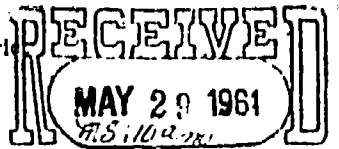


- 578-1
1. Considered 3-7, 1962
 2. Name of Applicant Ralph Killman
 3. Post Office Address Nowell
 4. Amount of water claimed 2.7
 5. Source of water supply HORSE CREEK
 6. Water to be used for IRRIGATION
Acres to be irrigated 189
 7. Water to be diverted and used in BUTTE County about
2.5 1/2 miles of NEWELL
 8. Proof of Publication Received ☒
Not Received ☐
 9. Application Approved ☐
Subject to ☐
Not approved ☐
Action deferred ☐

10. Remarks:

PROTEST LETTERS - RECD BEFORE APPL.
WAS ADVERTIZED

No. 578-1Water Division No. 1 Belle Fourche River District
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

STATE WATER RESOURCES COMM

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

1. Name of applicant Ernest James Fredrickson ROBERT L. GILBERT
Box 224 DARYL SCHINDLER
 Postoffice address NEWELL, County BUTTE, State SO. DAK

I. If a corporation

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

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

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

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

(b) Cash on hand, \$ _____

(c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____

(e) Other resources, \$ _____

2. Name of diversion work THE KILLINEN PUMPING PROJECT3. Amount of water claimed 2.7 cubic feet per second4. Source of water supply HORSE CREEK

Between a point N 90° W 1122' from the E $\frac{1}{4}$ Corn 3 36, T. 9 N., R. 5 E and a
 5. Location of point of diversion
 point N 90° E 430' from the SW Cor. Sec. 31, T 9 N., R. 6 E-BHM
 on Both bank Butte County.

6. Annual period or periods during which water is to be used April 1st thru Nov. 30th

7. To be used for:

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

(a) Number of acres to be irrigated 189 acres

NW-SE-37 Ac., NE-SE-38 Ac., SW-SE-30 Ac., SE-SE-39 Ac. S. 36, T. 9 N., R. 5 E 144 Ac

(b) Legal subdivisions to be irrigated

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written into, or be appended as a part of, this application. Same must also be shown on accompanying map.) 45 Ac

Lot 3-10 Ac., Lot 4-35 Ac. Sec. 31, T 9 N., R. 6 E-BHM

(c) Statement as to domestic use (giving location, etc.) Total 189 Ac.

Irrigation only

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

(a) Nature of use None
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

XXX

MAP NO 491-1

8. Estimated cost of work:

(a) Head Gates, \$..... (Estimate) (b) Pumping plant, \$ 1800.00
 (c) Fluming, \$..... (d) Canal-earth, \$ Land leveling Rock, \$ 750.00
 (e) Other structures \$ Total, \$ 2550.00

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 bottomfeet; length at topfeet; thickness at bottomfeet; thickness at topfeet; slope at front water face; slope at back face material used in construction
 (b) Reservoir: Capacity when filledacre feet. Surface area at highwater markacres.

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

(c)* Head gate: Width.....feet; heightfeet;
 Material

(d) Canal: Total lengthmiles.

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 work4.....years.
 11. Time required for complete application of water to the proposed beneficial use4.....years.
 12. Choice of newspaper for publication of notice of intention to appropriate

THE BELLE FOURCHE BEE, BELLE FOURCHE, SO. DAK.

STATE OF SOUTH DAKOTA

County of BUTTE ss.

I, RALPH KILLINEN, 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 Ralph Killinen

Subscribed and sworn to before me this 12th day of May 1931

Carl M. Cornell

Notary Public (or Clerk of Court)

*Each diversion must have a headgate or measuring device.

CARL M. CORNELL

Notary Public, Harding County, S. Dak.

PLAT
OF
THE KILLINEN IRRIGATION PROJECT
SECTIONS 32 AND 33, T. 9 N., Ranges 5 and 6
NEWELL, BUTTE COUNTY, SOUTH DAKOTA

Scale 1 inch = 660 feet
8 inches = 1 mile

- SURVEYOR'S CERTIFICATE -

I, Carl M. Cornell, Licensed Surveyor in and for the State of South Dakota do hereby certify that, at the request of Ralph Killinen, of Menell, South Dakota, I have made a survey of the tracts shown hereon and prepared this plat of same for the purpose of furnishing the required plat as part of his Application for Permit to Appropriat Water for Irrigation purposes.

