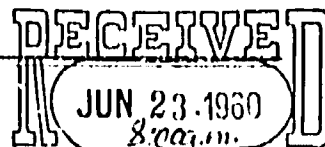


481-1

1. Considered 12-21, 1960
2. Name of Applicant BYRON SCHIPKE
3. Post Office Address NEWELL
4. Amount of water claimed 1.7
5. Source of water supply HORSE CR
6. Water to be used for irrigation
Acres to be irrigated 120
7. Water to be diverted and used in P. O. H. County about
4 mi. W 7 mi. N of NEWELL
8. Proof of Publication Received V
Not Received 1st
9. Application Approved
Subject to
Not approved
Action deferred
10. Remarks:

SEE LTR OF PROTEST IN 482-1

List
Prior
rights

No. 481-1Water Division No. 1 BELLE FOURCHE RIVER
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

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

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

1. Name of applicant JAYSON L. SCHIPKE,Postoffice address NEWELL, County BUTTE, State S.D.I. Is a corporation X X X X(a) Name of same X X X X(b) Date and place of incorporation X X X X(c) Amount of capital stock X X X X(d) Amount paid in X X X X(e) Names and addresses of directors X X X XX 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)

X X X X(b) Cash on hand, \$ X X(c) Treasury stock, \$ X X(d) Bonds to be issued, \$ X X(e) Other resources, \$ X X2. Name of diversion work THE SCHIPKE IRRIGATION PROJECT3. Amount of water claimed 1.7 cubic feet per second4. Source of water supply Horse CreekBetween X a point 8 90°E 957' from the N $\frac{1}{4}$ Cor. S 16, T. 9 N., R. 5 E-BHM5. Location of point of diversion
and a point 3 00°E 1188' from the N $\frac{1}{4}$ Cor S. 16, T. 9 N., R. 5E-BHMon Both bank Butte County.Nov.6. Annual period or periods during which water is to be used April 1st thru Sept 15

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity(a) Number of acres to be irrigated 120 acres.
NW-NE-36 Ac., NE-NE-12 Ac., SW-NE-39 Ac., SE-NE-33 Ac. Sec. 16 T. 9 N., R. 5 E-BHM

(b) Legal subdivisions to be irrigated

(NOTE—A list of land to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.) Total 120

(c) Statement as to domestic use (giving location, etc.)

Irrigation and stockwater

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use Irrigation and stockwater

Name any of the above uses claimed

(b) Amount of power to be generated None horse power.Amount claimed for engine cooling None(c) Location of plant None(d) Method of developing power None(e) Point where water will be returned to stream X X X X

MAP No 418-1

8. Estimated cost of work:

(a) Head Gates, \$ Est. (b) Pumping plant, \$1700.00
 (c) Fluming, \$ (d) Canal-earth, \$ Rock, \$
 (e) Other structures \$ Total, \$

9. Description of diversion works:

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

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 4 years.
 11. Time required for complete application of water to the proposed beneficial use 4 years.
 12. Choice of newspaper for publication of notice of intention to appropriate

Vayvel Irrigator, Newell, So. Dak.

STATE OF SOUTH DAKOTA

County of Butte } ss.

I, Byron L. Schipke, 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

Byron Schipke

Subscribed and sworn to before me this 1st day of June 1960

Carl M. Cornell

Notary Public (or State of South Dakota XXX)

*Each diversion must have a headgate or measuring device.

My Commission expires 4/19/67

PLAT
OF
THE SCHIPKE IRRIGATION PROJECT,
Sec. 16, T. 9 N., R. 5 E-BEM, Butte Co., So. Dak.

Scale- 1 inch = 660 feet.
3 inches = 1 mile.

- SURVEYOR'S CERTIFICATE -

I, Carl W. Cornell, Licensed Surveyor, in and for the State of South Dakota, do hereby certify that, at the request of Byron L. Schipke, of Fawell, South Dakota, I have made a survey of the tracts described hereon, for the purpose of furnishing the required plat for his "Application for a Permit to Appropriate Water for Irrigation Purposes," and to indicate the irrigable areas embraced in the said application.

