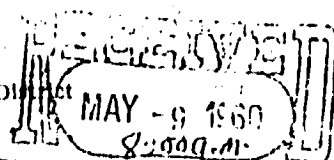


1. Considered June 7, 1960 466-1
2. Name of Applicant David No-mern
3. Post Office Address Brdon, Nebraska
4. Amount of water claimed 1.5
5. Source of water supply ground water (artesian)
6. Water to be used for irrigation - supplement
Acres to be irrigated 434 3.0 cfs under
7. Water to be diverted and used in Butte County about Butte
1 miles 5 of Butte
8. Proof of Publication Received
Not Received
9. Application Approved
Subject to
Not approved
Action deferred

10. Remarks:

No. 466-1Water Division No. 1 Belle Fourche River
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of applicant ARVID MAGNUSON
 Postoffice address WORLDWIDE PARKWAY, County BRADY, State S.D.

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

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

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

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

2. Name of diversion work THE MAGNUSON IRRIGATION PROJECT
 Operator has permit for 3 cubic feet under the Red Water Irrigation Act.
 3. Amount of water claimed 300 cubic feet per second
 ditch and request a permit for the additional 12 cubic feet from the well
 4. Source of water supply Two artesian wells
 Well No. 1 S 45°30'W 1820' from the E. & Cor. Sec. 14, T.3 N., R.3 E-MW
 5. Location of point of diversion Well No. 2 S 45°45'W 1834' from the E. & Cor. Sec. 14, T.3 N., R.3 E-MW County.

6. Annual period or periods during which water is to be used For irrigation April 1st
Nov 30th Stock water as needed through out year.

7. To be used for: Irrigation or domestic use. Gravity, overhead sprinkling or combination system? Gravity

NE-NW-35 Ac., SW-NW-38 Ac., SE-NW-30 Ac., NW-NE-7 Ac., SW-NE-37 Ac.,

SE-NE-37 Ac., NE-SW-38 Ac., NE-SW-37 Ac., NW-SE-33 Ac., Sec. 13, T.3 N., R.3 E

Sec. 13, T.3 N., R.3 E-MW Total 297 Ac

SE-NE-38 Ac., NE-SE-30 Ac. Sec. 14, T.3 N., R.3 E-MW Total 68 Ac

Lot 1-4 Ac., Lot 5-31 Ac., SE-NW-19 Ac., NE-SW-28 Ac., Sec. 18, T.3 N., R.3 E

Sec. 18 Total 68 Ac

Grand Total 434 Ac

(a) 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 None

Map No 407-1

8. Estimated cost of work:

(a) Head Gates, \$-----

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

(e) Other structures -----

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

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

Rock, \$-----

Total, \$-----

9. Description of diversion works:

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

Digging wells with flumes

II. Dimensions of works

(a) Dam: Height ----- feet; length at bottom ----- feet; length at top ----- feet; thickness at bottom ----- feet; thickness at top ----- 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.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-Feet CAPACITY

(c)* Head gate: Width ----- feet; height ----- feet;
Material -----

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

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ----- years.

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

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

Belle Fourche Press, Belle Fourche, S.D.

STATE OF SOUTH DAKOTA

County of -----

I, Arvid Magnusson, 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 -----

day of -----

19-----

Carl M. Cornell, Buffalo, S.D., Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

SCALE 1 inch = 660 feet
3 inches = 1 mile.

I, Carl M. Cornell, Licensed Surveyor, in and for the State of South Dakota, do hereby certify that, at the request of Arvid Magnuson, of Gordon, Nebraska, I have made a survey of the irrigable lands embraced in the several tracts indicated on this plat for the purpose of determining the area of irrigable land contained in his project as depicted on this plat and for furnishing the required plat of said lands to be filed with his "Application for a Permit to Appropriate Water for Irrigation Purposes."

Subscribed and sworn to at Buffalo, South Dakota this 26th day of April 1960.

Subscribed and sworn to before me at Buffalo, South Dakota this 26th day of April 1930

[illegible]

Remarks by State Water Resources Commission:

A suitable valve must be installed on the new wall to allow the control of flows during non-irrigation season.

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, June 9, 1960

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
a m. upon the 9th day of May, 1960

State Water Resources Commission

By: Paul Jones
for Chief Engineer, Executive Officer

Number of permit A 66-1

Date of first receipt of application May 9, 1960

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

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right May 9, 1960

Approved June 8, 1960, Recorded in Book 6 Page 76

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

June 8, 1962

2nd. The whole of said work is to be completed on or before June 8, 1964

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

June 8, 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 1.5 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 June 8, 1966; said water to be used during the following described annual period:

April 1 to November 30, inclusive

Witness my hand this 9th day of June, 1960.