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

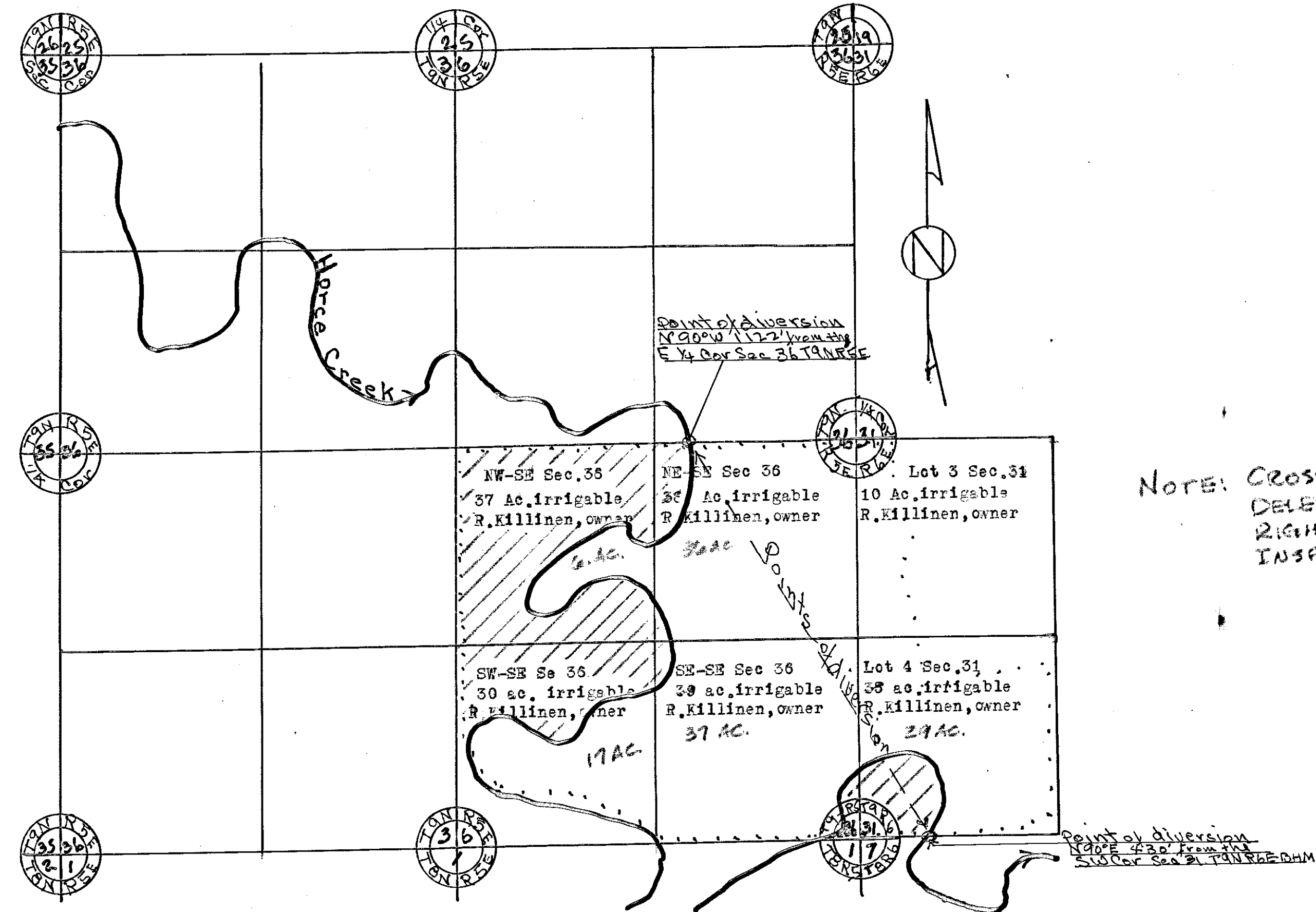
Subscribed and sworn to at Buffalo, South Dakota this 24th day of May 1961.

Carl M. Cornell, Licensed
Surveyor No. 144

Subscribed and sworn to before me at Buffalo, South Dakota, this 24th day of May 1931, (SEAL)

Eleanor Lindholm

Notary Public (SEAL)



NOTE: CROSS-HATCHED AREA
DELETED FROM WATER
RIGHT AT TIME OF FINAL
INSPECTION.

MAP No 491-1

APPL N° 578-1

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.

No water may be diverted from the ~~Belle Fourche River~~ ^{HOSEA CREEK} under this permit during the months of July and August except during times when ~~return~~ flows are substantially above normal.

STATE OF SOUTH DAKOTA

County of

HUGHES

Pierre, South Dakota,

MARCH 9, 1962

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

a.m. upon the 29TH day of MAY, 1961.

State Water Resources Commission

By:

Burton J. Jones
Chief Engineer, Executive Officer

Number of permit 578-1

Date of first receipt of application MAY 29, 1961

Date of return to applicant for correction, amendments or changes required as follows: 1961

Date of receipt of corrected application 1961

Date from which applicant may claim right MAY 29, 1961

Approved MARCH 7, 1962, Recorded in Book 7, Page 46

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

MARCH 7, 1964

2nd. The whole of said work is to be completed on or before MARCH 7, 1966

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

MARCH 7, 1966

4th. The water appropriated shall be used for the purpose of IRRIGATION

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 2.7 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 MARCH 7, 1966; said water to be used during the following described annual period:

APRIL 1 THRU NOVEMBER 30

Witness my hand this 9TH day of March, 1962

State Water Resources Commission

By:

J. L. Hume
Chief Engineer, Executive Officer

Certificate of Construction Issued APRIL 14, 1967

Water License Issued APRIL 14, 1967

STATE OF SOUTH DAKOTA

WATER LICENSE No. 578-1.