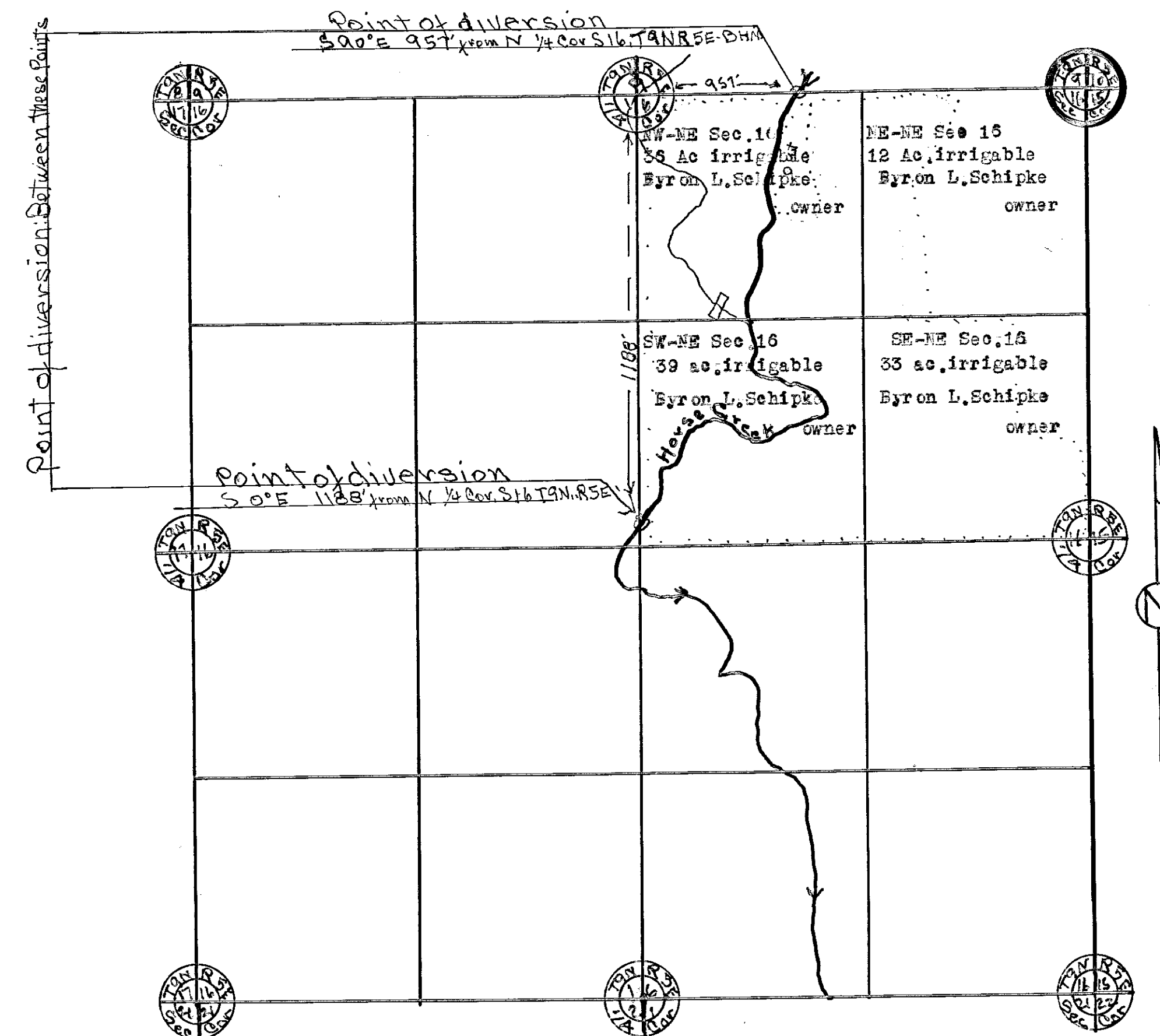
I further certify that the bearings and lengths of the several lines shown and their location with reference to the Government Land Corners shown are correct, to the best of my knowledge and belief.

Subscribed and sworn to at Buffalo, South Dakota this 4th day of June 1960.

SIGNED: *Carl W. Cornell* (SEAL)
Carl W. Cornell, Licensed Surveyor, #144.