State Water Resources Commission

By:

Paul Jones

Chief Engineer, Executive Officer

Certificate of Construction issued January 3, 1962

Water License issued January 3, 1962

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation $7\frac{7}{8}"$ Depth 453'Type of casing Steel
(wood, concrete, steel, etc.)

Size of casing Thickness of casing

Length of ~~300'~~ $345'$ If collection gallery, length, size and depth of
gallery None

(b) Screens

Type of perforated screen

Size of perforated screen (length) 6" casing
and $7\frac{7}{8}"$ hole wall. Concrete meter) XXXXXXXX between casing

Thickness of gravel pack length of gravel pack

(c) Water Bearing Material 358'

White & pink

Distance to water Character of water bearing materials

Thickness of water bearing material None- Well flows.

(d) Pump and Motor

Type of pump
(centrifugal, propeller, mixed flow, etc.)

Name of pump size

Kind of motor
(gasoline, electric, diesel, etc.)

Horsepower Name of Motor

(e) Complete w 450 GPM XXXXXXXX casing head \$2000.00

Capacity at drawdown of Arvid Magnusson Estimated cost

(f) Owner of land upon which well is located
Gordon, Nebraska- Operator Tye Cobb, Fruitdale, So. Dak.

Address

(g) Distance to nearest existing wells

320

On same owner's property rods. On property owned by others rods:

Drilled in 1903.

No driller's log available but, since it is located only 3 rods from Well No. 2, the log of No. 2 should cover the required information.

9. (Continued)

III. Well Specifications

(a) Hole and casing

Top 155' 6" }
 Size of drill hole or excavation Bottom 303' 3" } Depth 420'
 Type of casing Steel
 (wood, concrete, steel, etc.)

Size of casing 6" - visible - Thickness of casing (2")

Assumed to be cased to bottom of hole 420'
 Length of casing If collection gallery, length, size and depth of
 gallery Probably 102 feet below top of flow

(b) Screens Not determined

Type of perforated screen

Size of perforated screen (diameter) (length)

Thickness of gravel pack length of gravel pack

(c) Water Bearing Materials

Distance to water 353 Character of water bearing materials Sand

Thickness of water bearing material 3 77'

(d) Pump and Motor None - Well flows

Type of pump (centrifugal, propeller, mixed flow, etc.)

Name of pump size

Kind of motor (gasoline, electric, diesel, etc.)

Horsepower Name of Motor

(e) Complete well

Capacity 325 GPM at drawdown of at casing No Estimated cost \$2010.00

(f) Owner of land upon which well is located Arvid Magnuson Name

Gordon, Nebraska Operator; Eys Coll, Fruitdale, So. Dak.
 Address

(g) Distance to nearest existing wells

On same owner's property 3 rods. On property owned by others 320 rods

Well No. 8 - Completed April 1930

DRILLER'S LOG OF WELL

Location of Well: NE 1/4, SE 1/4, Section 14, Township 3 N, Range 3 E - 30th

Well to be drilled for: Arvid Haglund, Gordon, Neb.
(Name) (Address)

Owner of land (if other than above): X Y X
(Name) (Address)

Date well drilling started April 1930 finished April 1930

Purpose of well Stockwater and irrigation
(domestic, irrigation, municipal, industrial, other)

Diameter			
inches			
		Ground Surface Elevation: About 2800'	(If Available)
33	Feet	Top & light gray clay.	Kind and thickness of casing to be installed:
133		Blue-gray shale	Steel - 31575 - 3 3/4"
1		Silt stone	
51		Gray shale	10 1/2"
2	Feet	Silt stone	
3		Gray silty shale with bentonite	
2		Silt stone	Size of casing to be installed:
39	Feet	6" Silty to fine sand	345 feet of 6" inches diameter
13		7 7/8" Gray shale & bentonite	feet of inches diameter
71		White sand.	feet of inches diameter
29		Siltstone and streaks of fine white sand.	Type of seal between casing sizes:
353'		Blue, green & gray shale.	8" casing seal in 7 7/8" hole
77	Feet	White and pink sand	With concrete
13		Red, rusty, yellow	
		Pink & green shale	
			Kind of perforated screen to be installed:
			None.
			(steel, wood, concrete, etc.)
			Size of screen:
			Diameter None inches
			Length feet
			Size openings inches
		Water bearing material	
			Depth below ground surface to which water rises
			In well feet. Well flows
			450 G.P.M.
Total 453 ft.			