WHEREAS, On the 29th day of May A. D. 1961
Ralph Killinan

of Newall County of Butte and State of
South Dakota duly made application (No. 578-1) to us for a permit to use 2.7
cubic feet per second of the waters of Horse Creek
County of Butte, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 7th day of March A. D. 1962
Permit No. 578-1 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 7th day of
March A. D. 1966 and for the application to beneficial use of said
water on or before the 7th day of March A. D. 1966
and,

WHEREAS, On the 3rd day of April A. D. 1967
the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.25
cubic feet per second of said waters, as evidenced by our Certificate No. 578-1
dated April 14, 1967 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 1.25 cubic feet per second of water, with date of
priority of May 29, 1967 and,

WHEREAS, On the 3rd day of April A. D. 1967
proof was duly made of the application to beneficial use of 1.25 cubic feet per second of said water;
for irrigating 135 acres in portions of Section 36, T9N, R5E and Section 31, T9N,
R6E

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to Ralph Killinen
of Nowell the holder and owner of said permit No. 578-1
a water right, dating from May 29, 1961 to the use of 1.25
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 ~~xxx~~ between a point N90°W, 1122' from
the E $\frac{1}{2}$ corner, Section 36, T9N, R5E, and a point N 90°E 430' from the SW corner,
Section 31, T9N, R6E
/ and conducted to and upon portions of Section 31, T9N, R6E and Section 36, T9N, R5E,
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 14th day of April A. D. Nineteen
Hundred and Sixty-Seven

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

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. 578-1Belle FourcheWater Division No. 1 River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Ralph Killinen

of Newell, County of Butte, and State of
South Dakota, the holder of Permit No. 578-1, issued upon Application
 No. 578-1, bearing date of priority of May 29, 1961, authorizing the diversion of
2.7 cu. ft. per second of the waters of Horse Creek

County of Butte, State of South Dakota, between a point N 90°W,
1122' from the E½ corner, Section 36, T9N, R5E, and a point N 90°E, 430' from the
SW corner, Sec. 31, T9N, R5E, 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 1.25 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: <u>Section 36, T9N, R5E</u>	<u>NE½ SE½</u>	<u>36.0 acres</u>	
	<u>SW½ SE½</u>	<u>37.0</u>	<u>"</u>
	<u>NW½ SE½</u>	<u>6.0</u>	<u>"</u>
	<u>SW½ SE½</u>	<u>17.0</u>	<u>"</u>
<u>Section 31, T9N, R6E</u>	<u>Lot 3</u>	<u>10.0</u>	<u>"</u>
	<u>Lot 4</u>	<u>29.0</u>	<u>"</u>
	<u>Total -</u>	<u>135.0</u>	<u>"</u>

Witness my hand this 14th day of April A. D. 1961

State Water Resources Commission

By:

J. W. GRIMES

Chief Engineer, Executive Officer

Permit No. 578-1Water Division No. 1Belle Fourche River

Water District

Certificate of Examination of Works**Report of Examining Engineer**

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

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated _____

1961, I have ~~this day~~ made a thorough examination of the diversion works constructed by _____Ralph Killinen, of Newell, South DakotaButte County, South Dakota, holder of Permit No. 578-1, issuedupon Application No. 578-1, bearing date of priority of May 29, 1961, authorizing thediversion of 2.7 cu. ft. per second of the waters of Horse Creek for irrigation

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

The diversion works comprise: Fairbanks-Morse Pump No. R.F. 25, 6" discharge,
Fairbanks-Morse Electric Pump, 7 1/2 H.P. 180 feet of 8" aluminum
pipe and two miles of ditches.

and the system is in the following condition: FairThe point of diversion is located As shown on water right map No 491-1

The works are capable of diverting and conveying to the place of use 1 1/4 cu. ft. per second of water,
 which is to be used for irrigation

The legal sub-divisions to be irrigated are: Section 36 T9N, R5ESection 31, T9N, R6ELot 3 10 AcresLot 4 29 Acrescomprising a total of 135 acres of land.

The domestic use intended comprises _____

Incidental livestock watering.

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

Witness my hand, this 3rd day of April, A. D. 1961.

—SEAL—

Donald Driscoll

Examining Engineer.

Deputy Chief Engineer

Water Resources Commission

FORM NO. 24

Location No. 578-1

Belle Fourche River

Water Division No. 1

Water District

APR 5 1967

STATE WATER RESOURCES COMMISSION
SOUTH DAKOTA

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans. RALPH KILLINEN, RANCHER
NEWELL

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. _____

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. MAY 1961

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

Ans. HORSE CREEK. Any place on Horse Creek
on property as shown by Water Right Map No 991-1

Ques. 5. Describe your works of diversion giving length and height of each dam 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, and date of completion of same.

Ans. 500' pump, 7 1/2 H.P. El-tor motor, 180' of pipe.
Two miles of ditches pumps 1 1/2 c.f.s. completed
in June 1962

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.)

Ans. For irrigation of about 190 acres each of
creek as shown on Water Right Map 991-1

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

Ans. Also used to pump dam full each winter

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

Ans. 1 1/4 c.f.s

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. _____

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

Ans. Has been used since 1962 except in 1963 & 1964

(Sign)

Ralph Killmer

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 Hawell, County of Butte

State of South Dakota, on this 31 day of March A. D. 1967

Witnesses.

Elmer Milberg
Notary Public

My commission expires March 4, 1969

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

M. A. Blenkins
Vergil Smith

Location No. _____

PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE

PETITION OF HOLDER

Amount of Water _____ c. f. s.

