move to this location in March of 1989 so will be
using the irrigation in 1989. Is there any further information
needed or anything more that we need to do in order to use the
system in the spring?

Thank you for your help.

Sincerely,


Norman Olson



WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Jerry Casteel

DATE: March 30, 2006

TELEPHONE: 605 347-5110

RE: legal description of "Notice of Transfer of Ownership" form

COMMENTS:

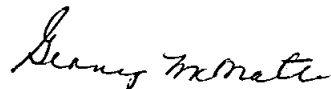
I called and visited with Jerry Casteel who was the realtor involved in the land sale between Norman and Joyce Olson and TC Outfit LP (Tom and Joan Casteel). The legal description they placed on the "Notice of Transfer of Ownership" form seemed to be everything but what was listed on the water right. Mr. Casteel indicated the Casteels purchased the basically the whole NW ¼ of Section 3, T7N, R7E but part of the legal description recorded was in government lots and subdivisions.

Mr. Casteel indicated that several years ago when the land was up for sale, the owner at the time was going to subdivide the area and sell the land as "lots". That never materialized. He said the land described on the transfer is the same as it has always been. The form includes all of the lands that were sold, not just the lands described in the water right.

RECOMMENDED ACTION:

Process the ownership change as outlined and change Water Right No. 403-1B from Norman J Olson and Joyce Olson to TC Outfit LP (Tom and Joan Casteel).

The water right number they typed on the form is wrong. It should say 403-1B instead of 430-1B.



Genny McMath
Environmental Scientist

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

MAR 30 2006

WATER RIGHTS
PROGRAM

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

Water Right/Permit No. ~~430-1-B~~ 403-1B

Date: 03/23/06

I/We request that Water Right/Permit No. ~~430-1-B~~ 403-1B formerly owned by:
Norman J Olson & Joyce Olson

be transferred to:

New Owner Name: TC Outfit LP (Tom and Joan Casteel)

Address: 13952 Nine Mile ~~lane~~ *Creek Lane*

City, State, Zip Vale, SD 57788

Telephone No. (605) 456-2423

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

Government Lot 3, less Lot PS-3 of J.W. Subdivision, as shown on the plat filed in Plat Book 11 on Page 57; Government Lot 4, less Lot PS-4 of J.W. Subdivision, as shown on the plat filed in Plat Book 11 on Page 57; the Southwest Quarter of the Northwest Quarter, less Lot PS-5 of J.W. Subdivision, as shown on the plat filed in Plat Book 11 on Page 57; Lots PS-3, PS-4, and PS-5 of J.W. Subdivision, as shown on the plat filed in Plat Book 11 on Page 57; the Southeast Quarter of the Northwest Quarter; the Southwest Quarter of the Northeast Quarter; and the Northwest Quarter of the Southwest Quarter of Section 3, Township 7 North, Range 7 East of the Black Hills Meridian, Meade County, South Dakota.

☒ I understand that the validity of Water Right/Permit No. ~~430-1-B~~ 403-1B 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 Two Dollars and Fifty Cents (\$2.50) is included to cover the filing fee as required by SDCL 46-2-13.

I, TC Outfit LP,
is true and correct.

the new owner, certify that the above information

Thomas B. Casteel

(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 March 30, 20 06

RECEIVED OF Meade county Title Company, PO Box 909, Sturgis SD 57785

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	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>420-1B- 403-1B</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. _____	2.50	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

02380

By

J. Darland Ebel
Chief Engineer
gm



**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 30, 2006

403-1B

Tom & Joan Casteel
TC Outfit LP
13952 Nine Mile Creek Ln
Vale SD 57788

Dear Mr. & Mrs. Casteel:

I am writing to acknowledge receipt of the ownership change for Water Right No. 403-1B. The transfer has been completed. The water right formerly listed in the name of Norman J and Joyce Olson is now listed in the name of "TC Outfit LP".

The receipt for the filing fee is being forwarded to the Meade County Title Company for their records.

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

Sincerely,

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

c: Meade County Title Company w/Receipt No. 02380



403-1B
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

July 25, 2017

403-1B
404-1

Tom Casteel
13952 Nine Mile Creek Ln
Vale SD 57788

Dear Mr. Casteel:

I am writing in regard to the 2016 irrigation questionnaires you submitted for Water Right Nos. 403-1B and 404-1. Copies of the questionnaires are enclosed showing the legal descriptions covered under each water right and the water use reported. In reviewing the data, the amount of water pumped seems excessive and may be in error.

Both water rights authorize diversion of water from Nine Mile Creek allowing up to three acre-feet of water per acre per year (36 inches per acre). The following information was reported:

Water Right No. 403-1B	Water Right No. 404-1
• Acres irrigated: 22 • Authorized water use: 66 acre feet • Water diverted: 199 acre feet (equivalent to 9 acre feet per acre)	• Acres irrigated: 70 • Authorized water use: 210 acre feet • Water diverted: 318 acre feet (equivalent to 4.5 acre feet per acre)

In both instances above, you are reporting significantly greater volume than is authorized.

The application of water varies greatly for the different types of systems, crops irrigated, topography and climatic conditions. Given those criteria it is still rare that irrigators even apply up to the volume of water they are authorized.

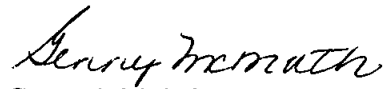
Many times irrigators do not keep track of the days or hours actually pumped and estimate numbers for the questionnaires in an effort to get them completed and back in on time. While we appreciate returning the questionnaires in a timely manner, the forms need to be as accurate possible.

The information we receive each year from irrigators across the state is very valuable. The water use data supplied by irrigators is one of the tools we use to help determine if an aquifer or stream may or may not be nearing full appropriation. Our goal is to protect existing water rights and ensure that additional water rights do not impair those existing water users.

Tom Casteel
July 25, 2017
Page 2

If you did indeed apply that much water in 2016, you are exceeding the limits of your water right and need to be cutting back to within authorized use as outlined in your water right. If you have any questions or have changes to make on the questionnaires, please give me a call.

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

File No. 403-1B
404-1

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Tom Casteel

DATE: July 27, 2017

RE: irrigation questionnaires for 2016

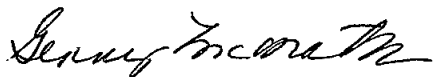
COMMENTS:

Based on the questionnaires filed in 2016 by Mr. Casteel, a letter was written to him concerning what was either excessive pumping or data supplied that was in error.

Mr. Casteel called and indicated that after reviewing the questionnaires for Nos. 403-1B and 404-1, he realized he put down the wrong pump rate. The pump rate should have been written down as 1000 gpm.

RECOMMENDED ACTION:

That amount has been changed in the records for 2016 and recalculated. He is still over pumping under 403-1B. Check figures again in 2017.



Genny McMath
Water Rights Program