STATE OF SOUTH DAKOTA

WATER LICENSE No. 466-1...

WHEREAS, On the 9th day of May A. D. 1960

Arvid Magnuson

of Gordon County of Sheridan and State of Nebraska duly made application (No. 466-1) to us for a permit to use 1.5 cubic feet per second of the waters of artesian ground water County of Butte, State of South Dakota, for irrigation purposes; and

WHEREAS, On the 9th day of June A. D. 1960 Permit No. 466-1 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 8th day of June A. D. 1964 and for the application to beneficial use of said water on or before the 8th day of June A. D. 1966 and,

WHEREAS, On the 5th day of October A. D. 1961 the holder... of said permit duly made proof of the completion of adequate works for the diversion of 1.5 cubic feet per second of said waters, as evidenced by our Certificate No. 466-1 dated January 3, 1961 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1.5 cubic feet per second of water, with date of priority of May 9, 1960 and,

WHEREAS, On the 5th day of October A. D. 1961 proof was duly made of the application to beneficial use of 1.5 cubic feet per second of said water; for irrigating portions of Sections 13, 14, T8N, R3E and Section 18, T8N, R4E.

NOV, 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 Arvid Magnuson
of Gordon, Nebraska the holder and owner of said permit No. 466-1
a water right, dating from May 9, 1960 to the use of 1.5
cubic feet per second of the waters of artesian ground water
in the County of Butte and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted at points S 41° 30' W 1840'
and S 43° 45' W 1804' from the NE corner, Section 14, T8N, R3E
and conducted to and upon portions of Sections 13 and 14, T8N, R3E and Section
18, T8N, R3E, more specifically described in the Certificate of Completion
of Works

for the purpose of irrigation

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

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 3rd day of January A. D. Nineteen
Hundred and sixty-two.

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GAMES

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. **466-1**Water Division No. **1** **Belle Fourche River****Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That **Arvid Magnuson**of **Gordon**, County of **Sheridan**, and State of**Nebraska**, the holder of Permit No. **466-1** Issued upon ApplicationNo. **466-1**, bearing date of priority of **May 9, 1960**, authorizing the diversion of**1.5** cu. ft. per second of the waters of **artesian ground water**County of **Butte**, State of South Dakota, at **points S45° 30' W,****1840°, and S45° 45' W, 1804' from the E½ corner, Section 14, T8N, R3E**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 **1.5** 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: **NE½ NW½ Sec. 13 T 8N R 3 E 35 acres**

SW½ NW½ " 13 " " 30 "

SE½ NW½ " 12 " " 30 "

NW½ NE½ " 13 " " 7 "

SW½ NE½ " 13 " " 32 "

SE½ NE½ " 13 " " 37 "

NW½ SW½ " 13 " " 19 "

NE½ SW½ " 13 " " 32 "

NW½ SE½ " 13 " " 38 "

SE½ NE½ " 14 " " 38 "

NE½ SE½ " 14 " " 30 "

Lot 1 " 18 " 4 E 4 "

Lot 2 " 18 " " 24 "

SE½ NW½ " 18 " " 19 "

NE½ SW½ " 18 " " 22 "

434 "

Witness my hand this **3rd** day of **January** A. D. 19**62**

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GRIMES

Permit No. 466-1

Water Division No.

Water District

Certificate of Examination of Works

Report of Examining Engineer

RECEIVED
OCT 20 1961STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

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

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated Oct. 5, 1961.

I have this day made a thorough examination of the diversion works constructed by

Ty Cobb, Manager, Fruitdale, S.D. (Rutte) of Gordon, Neb. County, South Dakota, holder of Permit No. 466-1, issued

upon Application No. 466-1, bearing date of priority of May 9, 1909, 1909, authorizing thediversion of 1.5 cu. ft. per second of the waters of Artesian ground for irrigation & stock purposes. I have to report on the condition of the same as follows:The diversion works comprise: Two artesian wells with ditches etc.
Well No. 1 and No. 2 as described in log.and the system is in the following condition: ExcellentThe point of diversion is located Well No. 1; S. 45° 30' W 1840' from the E. 1/4 Cor. Sec. 14, T. 8 N., R. 3 E-BHM.
Well No. 2-S. 45° 45' W 1804' from the same 1/4 Cor. as above.The works are capable of diverting and conveying to the place of use 1.5 cu. ft. per second of water,which is to be used for Irrigation and stock water.