Source _____

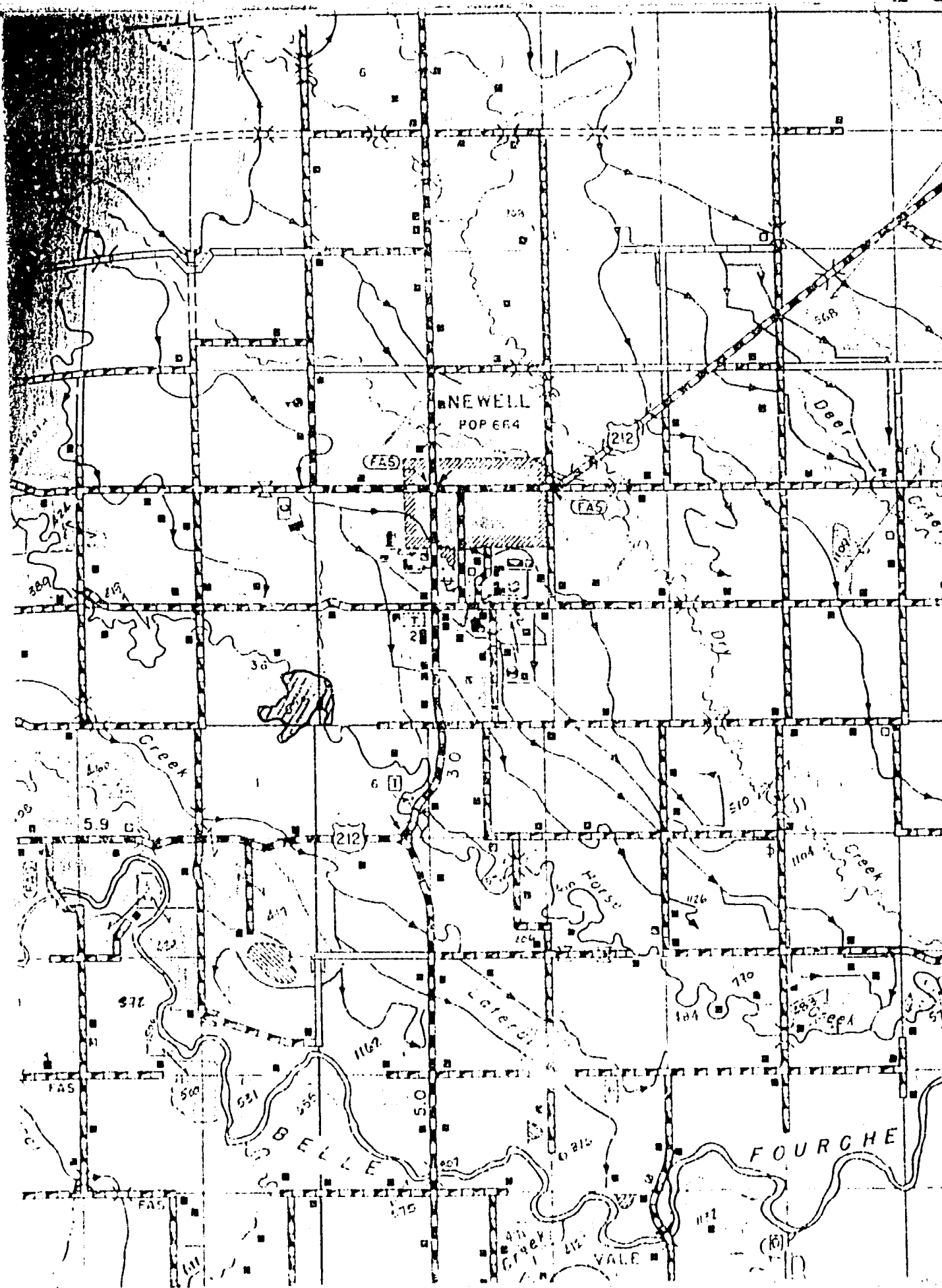
County _____

Purpose _____

Place of Use _____

Date of recording _____

Received and filed _____



**OVERSIZE
DOCUMENT IS
SUPPLEMENTARY
TO MICROFILM FILE**

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA

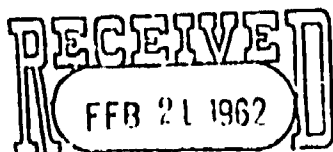
County Butte } ss.

Lawrence Wehr being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Butte Branch Rev 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 Butte County of Butte and State of South Dakota; that the said notice was published in said newspaper on the following dates:

Jan 31, 1962
Feb 2, 1962
Feb 7, 1962
Feb 16, 1962

in each and every issue of the full number thereof, the first publication being made on the 31 day of January 1962 and the last publication on the 16 day of February 1962, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Lawrence Wehr the printer and publisher of the said newspaper.

Subscribed and sworn to before me this 16 day of Feb. A. D. 1962



STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

No. 578-1
 APPROPRIATION OF WATER

Office of State Water
 Resources Commission,
 Pierre, S. Dak.,
 January 22, 1962

Notice is hereby given that Ralph Killinen whose postoffice address is Newell, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.7 cubic feet of water per second of time from Horse Creek through the Killinen Pumping Project, the point of diversion of which is to be located on both banks of said stream between a point in the NE 1/4 SE 1/4, Sec. 36, T9N, R5E and a point in Lot 4 of Section 31 Twp. 9N Range 6E. Said water to be used for the purpose of providing irrigation on portions of the following described land: Lots 3 & 4, Sec. 31, T9N, R6E, and the SE 1/4, Sec. 36, T 9 N, R 5 E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 7th day of March, 1962, 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

B4t 1/26-2/16

Notary Public Butte County, S. D.

Notary Public, Butte County, So. Dak.
 By Butte

(First Publication ^{on or before} February 8, 1962)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., January 22, 1962

Notice is hereby given that Ralph Killinan whose postoffice address is Nowell S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.2 cubic feet of water per second of time from Horse Creek through the Killinan Pumping Project, the point of diversion of which is to be located on the both between a point in the NE 1/4 SE 1/4, Sec. 36, 19N, R5E and a point bank of said stream in the ~~xxxxxxx~~ Let 1 of Section 31 Twp. 2N Range 6E portions of said water to be used for the purpose of providing irrigation on the following described land:

Lots 3 & 4, Sec. 31, T9N, R6E, and the SE 1/4, Sec. 36, T9N, R5E

~~xxxxxx~~ ~~xxxxxx~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 24th day of March, 1962, 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:

~~Chief Engineer, Executive Officer~~
BURTON F. JONES
Water Right Specialist

CC: Laurence Weyler, Publisher
Belle Fourche Bee
Belle Fourche, S. Dak.