Subscribed and sworn to at Buffalo, South Dakota this 4th day of June 1960.

M. R. Hann
Notary public. (SEAL)



Remarks by State Water Resources Commission:

Primarily, water available for this permit is return flows from the Belle Fourche Project. Such available flows may be reduced or changed by different water utilization by the project. The use of water under this permit is contingent upon water supplies being available to prior water rights. Lands described in this permit which receive water from the Belle Fourche Project may not receive water under this permit at the same time water is being obtained from the Belle Fourche Project.

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, December 29, 1960

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock a.m. upon the 23rd day of JUNE, 1960

State Water Resources Commission

By: Gordon Brown
Chief Engineer, Executive Officer

Number of permit 481-1

Date of first receipt of application June 23, 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 June 23, 1960

Approved December 21, 1960, Recorded in Book 6 Page 162

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 _____

December 21, 1962

2nd. The whole of said work is to be completed on or before December 21, 1964

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

December 21, 1968

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 1.7 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 December 21, 1968; said water to be used during the following described annual period:

April to November 15, inclusive

Witness my hand this 29th day of December, 1960

State Water Resources Commission

By: Gordon Brown
Chief Engineer, Executive Officer

Certificate of Construction Issued OCTOBER 6, 1969

Water License Issued OCTOBER 6, 1969

Permit No. 481-1

Water Diversion No. 1 Belle Fourche River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Byron L. Schipke

_____ the holder _____ of
Permit No. 481-1, issued upon Application No. 481-1, hearing date of priority of June 23,
1960 authorizing the diversion of 1.7 cu. ft. per second of the waters of _____
Horse Creek County of Butte, State of South Dakota at _____
between points 957 feet E. and 1188 feet S. of the N¹/₄ Corner, Section 16,
T9N, R5E
_____, for irrigation

purposes, has _____ 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 2.0 cu. ft. per second of water.

Date October 6, 1969

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 481-1

(1) WHEREAS, On the 23rd day of June A. D. 19 60
Byron Schipke

made Water Right Application No. 481-1 for a permit to use 1.7 cubic feet per second of the waters
of Horae Creek

County of Butte, State of South Dakota, for irrigation

purposes: and

(2) WHEREAS, On the 29th day of December A. D. 19 60

Permit No. 481-1, with a date of priority of June 23, 1960

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 21st day of December A. D. 19 64 and for the
application to beneficial use of said water on or before the 21st day of December A. D. 19 68

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert 1.7 cubic feet
second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to the application of water to beneficial use of the following extent,

for irrigating the following lands:

NE $\frac{1}{4}$, Section 16, T9N, R5E, 120 acres

(5) NCW, 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 Byron L. Schipke

_____ of Newell, South Dakota

the holder _____ and owner _____ of said permit No. 481-1 a water right, dating from June 23, 1960

_____ to use of 1.7 cubic feet per second of the waters

of Horse Creek

in the County of Butte and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted ~~xx~~ between points 957 feet E. and 1188 feet S. of the

N $\frac{1}{2}$ Corner, Section 16, T9N, R5E

and conduct to and upon 120 acres in the NE $\frac{1}{4}$, Section 16, T9N, R5E

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 481-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 6th day of October A. D.

Nineteen Hundred and Sixty-nine

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Permit No. 481-1Water Division 1 BELLE FOURCHE RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by BYRON L. SCHIPKE of NEWELL holder of Permit No. 481-1, bearing date of priority of JUNE 23, 1960 authorizing the diversion of 1.7 cu. ft. per second of the waters of HORSE CREEK for IRRIGATION purposes, in BUTTE County.

I have to report on the condition of the same as follows:

The Water Use System consists of,

A. Works used to divert the water:

BERKELEY PUMP MODEL B6JPL 8" IN X 8" OUT
POWERED BY RELIANCE 25 H.P. ELECTRIC MOTOR
ALSO - BERKELEY 6" IN X 6" OUT PUMP - P.T.O. POWERED
BY FORD TRACTOR (BOTH USED BY SHIPKE & WM SMEENK)

B. Works used to transport water to place of use,

990' OF 8" PIPE

C. Works used to apply water to beneficial use.

AREA EAST OF CREEK IS UNDER IRRIGATION PROJECT.
APPROX 30 ACRES WEST OF CREEK HAS APPROX
1/2 MILE OF MAIN DITCHES & SMALLER SPREADER DITCHES

The system is in the following condition: GOOD

The point of diversion is located BETWEEN POINTS 957' E AND 1188' S OF
THE N 1/4 CORNER, SECTION 16, T9N, R5E

The works are capable of diverting and conveying to the place of use 2.0
cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows:

120 ACRES IN THE NE 1/4, SECTION 16, T9N, R5E

comprising a total of 120 acres of land.