NE-NW-35 ac., SW-NW-38 ac., SE-NW-30 ac., NW-NE-7 ac., SW-NE-37 ac., SE-NE-37 ac.,

The legal sub-divisions to be irrigated are:

NW-SW-38 ac., NE-SW-37 ac., NW-SE-38 ac., Sec. 13, T. 3 N., R. 3 E-BHM Total 297 ac.

SE-NE-38 ac., NE-SE-30 ac., Sec. 14, T. 8 N., R. 3 E-BHM Total 68 ac.

Lot 1-4 ac., L. 2-24 ac., SE-NW-19 ac., NE-SW-22 ac. Sec. 18, T. 8 N., R. 4 E Total 69 ac.

Grand Total 434 ac.

comprising a total of _____ acres of land.

The domestic use intended comprises Irrigation and stock water only

The utilization for power, mining, or other beneficial uses comprises:

NoneWitness my hand, this 18th day of October, A. D. 1961.

—SEAL—

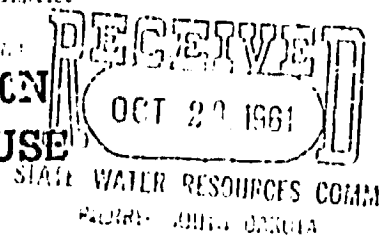
Licensed Surveyor.

Examining Engineer.

Permit No. 44-66-7

Water Division No. _____ Water District _____

CERTIFICATE OF APPLICATION OF WATER TO BENEFICIAL USE



DEPOSITION OF HOLDER

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

Ans. ARVID MAGNUSON, GORDON, NEBRASKA, Stockman-farmer, Gordon, Neb.

By Ty Cobb, Manager, Fruitdale, South Dakota.

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

Ans. Private property

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. 466-1 ~~XXXXXX~~ April 27th, 1960 May 9th, 1960

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

Ans. Artesian ground water- Well No. 1 - S 45° 30' W 1840' from E 1/4 Cor. Sec. 14, T.8 N., R. 3 E-BHM.
Well No. 2 - S 45° 45' W 1804' from the E 1/4 Cor. Sec. 14, T.8 N., R. 3 E-BHM Butte Co.

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

Ans. Well No. 1 225 GPM thru Government Project ditches and private ditch
Well No. 2 450 GPM thru re described ditches.

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

NE-NW-35 ac., SW-NW-38 ac., SE-NW-30 ac., NW-NE 7 ac., SW-NE 37 ac., SE-NE-37 ac.,	
NW-SW-38 ac., NE-SW-37 ac., NW-SE-38 ac., NE-SW-38 ac. , Sec. 18, T.8 N., R. 3 E-BHM 297	
SE-NE-38 ac., NE-SE-30 ac., Sec. 14, T.8 N., R. 3 E-BHM	68
Lot 1-4 ac., L. 2-24 ac., SE-NW-19 ac., NE-SW-22 ac., Sec. 18, T.8 N., R. 4 E-bhm	69
Grand total	434 ac

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

Ans. None except stock water.

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

This area should have 6.2 sec.ft. but the 1 1/2 sec.ft provided by wells added to the 3 sec.ft provided by the Red Water Irrigation Assn. is the best we seem able to obtain.

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

Ans. I am manager for the owner, Arvid Magnuson.

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

Ans. Above described water has been used as needed for irrigation, in season, since the completion of well No.2 in April 1960.

Arvid Magnusson

(Sign.) *Arvid Magnusson*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to

before me, at my office in Fruitdale, County of Butte, State of South Dakota, on this 18th day of October, A.D., 1961

Carl M. Cornell
Carl M. Cornell, Buffalo, So. Dak.
Notary Public.

(SEAL)

Permit No. _____

Proof of Application of Water to _____

Beneficial Use. _____

DEPOSITION OF HOLDER _____

Amount of water 1.5 c.f.s.