NOTICE OF TRANSFER OF WATER PERMIT

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

Date October 27, 1971

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

Portions of Section 36, T9N, R5E and Section 31, T9N, R6E, described in
Water Permit No. 578-1

formerly owned by Ralph Killinen, Newell, S.D.

has been transferred to Daryl Schindler, Newell, S.D.

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 578-1 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

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

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA)
County of Butte) ss.

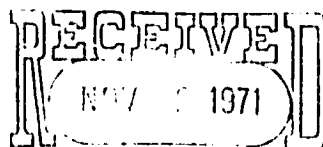
I, Daryl Schindler being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Daryl Schindler
(Signed)

Suscribed and sworn to before me this 1st day of November, 19 71

E. C. Donaldson
(Notary Public)

E. C. DONALDSON - Notary Public
My Commission Expires: March 3, 1976



STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

NOTICE OF TRANSFER OF WATER PERMIT

TO: ~~WATER RESOURCES COMMISSION~~
State Office Building No. 2
Pierre, South Dakota 57501

Date _____

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

Portions of Section 36, T9N, R5E, and Sections 31, T9N, R6E, described in
Water Permit No. 578-1

formerly owned by Daryl Schindler, Newell, S.D.has been transferred to Robert L. Gilbert, Rt. 1, Box 147, Newell, S.D.

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No.
578-1 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

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

WATER RIGHTS COMMISSION

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960
Supplement to the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA)
County of Butte) ss.

I, Robert L. Gilbert 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.

Robert L. Gilbert
(Signed)

Suscribed and sworn to before me this 11th day of Dec, 19 74

William J. Hann
(Notary Public)

Notary Public, BUTTE COUNTY, S. DAK.
My Commission Expires Dec. 31, 1979

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6516

PIERRE, August 24, 1978

RECEIVED OF Jim Fredrickson, Newell, SD 57760

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and Issuing Cert. of Construction No.		
Fee for Inspecting Beneficial Use, and Issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing transfer of water right permit No. 578-1	2	50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By *John Hatch* gy
Chief Engineer, Executive Officer
JOHN HATCH gy

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
Foss Building
Pierre, SD 57501

Date: May 2, 1978

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

135 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36-T9N-R5E and
Lots 3 and 4 in Section 31, T9N, R6E

formerly owned by Robert L. Gilbert, Newell

has been transferred to Ernest James Fredrickson & Gayla Fredrickson, husband and wife with right of survivorship and not as tenants in common, B-#1, Box 147, Newell, SD 57760, together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 578-1 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

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

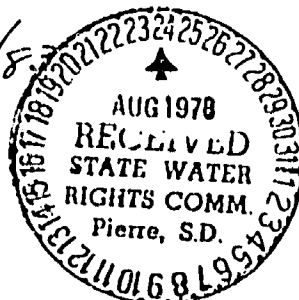
We Gayla Fredrickson
~~xxErnest J. Fredrickson and~~ being first duly sworn on my oath depose and say:
 That my relation to the above described undertaking is that of Owner, that I have
 read the above foregoing statement, and I know of my own personal knowledge that the
 information herein stated is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

Ernest James Fredrickson
(Signed)
Mayla H. Fredrickson
(Signed)

Subscribed and sworn to before me this 21st Day of August 1978.

R Woodruff
(Notary Public)

My Commission Expires: 8/29/87



Division of Water Rights (605) 773-3352

September 12, 1980

Ernest James Fredrickson
& Gayla Fredrickson
R.R. #1, Box 147
Howell, SD 57760

Dear Mr. & Mrs. Fredrickson:

For your telephone call to this office on September 12, 1980, enclosed please find a copy of your Water Right No. 578-1.

The Permit has been licensed for 1.25 cfs of water and 135 acres of land.

If you need further information or assistance, do not hesitate to contact our office.

Sincerely,

GENNY YOUNG
Staff Assistant

gy

encl

No. 578-1



Department of Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

November 15, 1983

Box 7 Ranch, Inc.
Box 96
Hewell SD 57760

Dear Sir:

The enclosed data sheet was returned by E James Fredelckson,
Hewell SD indicating that you are now the owner of the land
covered under Water Permit No. 578-1.

Also, enclosed is a copy of our Form 20, Notice of Transfer of Water Permit,
which you should sign before a notary public and return to this office with
a fee of \$2.50, so the Permit can be transferred to your name.

Please complete the data sheet for our records.

Sincerely,

KAREN SBBLAAK
Administrative Aide

enclosure

WNR-820B-7/79

Transmittal of Data Sheet & Transfer of Water Permit

Water Rights Division - DWR

File No. 578-1

Conversation or File Documentation

NAME OF ~~PERSON~~ OR FILE: E. James ; Gayla Fredrickson

ADDRESS: RR#1 Box 147 Newell SD 57460 COUNTY Butte

DATE: March 26, 1985 TELEPHONE _____

RE: Status of ownership

COMMENTS:

In checking file, found that a transfer form had been sent to Box Z Ranch, Box 96, Newell, SD in 1983 but had not been returned, nor was there a reply from them

The Assessor's Office in Butte County has Fredrickson's still owning the land.