Date OCTOBER 1, 1969
Durston
(Signature)
WATER RIGHT SPECIALIST
WATER RESOURCES COMM.

OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE

RECEIVED
OCT 30 1964

Permit No. 481-1Water Division No. 4 Butte Feathers River Water District

STATE WATER RESOURCES COM. 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.) Newell S. Dak.(Date) Oct 28, 1964

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

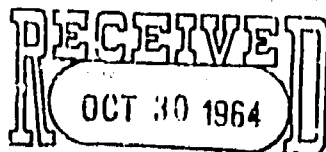
DEAR SIR: Notice is hereby given that on the 28 day of Oct 1964, at Butte Newell County of Butte State of South Dakota, before Barton Jones (Examining Engineer or Officer) proof will be submitted of the application to beneficial use of 1.7 cubic feet per second of the waters of Horse Creek

In accordance with the terms and conditions of Permit No. 481-1 heretofore issued by the Water Resources Commission of South Dakota.

- The name and postoffice address of the person or corporation holding said permit are Byron Schipke Newell S. Dak.
- The use to which said water has been applied is Irrigation
- The amount applied to beneficial use is 1.7 CFS/sec
- The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) NW.-NE 36a, NE-NE-12, SW-NE 39, S.E-N.E 33
- The name of the canal or ditch or other works by which said water is conducted to such place of use is The Schipke Irrigation Project
- The right to take the water from such works is based upon permit No. 481-1
- The source of supply from which such water is diverted is Horse Creek
- The date of priority which said user is prepared to establish is 5/23/64

(Sign)

Byron Schipke

Permit No. 481-1Water Division No. 1 Elle Fourche RiverSTATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Water District

NOTICE OF COMPLETION OF WORKS

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

(P. O.) Newell S. Dak.(Date) Oct. 28, 1964

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 1.7

cu. ft. per second of the waters of the state from Horse Creek
through the Schipte Irrigation Project
for Irrigation and stock water purposes
April 1st thru Sept 15 in accordance with the terms and con-
ditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is Byron Schipte

2. The postoffice address of such person or the place of business of such corporation is Newell
County of Butte State of S. Dak.

3. The number of such permit is 481-1 and the date set for the completion of such work is
December 21 - 1964

4. Said water to be used for Irrigation purposes.

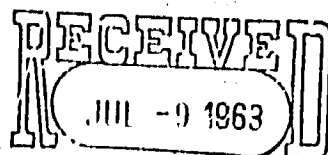
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of
water which said works are capable of conducting to the place of intended use, in accordance with the plans ac-
companying the application for such permit, is 1.7 cubic feet per second.

6. The amount of land for which said water is available is 121.7 acres,
particularly described as follows: N.W.-N.E.-36, N.E.-N.E.-12, S.W.-N.E.-34,
S.E.-N.E.-33, Sec. 16, T.9N., R.5E.-B.H.M.

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

(Signature of Owners)

Byron Schipte

Permit No. 481-1Water Division No. 1 St. Pierre River Water District PIERRE, SOUTH DAKOTA STATE WATER RESOURCES COMM.

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 date set for completion of works.