Source Artesian ground water

County Butte

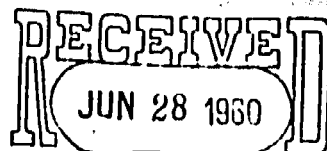
Purpose Irrigation and stock water

Place of Use Sec.s 13, 14 & 18,

T 8 N., R. 3 & 4 E-bhm

Date of priority May 9, 1960

Received and filed _____

Permit No. 466-1Water Division No. 1 Pella Church Water DistrictSTATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA**Notice of Application of Water to Beneficial Use**

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

(P. O.) Gordon, Nebr.(Date) June 24, 1960

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

DEAR SIR: Notice is hereby given that on the 5th day of July 1960, at Fruitdale County of Butte State of South Dakota, before Carl M. Cornell proof will be submitted of the application to beneficial use (Examining Engineer or Officer) of 1 1/2 cubic feet per second of the waters of _____ in accordance with the terms and conditions of Permit No. 466-1 heretofore issued by the Water Resources Commission of South Dakota.

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

Arvid Magnuson, Gordon, Nebr.2. The use to which said water has been applied is Irrigation3. The amount applied to beneficial use is Irrigation

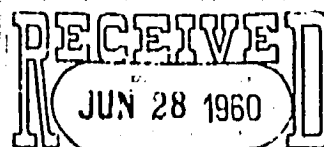
4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) NE-NW-35Ac., SW-NW-38 Ac., SE-NW-30Ac., NW-NE-7 Ac., SW-NE-37 Ac.,
SE-NE-37 Ac., NW-SW-38 Ac., NE-SW-37 Ac., NW-SE-38 Ac., Sec. 13, T.8 R.3
SE-NE-38 Ac., NE-SE-30 Ac., Sec. 14, 18, 13.
Lot 1-4 Ac., Lot 2-24 Ac., SE-NW-19 Ac., NE-SW-22 Ac., Sec. 18, T8, R 4
Total acres 434

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is _____

Magnuson Irrigation Project6. The right to take the water from such works is based upon permit No. 466-17. The source of supply from which such water is diverted is Wells8. The date of priority which said user is prepared to establish is May 9, 1960

(Sign)

Arvid Magnuson



Permit No. 466-1...

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Water Division No. 1

Pelle Fourch 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.) Gordon, Nebr

(Date) June 24, 1960

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

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of 1 1/2 cu. ft. per second of the waters of the state from flowing wells 1 & 2 through the flowing wells 1 & 2 for irrigation purposes irrigation in accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is Arvid Magnuson
2. The post-office address of such person or the place of business of such corporation is Gordon, Nebr. County of Sheridan State of Nebr.
3. The number of such permit is 466-1 and the date set for the completion of such work is July 1, 1960
4. Said water to be used for irrigation purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 1 1/2 cubic feet per second.
6. The amount of land for which said water is available is 434.8 acres, particularly described as follows: The Magnuson Irrigation Project

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

Arvid Magnuson

(Signature of Owners)

RECEIVED
JUN 3 1960

No. 466-1

PROOF OF PUBLICATION

PIERRE, SOUTH DAKOTA

STATE OF SOUTH DAKOTA } ss.

County Butte

Laurence W. Tyler being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Belle Fourche Bee a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the City of Belle Fourche County of Butte and State of South Dakota; that the said notice was published in said newspaper on the following dates:

May 12, 1960

19, 1960

26, 1960

June 2, 1960

in each and every issue of the full number thereof, the first publication being made on the 12 day of May 1960 and the last publication on the 2nd day of June 1960, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was the printer and publisher of the said newspaper.

Laurence W. Tyler

Subscribed and sworn to before me this 3rd day of June A. D. 1960.

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

No. 466-1

APPROPRIATION OF WATER

Office of Water Resources Commission,

Pierre, S. Dak. May 9, 1960

Notice is hereby given that Arvid Magnuson whose postoffice address is Gordon, Nebraska, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.5 cubic feet of water per second of time from artesian ground water through the Magnuson Irrigation Project, the points of diversion of which are to be located in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 14 Twp. 8N Range 3E. Said water to be used for the purpose of providing irrigation on portions of the following described land: E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 14; N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 13 T 8N R 3E; Lots 1 & 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 18 T 8N R 4E

and for stockwater purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 7th day of June, 1960, at 2 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: Burton F. Jones
Water Right Specialist
Bdt 5/12-19-26 6/2

(First Publication on or before May 12, 1960.)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., May 9, 1960

Notice is hereby given that Arvid Magnuson whose postoffice address is Gordon, Nebraska ~~xxxxx~~, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.5 cubic feet of water per second of time from ~~the~~ artesian ground water through the Magnuson Irrigation Project, the point of diversion of which ~~is~~ ^{are} to be located ~~at~~ ^{are} ~~xxxxx~~ xxxxx in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 14 portions of Twp. 8N Range 3E Said water to be used for the purpose of providing irrigation of the following described land:

E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec 14; N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 13 T 8N R 3E; Lots 1 & 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 18 T 8N R 4E

and for stockwater purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 7th day of June, 1960 at 2 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.

cc: **Lawrence Weyler-Publisher**
Belle Fourche Bee
Belle Fourche, South Dakota

State Water Resources Commission

By:

~~State Engineer~~
Burton F. Jones
Water Right Specialist

466--1

Dear Mr. Queen:

if you still own this land, please submit a Form 20, Notice of Transfer of Water Permit and \$2.50 filing fee so that the transfer from Arvid Magnusson to you can be recorded.

Sincerely,

BW/bt

July 16, 1979

As a Queen called office advising
he was just leasing this land
and he had filled out the sit.
report for Magnuson. Over
Magnuson is still the owner
if this water right.

Betty Westlund

55 Form 3801, Jan. 1977

● SENDER Complete items 1, 2, and 3.
Add your address in the RETURN TO space on reverse.

1. The following service is requested (check one).
☒ Show to whom and date delivered C
☐ Show to whom, date, and address of delivery C
☐ RESTRICTED DELIVERY
Show to whom and date delivered C
☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery \$
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO
Rsa Dixon
Grindale Rd 57742

3. ARTICLE DESCRIPTION
REGISTERED NO. | CERTIFIED NO. | INSURED NO.
014336

(Always obtain signature of addressee or agent)

I have received the article described above
SIGNATURE ☐ Addressee ☒ Authorized agent
Nelson Dixon

4. DATE OF DELIVERY
JUL 18 1979

5. ADDRESS (Complete only if requested)
JUL 18 1979

6. UNABLE TO DELIVER BECAUSE
CLERK'S INITIALS

RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

WATER RIGHTS DIVISION
(605) 773-3352

June 5, 1984

Asa Queen
RR#1
Fruitdale, South Dakota 57742

Dear Mr. Queen:

Enclosed is a copy of the 1983 Irrigation Questionnaire pertaining to Water Right No. 466-1, Arvid Magnuson. Mrs. Queen indicated during a telephone conversation June 5, 1984 that you did irrigate during 1983.

Please complete the enclosed form and return it to this office. The form should reach our office before the end of June.

If you have any questions, or need assistance in completing the questionnaire please contact us.

Sincerely,

Genny McMath
Natural Resources Specialist

GM:ms
Enc.

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

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

April 15, 1985

Asa J Queen, renter
RR 1
Fruitdale SD 57742

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) 466-1. 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, 46-2-3, 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) 466-1 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
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.

**South Dakota 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: Asa J. Queen (Renter)
RR #1
Fruitdale, SD 57742

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

SUBJECT: Amendment to Water Permit No(s). 466-1.

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). 466-1 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.

cc: Arvid Magnuson, owner
Gordon NE 69343

South Dakota
Department of
Water & Natural Resources

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

Attachment to Water Permit No(s). 466-1

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). 466-1 to add the following qualification:

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

Water Rights Division - DVNR

File No. 466-1

Conversation or File Documentation

NAME OF PERSON OR FILE: (Arvid Magnuson) Asa J. QueenADDRESS: RR#1, Fruitdale COUNTY _____DATE: July 3, 1985 TELEPHONE 892-7215RE: Address for Arvid Magnuson

COMMENTS:

Correspondence sent to Mr. Magnuson was returned by post office - called the renter - Asa Queen - he indicated Mr. Magnuson no longer lives in Gordon, NE - sent future correspondence to:

Arvid Magnuson

1427 Lookout Court

Spearfish SD 57783

Mr. Queen should still get questionnaire.

July 15 - 1985 - Mr Queen called in - wanted to know if he was still required to complete questionnaires each year when his well has reduced it's flow from what it used to. Told him yes. He requested a questionnaire be sent to him for last years.

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:

Jenny McMath

July 22, 1985
Fruitdale, S.D.

Dear Sirs,

In regard to permit number 466-1, we find it very difficult to actually give a true report on the water usage from that well alone. When the permit was first filed, the well flowed approximately 425 GPM. That same well now flows less than 100 GPM. The water from said well also runs into a dam and is mixed with water from our major irrigation water source, water from Redwater Irrigation Association.