Note: It is possible that Box Z Ranch is the same as E. James Fredrickson.

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.

NAME: Lenny McMath



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

March 28, 1986

578-1

Mr. James Frederickson
RR 1, Box 147
Newell SD 57760

Dear Mr. Frederickson:

I am contacting you in regard to our telephone conversation of March 18, 1986 concerning the transfer of your water right to Box Z Ranch. I have checked through our files and also our receipts for the past three years and find no record of receiving the transfer notice or the \$2.50 filing fee. If you would happen to have the cancelled check, this would show when the transfer was filed.

I am enclosing a copy of Water Right No. 578-1 and a copy of the last correspondence in the file (dated November 15, 1983). Since we are unable to find any evidence of a transfer being filed, in order to charge the file over to Box Z Ranch, a transfer notice must be filed at this time.

I have enclosed a partially completed transfer form. This must be signed in the presence of a notary public and returned to this office with the required filing fee of \$2.50.

If you have any questions, please contact our office.

Sincerely,

GENNY MCMAITH
Natural Resource Analyst

Gmk:s

enclosure

 **Department of
Water & Natural Resources**

Joe Soss Building
521 East Capitol
Pierre, South Dakota 57501-3481

August 22, 1986

E James Fredrickson
RR #1 Box 147
Newell, SD 57769

Dear Mr. Fredrickson:

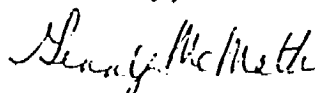
I am writing to you in regard to Water Right No. 578-1 listed to the names of Ernest James Fredrickson and Gayla Fredrickson. On March 18, 1986 we discussed, by telephone, the transfer of the water right to Box Z Ranch. At that time, I reviewed the files and found no evidence of the transfer ever being recorded. On March 28, I sent a partially completed transfer form to you for filing the transfer, but to date have not heard from you.

As we discussed before, a transfer was never filed to transfer the water right to Box Z Ranch. I have enclosed a copy of a transfer filed in 1978 which changed the name from Robert L. Gilbert to you. Could this be the transfer you recall filing?

If you still wish the water right to be transferred to Box Z Ranch, you will need to file a Notice of Transfer. I have enclosed another partially completed form. This must be signed by the owner in the presence of a notary and returned to this office with a required filing fee of \$2.50.

May we hear from you regarding this matter. If I can answer any questions for you, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst

enclosure

578-1

WATER RIGHTS DIVISION
(605) 773-3352

November 19, 1986

Ernest James Fredrickson
RR#1, Box 147
Revel, South Dakota 57760

RE: Transfer for Box Z Ranch

Dear Mr. Fredrickson:

This will acknowledge receipt of your 1986 Irrigation questionnaire and the "Notice of Transfer" for transferring Water Right No. 578-1 to Box Z Ranch. We are required by SDCL 46-2-13 to assess a \$2.50 filing fee to cover the cost of filing the transfer.

Please remit the \$2.50 filing fee as soon as possible. Upon receipt of the fee from you, the transfer of Water Right No. 578-1 will be completed.

Thank you for your assistance in this matter.

Sincerely,

Genny McIlath
Natural Resources Analyst

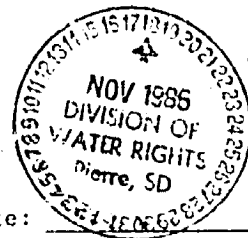
GK:mas

NO. 578-1

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:

135 acres: SE $\frac{1}{4}$ Section 36, T9N, R5E

Lots 3 & 4, Section 31, T9N, R6E

formerly owned by Ernest James Frederickson & Gayla Frederickson

has been transferred to Box Z Ranch, P.O. Box 96, 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. 578-1 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)
) ss.
County of Pennington)

I, Ernest James Frederickson 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.

Ernest James Frederickson
(Signed)

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

Charles E. Fisher
(Notary Public)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410681

Pierre, November 25, 1986, 19

RECEIVED OF Jim Fredrickson, PO Box 96, 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 578-1 _____	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatten
Chief Engineer JOHN HATTEN

No. 578-1

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

December 4, 1986

Box Z Ranch
P.O. Box 96
Newell, South Dakota 57760

Dear Sir:

Enclosed is receipt No. 410631 in the amount of \$2.50 which you
paid for transfer of Water Right No. 578-1.

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

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

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

South Dakota

DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

February 1, 1991

BOX Z RANCH
PO BOX 95
NEWELL SD 57760

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 578-1. 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 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 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

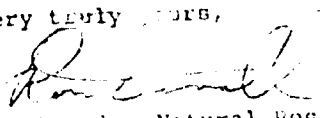
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-24. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s) 578-1 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.

If the questionnaire(s) is received in this office before the February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,


Ron Duval, Natural Resources Engineer IV
Water Rights Division
605 774-3442

SENDER: Complete item 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 boxes for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

BOX Z RANCH
PO BOX 96
NEWELL SD 57760

4. Article Number
P 694 057 384

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

6. Signature -- Agent
X *Lela DeCock*

7. Date of Delivery
2/21/91

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



Department of Water & Natural Resources

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

March 5, 1991

578-1

Box Z Ranch
PO Box 96
Newell, SD 57760

Dear Sir:

I am writing to acknowledge receipt of your 1990 irrigation questionnaire for Water Right No. 578-1. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire. The questionnaire was received prior to the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division

578-1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 21, 1993

Mrs. Douglas Giiger, Secretary
Box Z Ranch
RR #1 Box 54
Boyes, MT 59319

Dear Mrs. Gilger:

I am contacting you with regard to Water Right No. 578-1, currently listed in the name of Box Z Ranch (copy enclosed). The last correspondence sent to Box Z Ranch was returned by the Post Office. I contacted the Belle Fourche Irrigation District Office to obtain a current mailing address for the ranch. The District indicated I should mail any correspondence concerning Box Z Ranch to you.