(P. O.) Newell S. Dak.(Date) July 8, 1963TO 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

1.7 cu. ft. per second of the waters of the state from Horse Creek
through the Schuyte Irrig. Project
for Irrigation purposes

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 Byron Schuyte2. The postoffice address of such person or the place of business of such corporation is Newell
County of Battle State of South Dakota3. The number of such permit is 481-1 and the date set for the completion of such work is December 21, 19684. 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 1.7 cubic feet per second.6. The amount of land for which said water is available is 120 A acres,
particularly described as follows: N.W.-N.E.-33A, N.E.-N.E.-12A,
S.W.-N.E.-33A, S.E.-N.E.-33A, 86-9-5

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

(Signature of Owners)

Byron Schuyte

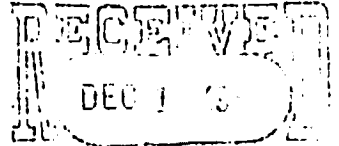
PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Butte } ss.Hyron Schipke being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the

Valley Irrigator a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in theCity of Newell County of Butte and State of South Dakota;

that the said notice was published in said newspaper on the following dates:

November 24, 1966December 1, 1966December 8, 1966December 15, 1966in each and every issue of the full number thereof, the first publication being made on the 24 day of November 1966 and the last publication on the 15th day ofDecember 1966, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication hewas editor the printer and publisher of the said newspaper.Subscribed and sworn to before me this 16 day of December A. D. 1966Hyron Schipke
Notary Public Butte County, S. D.STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTAAPPROPRIATION OF WATER
Office of State Water Resources
Commission, Pierre, S. Dak.,
November 14, 1966

Notice is hereby given that Hyron L. Schipke, whose postoffice address is Newell, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.7 cubic feet of water per second of time from Horse Creek through the Schipke Irrigation Project, the point of diversion of which is to be located on the banks of said stream between a point in the NW 1/4 NE 1/4, Sec. 16, and a point in the SW 1/4 of the NE 1/4 of Section 16, Twp. 2N, Range 5E. Said water to be used for the purpose of providing irrigation on portions of the following described land: NE 1/4, Sec. 16, T. 2N, R. 5E, 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 1st day of December, 1966, 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
COMMISSIONBY:
Burton F. Jones, Water
Right Specialist (sc)

(First Publication on or before Nov. 24, 1960)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., November 14, 1960

Notice is hereby given that Byron L. Schipke whose postoffice address is Newell S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.2 cubic feet of water per second of time from ~~the~~ Horse Creek through the Schipke Irrigation Project, the point of diversion of which is to be located on ~~the~~ both between a point in the NW 1/4 NE 1/4, Sec 16, and a point bank of said stream/in the SW 1/4 of the NE 1/4 of Section 16 Twp. 9N Range 5E Said water to be used for the purpose of providing irrigation on portions of the following described land:

NE 1/4, Sec 16, T. 9N. R. 5E.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 21st day of December, 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: F. Lyn Gladstone—Publisher
Valley Irrigator
Newell, South Dakota

State Water Resources Commission

By:

Burton F. Jones
Water Right Specialist

September 5, 1961

Mr. Byron Schipke
Newell, South Dakota

Dear Mr. Schipke:

Because there is now insufficient water to maintain continuous flows in the stream, upon which you have a water right, to enable the delivery of water on a priority basis, the Water Resources Commission will not regulate the delivery of water for the remainder of this irrigating season unless conditions change.

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

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

Sincerely,

J. W. GBIMES
Executive Officer &
Chief Engineer

JWG:ls
cc to each Water Resources Commissioner

**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. 481-1

April 3, 1987

Karen Snoozy
Box 112 B
Newell, South Dakota 57760

Dear Ms. Snoozy:

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.

NO. 481-1

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

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

120 acres - NE 1/4 Section 16, T9N-R5E

formerly owned by Byron Schipke

RR 1

has been transferred to Karen Snoozy, Box 112 B, Newell, SD 57760

(please include complete mailing address)

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

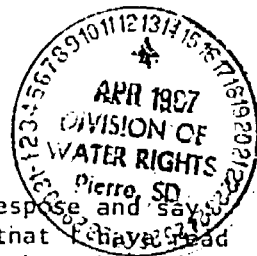
Water Right Permit No. 481-1 as provided for in SDCL 46-5-32 and 46-5-33.

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, Karen Snoozy 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.



Karen Snoozy
(Signed)

Subscribed and sworn to before me this 10th Day of April, 1987.