If you find it necessary, we will continue to fill out the questionair. If we do fill out the form, it would be misleading as we would have to report the total acres irrigated and the major source of water is not from the well. Actually, the small amount of water coming from the well makes very little difference in our irrigation program.

I will keep the form that you have provided and if you find it necessary that it be fill'd out, please let me know.

Sincerely yours,


Asa J. Queen





Department of Water & Natural Resources

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

January 29, 1988

ASA J QUEEN-RENTER
RR #1
FRUITDALE, SD 57742

NOTICE

Re: Violation of Water Permit No(s). (466-1)

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 466-1. 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). 466-1 qualification:

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

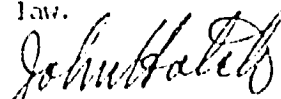
The hearing(s) will be at 9:00 am, March 2, 1988, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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). 466-1 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

cc: Arvid Magnuson, 1427 Lookout Court, Spearfish, SD 57783

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 9, 1988

466-1

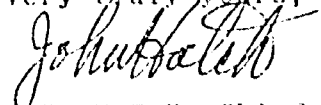
Asa J Queen, Renter
RR 1
Fruitdale SD 57742

Dear Mr. Queen:

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. 466-1 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: Arvid Magnuson
1427 Lookout Court
Spearfish SD 57783

 **Department of
Water & Natural Resources**

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

January 26, 1989

466-1

Asa J & Helen Queen
RR #1
Fruitdale, SD 57742

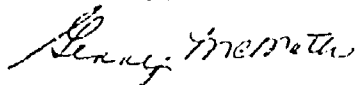
Dear Mr. & Mrs. Queen:

In response to the 1988 irrigation questionnaire you submitted, enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 466-1. Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50. The water right will then be transferred to your names.

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

If you have any questions, please contact us.

Sincerely,

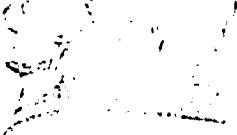


GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



South Dakota



GREAT FACES. GREAT PLACES.

February 1, 1991

ASA J & HELEN E QUEEN
RR #1 BOX 83
FRUITDALE SD 57742

DEPARTMENT OF WATER & NATURAL RESOURCES

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

NOTICE

RE: Violation of Water Permit No(s) 466-1

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 466-1. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s) 466-1 qualification:

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

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

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

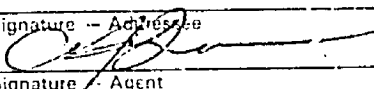
1. Suspend Permit No(s) 466-1 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is received in this office before the February 27th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested. 1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)	
3. Article Addressed to: ASA J & HELEN E QUEEN RR #1 BOX 83 FRUITDALE SD 57742	4. Article Number P 694 057 411 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature - Addressee X 	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X	
7. Date of Delivery 2-11-91	



DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3131

February 15, 1991

166-1

Asa J & Helen E Queen
Box 136
Lisaco. NE 69148

Dear Mr. & Mrs. Queen:

I am writing to acknowledge receipt of your 1990 irrigation questionnaire for Water Right No. 486-1. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaire, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division

NO. 466-1

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 1-30-89



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

434 acres - NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, T8N, R3E

SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Lots 1 & 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18, T8N, R3E

formerly owned by Arvid Magnuson

has been transferred to ASA J. & HELEN E. QUEEN
RR 1 Box 53 FRUITDALE SD 57742

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

Water Right Permit No. 466-1 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 BUTTE) ss.

I, Asa Queen 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.

Asa Queen
(Signed)

Subscribed and sworn to before me this 30th Day of January, 1989.

Donna Bradley
(Notary Public)

DONNA BRADLEY
Notary Public, BUTTE COUNTY, S. Dak.
My Commission Expires DEC. 22, 1994

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, February 1, 1989, 19

RECEIVED OF Ass. J. & Helen L. Queen, 221 Box 82, Ventnor, SD 57742

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. _____	2	50
Fee for Filing Transfer Form <u>Water Permit No. 165-1</u>		
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 J. L. [Signature]
Chief Engineer

466-1

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

February 16, 1989

Asa J & Helen E. Queen
RR 1, Box 83
Fruitdale, SD 57742

Dear Mr. & Mrs. Queen:

Enclosed is Receipt No. 411615 in the amount of \$ 2.50 which you paid for transfer of Water Right No. 466-1.