There have been several transfers filed with the water right over the years. The last transfer of ownership was from Ernest James and Gayla Fredrickson to Box Z Ranch. The water right authorizes diversion of water from Horse Creek to irrigate 135 acres in portions of Section 36, T9N, R5E and Section 31, T9N, R6E.

The 1993 irrigation questionnaire will be mailed out from our office in October, 1993. The form requests information on the number of acres irrigated, type of crop(s) irrigated and the amount of water used. When completing the form, please be sure to include only the water use data pertinent to this specific water right. Any irrigation done on land with water from the Belle Fourche Irrigation Project should not be included on the irrigation questionnaire.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352

enclosure



578-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 21, 1993

Mrs. Douglas Gilger, Secretary
Box Z Ranch
RR #1 Box 54
Boyes, MT 59319

Dear Mrs. Gilger:

I am contacting you with regard to Water Right No. 578-1, currently listed in the name of Box Z Ranch (copy enclosed). The last correspondence sent to Box Z Ranch was returned by the Post Office. I contacted the Belle Fourche Irrigation District Office to obtain a current mailing address for the ranch. The District indicated I should mail any correspondence concerning Box Z Ranch to you.

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The 1993 irrigation questionnaire will be mailed out from our office in October, 1993. The form requests information on the number of acres irrigated, type of crop(s) irrigated and the amount of water used. When completing the form, please be sure to include only the water use data pertinent to this specific water right. Any irrigation done on land with water from the Belle Fourche Irrigation Project should not be included on the irrigation questionnaire.

If you have any questions, please contact me.

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352

enclosure

Dear Sir:
P.S. Our registered agent in S. Dak.
is Gayla Gilger Fredrickson, Box 548,
Lake Andes, S. D. phone 484-7910.
He can answer your questions. Adeline
Gilger

RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

578-1

Douglas Gilger
RR 1 Box 54
Boyes MT 59319

5. Signature (Addressee)

Carol Barbero

6. Signature (Agent)

Carol Barbero

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

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

4a. Article Number

P378 080 610

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

2-8-97

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

DOMESTIC RETURN RECEIPT

Return Receipt Service.
Check you for using

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to you the article was delivered and the date delivered.

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

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee

3. Article Addressed to:

578-1

4a. Article Number

P 378 080 662

Gayla Gilger Fredrickson

P.O. Box 149

Hay Springs, NE 69347-0149

4b. Service Type

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

7. Date of Delivery

2-11-97

5. Signature (Addressee)

6. Signature (Agent)

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



578-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 1997

NOTICE

TO: GAYLA GILGER FREDRICKSON, AGENT, BOX 732, EDMONT, SD 57735

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 578-1. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 2:30 pm, March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 578-1 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 February 28, 1997, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

DOUGLAS GILGER, RR 1 BOX 54, BOYES, MT 59319

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
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

February 12, 1997

578-1

Gayla Fredrickson
PC Box 149
Hay Springs, NE 69347-0149

Dear Mrs. Fredrickson:

I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaire.

I completed a questionnaire for you based on our February 12th telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

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

c: Douglas Gilger, RR 1 Box 54, Boyes, MT 59319



578-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 14, 2000

NOTICE

TO: GAYLA GILGER FREDRICKSON, AGENT, PO BOX 149, HAY SPRINGS, NE 69347 0149

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

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire has not been submitted for Permit No(s) 578-1. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 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 1:30 pm, March 1, 2000, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 578-1 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.

If the questionnaire(s) is(are) received in this office on/or before February 28, 2000, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

c: DOUGLAS GILGER, RR 1 BOX 54, BOYES, MT 59319

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.

578-1

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

GAYLA GILGER FREDRICKSON
PO BOX 149
HAY SPRINGS NE 69347 0149

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

Gayla Fredrickson 7-18-00

C. Signature

X Gayla Fredrickson ☐ Agent☐ Addressee

D. Is delivery address different from item 1?

If YES, enter delivery address below:

☐ Yes
☒ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Copy from service label)

2 227 670 338

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Douglas Gilger
RR 1 Box 54
Boyes MT 59319

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

Douglas Gilger 7-22-00

C. Signature

X Douglas Gilger ☐ Agent☒ Addressee

D. Is delivery address different from item 1?

If YES, enter delivery address below:

☐ Yes
☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Copy from service label)

2 227 670 339

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1783

578-1

From Box Z Ranch, Inc.
Fidelia Hilger
106 7th Ave #6
Belle Fourche, S.D. 57717

Belle Fourche, S.D. 57717
January 19, 1999.

Department of N. R.
Joe Ross Building
523 East Capitol
Pierre, S.D. 57501-3181.



Gentlemen:

An urgent call from my daughter about this report, which I was to mail to you, brought action. I hope you will accept my apology for not getting it to you on time. I also hope all is in order.

Thank you.

Sincerely
Fidelia Hilger
Ranch Secretary

P.S. Gayla Fredrickson is my daughter



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 24, 2000

578-1

Fidelia Gilger
Box Z Ranch, Inc
606 7th Ave #6
Belle Fourche, SD 57717

Dear Mrs. Gilger:

I am writing to acknowledge receipt of your 1999 irrigation questionnaire. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Right No. 578-1.