Betty J. Anderson
(Notary Public)

NOTARY PUBLIC
My Comm. Expires 12/31/88

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

440226

Pierre, April 10, 19³⁷

RECEIVED OF Karen Snonzy, RR 1, Pox 112B, Newell, SD 57760

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct 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>461-1</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 (ins)

No. 481-1

SOUTH DAKOTA Department of
Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

Phone (605) 773-3352

May 1, 1987

Karen Snoozy
RR 1, Box 112B
Newell SD 57760

Dear Ms. Snoozy:

Enclosed is receipt No. 410326 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 481-1.

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

Sincerely,

KAREN SCHLAACK
Senior Secretary

enclosure



Department of Water & Natural Resources

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

March 23, 1987

BYRON S SCHIPKE
RR 1 BOX 113
NEWELL, SD 57760

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 481-1. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

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

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

1. Amend Permit No(s). 481-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

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

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

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

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

April 3, 1987

481-1

Byron Schipke
RR #1 Box 113
Newell, SD 57760

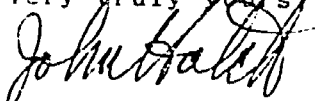
Dear Mr. Schipke:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Right No. 481-1 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

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

If you have any questions, please contact us.

Very truly yours,



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

NOTE: With response to your note concerning the new owner, Karen Snoozy, Box 112B, Newell, SD has been contacted concerning transfer of this water right.



481-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2008

NOTICE

TO: KAREN/LARRY SNOOZY, 4201 WONDERLAND DR, RAPID CITY, SD 57702 6980

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire has not been submitted for Permit No(s) 481-1. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 11, 2008**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 481-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **March 3, 2008**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

481-1

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 4445
Status: **Delivered**

Your item was delivered at 1:04 PM on January 19, 2008 in RAPID CITY, SD 57702. The item was signed for by L SNOOZY.

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No FEAR Act EEO Data

FOIA

First-Class Mail®
Registered Mail™Priority Mail™
Registered Mail™SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 4445

KAREN/LARRY SNOOZY
4201 WONDERLAND DR
RAPID CITY SD 57702 6980

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com®
or call 1-800-222-1811

- ☐ Priority Mail™ Service
☐ First-Class Mail® parcel
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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 28, 2008

481-1

Karen or Larry Snoozy
4201 Wonderland Dr
Rapid City SD 57702-6980

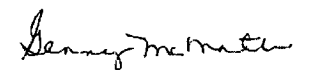
Dear Mr. & Mrs. Snoozy:

I am writing to acknowledge receipt of your 2007 irrigation questionnaire. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right No. 481-1.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,


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



481-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2013

NOTICE

TO: KAREN/LARRY SNOOZY, 4201 WONDERLAND DR, RAPID CITY, SD 57702 6980

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire has not been submitted for Permit No(s) 481-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **8:30 am, March 7, 2013**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 481-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

January 29, 2013

481-1

Larry & Karen Snoozy
4201 Wonderland Dr
Rapid City SD 57702 6980

Dear Mr. & Mrs. Snoozy:

I am writing to acknowledge receipt of your 2012 irrigation questionnaire.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right No. 481-1. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

JUN 03 2019

WATER RIGHTS
PROGRAM

PAID

JUN 03 2019

Ck# 221889

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

Water Right/Permit No. 481-1Date: May 31, 2019I/We request that Water Right/Permit No. 481-1 formerly owned by:Karen Snoozy and Larry Snoozy be transferred to:New Owner Name: Marjory R. DuncanAddress: 29885 478th Ave.City, State, Zip Alcester SD 57001 Telephone No. 605-934-2475

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

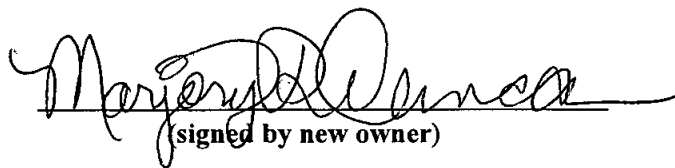
See Attached for Butte Co.

☒ I understand that the validity of Water Right/Permit No. 481-1 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, Marjory R. Duncan, the new owner, certify that the above information is true and correct.