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

Sincerely,

Marie R. Arthur

Marie R. Arthur
Water Rights Division
(605) 773-3352



466-1

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 15, 2025

TO: Cora & Robert Brown, 18947 Cobb Rd, Fruitdale SD 57742
Lorene Goodwin, 2804 Mentzer Ct, Mitchell SD 57301

FROM: Amanda Dewell, Permitting Administrator
Water Rights Program, DANR

SUBJECT: Queen Water Right No. 466-1

I am writing you today in regard to Water Right No. 466-1, presently held in the names of Asa & Helen Queen. Water Right No. 466-1 authorizes the diversion of water at a rate of 1.5 cubic feet of water per second (approx. 675 gpm), from one well (Inyan Kara Aquifer) located in the NE ¼ SE ¼ Section 14-T8N-R3E, for the irrigation of 434 acres located in portions of Sections 13, 14, and 18; all in T8N-R3E, Butte County, South Dakota.

Water Right No. 466-1 carries a qualification mandating the reporting of annual water use; however, reporting has not been received since 1993, due to uncertainties in ownership and continued irrigation practices.

From a recent investigation into ownership of corresponding properties, it appears that both parties own a portion of the acreage authorized for irrigation under Water Right No. 466-1. I have attempted to identify those on the enclosed map, with the understanding that the approximate property line is represented by the yellow dash line. The acres authorized by Water Right No. 466-1 are listed on the map in orange for Brown property and purple for Goodwin.

If you have maintained irrigation of these acres from the well (approx. location identified by red dot), ownership of Water Right No. 466-1 should be transferred and reporting resumed.

Please contact me via telephone (605) 777-3352 or email (Amanda.Dewell@state.sd.us) to discuss the ownership transfer process, the absence of irrigation, or well sharing agreements.

enclosure



Brown = 319 ac
1.10 cfs

Goodwin = 115 ac
0.4 cfs

308-1 1470-1 308-1
282-1 308-1
8N SE
Section: 12

8N 4E
Section: 07

Valley 1 Rd

35 ac

7 ac

0128-1

38 ac

38 ac

30 ac

29 ac

8 ac

37 ac

28 ac

19 ac

8N SE
Section: 18

466-1

30 ac

38 ac

37 ac

37 ac

1 ac

8N 4E
Section: 18

22 ac

Cobb Ln

Snoma Rd

8N SE
Section: 24

1133-1

8N 4E
Section: 19

Snoma Rd

RECEIVED

SEP 09 2025

OFFICE OF
WATER

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

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

Water Right/Permit No. 466-1

Date: September 2, 2025

466-1
PAID

SEP 09 2025

Ck# 11242

Rec't# _____

I/We request that Water Right/Permit No. 466-1 formerly owned by:

Asa & Helen Queen

be transferred to:

New Owner Name: Roger & Cora Brown

Address: 18947 Cobb Rd mobile: 605 569-6076

City, State, Zip Fruitdale, SD 57717 email: rogercora@live.com

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

NE 1/4 NW 1/4 Sec 13
S 1/2 NW 1/4 Sec 13
W 1/2 NE 1/4 Sec 13
N 1/2 SW 1/4 Sec 13
NW 1/4 SE 1/4 Sec 13
SE 1/4 NE 1/4 Sec 14
NE 1/4 SE 1/4 Sec 14

all in T8N-R3E
Total: 319 acres

☒ I understand that the validity of Water Right/Permit No. 466-1 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, Roger Brown, the new owner, certify that the above information is true and correct.

Roger Brown
(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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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 Agriculture and Natural Resources

Date September 9th, 2025

RECEIVED OF Roger & Cora Brown 18947 Cobb Rd Fuitdale SD 57717

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>WR #466-1</u>	\$ <u>50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	TOTAL
	\$ <u>50.00</u>

By Mark Mayer
Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

October 6, 2025

466-1
466-1A

Roger & Cora Brown
18947 Cobb Rd
Fruitdale SD 57717

Dear Mr. & Ms. Brown:

The Water Rights Program has received the "Notice of Transfer of Ownership" form you submitted for a portion of the irrigated lands authorized by Water Right No. 466-1.

Water Right No. 466-1 has been divided and reissued accordingly. Please find enclosed reissued Water Right No. 466-1A and a receipt of payment for your records.

As a reminder, so long as you use the water beneficially, as stated in the water right, State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the water right will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

NOTE: Beginning in the fall of 2026, annual irrigation water use questionnaires will be mailed to you at this address, as required by the Water Management Board.

enclosures