(signed by new owner)

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

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

EXHIBIT "A"
LEGAL DESCRIPTION

File No.: 81614

Township 9 North, Range 5 East of the Black Hills Meridian, Butte County, South Dakota:
Section 16: SW $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ NE $\frac{1}{4}$

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date June 3, 2019

RECEIVED OF Black Hills Title, Inc. PO Box 459 Spearfish SD 57783

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>481-1</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **09155**

By Jeanne Goodman
Chief Engineer vm



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 5, 2019

481-1

Marjory R Duncan
29886 478th Ave
Alcester SD 57001

Dear Ms. Duncan:

I am writing to acknowledge receipt of the transfer of ownership form and filing fee submitted for Water Right No. 481-1. The ownership change has been completed. Water Right No. 481-1, formerly held by Karen and Larry Snoozy is now listed in your name.

For informational purposes, each year we mail out irrigation questionnaires to irrigators in South Dakota for reporting the amount of water pumped during the season (enclosed is a sample copy). Water Right No. 481-1 authorizes diversion of water from Horse Creek for irrigation purposes. The land is located within the Belle Fourche Irrigation District and can also receive purchased water from the district. For purposes of the irrigation questionnaire, our office requires information annually on how much water was pumped direct from Horse Creek as described in the water right. If water is purchased from the district, you do not need to report the amount however you will need to indicate on the questionnaire that irrigation was done using "project water".

Receipt No. 09155 in the amount of \$50 will be forwarded by copy of this letter to Black Hills Title and Abstract. If you have any questions concerning the water right, please let us know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352

enclosure

c: Black Hills Title Inc., PO Box 459, Spearfish SD 57783

481-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 18, 2020

481-1

Jesse D & Desiree Duncan
18295 Winkler Rd
Newell SD 57760

Dear Mr. & Ms. Duncan:

I am writing to acknowledge receipt of the transfer of ownership form and filing fee submitted for Water Right No. 481-1. The ownership change has been completed. Water Right No. 481-1, formerly held by Marjory R Duncan is now listed under your names.

For informational purposes, each year we mail out irrigation questionnaires to irrigators in South Dakota for reporting the amount of water pumped during the season (enclosed is a copy of the 2019 form). Water Right No. 481-1 authorizes diversion of water from Horse Creek for irrigation purposes. The land is located within the Belle Fourche Irrigation District and can also receive purchased water from the district. For purposes of the irrigation questionnaire, our office requires information annually on how much water was pumped direct from Horse Creek as described in the water right. If water is purchased from the district, you do not need to report the amount however you will need to indicate on the questionnaire that irrigation was done using "project water".

Enclosed is your receipt for the filing fee you paid. If you have any questions concerning the water right, please let us know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

PAID

FEB 12 2020

Ck# 2158

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

RECEIVED

Water Right/Permit No. 481-1

FEB 12 2020

Date: February 6, 2020

I/We request that Water Right/Permit No. 481-PROGRAM ^{WATER RIGHTS} formerly owned by:

Marjory R. Duncan be transferred to:

New Owner Name: Jesse D. Duncan and Desiree Duncan

Address: 18295 Winkler Rd.

City, State, Zip Newell SD 57760 Telephone No. _____

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

Township 9 North, Range 5 East of the Black Hills Meridian, Butte County, South Dakota:
Section 16: SW $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ NE $\frac{1}{4}$

☒ I understand that the validity of Water Right/Permit No. 481-1 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, Jesse D. Duncan and Desiree Duncan, the new owner, certify that the above information is true and correct.

 Desiree Duncan
(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.

481-1

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date February 12, 2020

RECEIVED OF Jesse Duncan 18295 Winkler Rd Newell SD 57760

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$
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>481-1</u>	\$50.00
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	\$50.00

By

Jeannette Goodman
Chief Engineer

vm

481-1



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: JESSE D & DESIREE DUNCAN, 18295 WINKLER RD, NEWELL, SD 57760

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire has not been submitted for Permit No(s) 481-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 481-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 3, 2021** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: TZDWID**

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

481-1



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

February 17, 2021

481-1

Jesse & Desiree Duncan
18295 Winkler Rd
Newell SD 57760

Dear Mr. & Mrs. Duncan:

I am writing to acknowledge receipt of your 2020 irrigation questionnaire.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Right No. 481-1. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Genny McMath". The signature is fluid and cursive.

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us