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

c: Gayla Gilger Fredrickson



578-1
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 20, 2005

NOTICE

TO: GAYLA GILGER FREDRICKSON, AGENT, 203 SOUTH ST, ELGIN, NE 68636

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire

Our records indicate that the 2004 Irrigation Questionnaire has not been submitted for Permit No. 578-1. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 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 2, 2005, 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. 578-1 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 is received in this office on/or before February 25, 2005, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire, please contact Genny McMath at (605) 773-3352.

c: FIDELIA GILGER, 606 7TH AVE #6, BELLE FOURCHE, SD 57717

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.



578-1

Track & Confirm

Current Status

You entered 2301 3460 0000 8516 2081

Your item was delivered at 2:02 pm on January 21, 2005 in BELLE FOURCHE, SD 57717. The item was signed for by F GILGER.

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8516 2081

FIDELIA GILGER
606 7TH AVE #6
BELLE FOURCHE SD 57717

Waiver of Signature ☐ YES ☐ NO

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PS Form 153, July 2001



578-1

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Current Status

You entered 2301 3460 0000 8516 1428

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8516 1428

GAYLA GILGER FREDRICKSON, AGENT
203 SOUTH ST
ELGIN NE 68636

Waiver of Signature ☐ YES ☐ NO

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PS Form 153, July 2001



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 21, 2005

578-1

Gayla Gilger Fredrickson
203 South St
Elgin NE 68636

Dear Ms. Fredrickson:

I am writing to acknowledge receipt of your 2004 irrigation questionnaire. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 578-1.

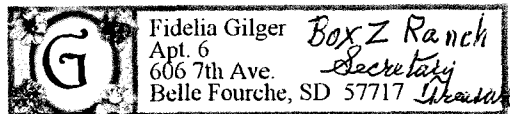
The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

c: FIDELIA GILGER, 606 7TH AVE #6, BELLE FOURCHE, SD 57717



578-1



Dear Sir:

My daughter Kayle Gilger Fredrickson
passed away July 5, 2009; thus
the change of address and agents.

Hope this questionnaire is complete
and all is well.

Sincerely,
Fidelia Gilger
Secretary, Treasurer

Sorry about the envelope damage.



A Note From:
Mrs Fidelia Gilger



578-1
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 21, 2011

NOTICE

TO: BOX Z RANCH, FIDELIA GILGER, SEC-TREAS, 606 7TH AVE #6, BELLE FOURCHE, SD
57717 1459

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

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaire(s)

Our records indicate that the 2010 Irrigation Questionnaire has not been submitted for Permit No(s) 578-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 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 9, 2011**, 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) 578-1 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, 2011**, 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.

578-1

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 0904

Service(s): **Signature Confirmation™**Status: **Delivered**

Your item was delivered at 10:15 am on January 24, 2011 in BELLE FOURCHE, SD 57717. The item was signed for by F GILGER.

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Detailed Results:

- Delivered, January 24, 2011, 10:15 am, BELLE FOURCHE, SD 57717
- Notice Left, January 22, 2011, 9:47 am, BELLE FOURCHE, SD 57717
- Out for Delivery, January 22, 2011, 8:26 am, BELLE FOURCHE, SD 57717
- Sorting Complete, January 22, 2011, 8:16 am, BELLE FOURCHE, SD 57717
- Arrival at Post Office, January 22, 2011, 6:40 am, BELLE FOURCHE, SD 57717

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FOIA

SIGNATURE CONFIRMATION NUMBER: 4050 2000 0000 0802 0904	
BOX Z RANCH FIDELIA GILGER, SEC-TREAS 606 7TH AVE #6 BELLE FOURCHE SD 57717 1459	
Waiver of Signature ☐ YES ☐ NO	
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and NATURAL RESOURCES**

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PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 27, 2011

578-1

Fidelia Gilger
Box Z Ranch
606 7th Ave #6
Belle Fourche SD 57717 1459

Dear Ms. Gilger:

I am writing to acknowledge receipt of your 2010 irrigation questionnaire.

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right No. 578-1. 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,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 19, 2011

578-1

Dusty Gilger
8 Gilger Rd
Boyes MT 59316-9502

Dear Mr. Gilger:

I am contacting you in regard to Water Right No 578-1 listed in the name of Box Z Ranch. The water right authorizes diversion of water from Horse Creek to irrigate 135 acres in portions of Section 36, T9N, R5E and Section 31, T9N, R6E.

On October 14th, we mailed out the annual irrigation questionnaires to irrigators in South Dakota to report water use. The form mailed to Fidelia Gilger came back in the mail. A lady from the Belle Fourche Irrigation District suggested I contact you for the information.

Please review the enclosed questionnaire and if you have the information, please complete the form and return it to us by December 2nd. If you are not the correct contact person, please give me a call as soon as possible and let me know who I need to get in touch with.

Thank you in advance for your help.

Sincerely,

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

enclosures

578-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
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<http://denr.sd.gov>

October 12, 2012

DUSTY GILGER
BOX Z RANCH
8 GILGER RD
BOYES MT 59316

*As of Aug. 1, 2012, Box Z Ranch
does not own this farm -
H. Ellen Gilger
Box Z Sec.*

RECEIVED
OCT 24 2012
WATER RIGHTS
PROGRAM

NOTICE TO SUBMIT THE 2012 IRRIGATION QUESTIONNAIRE

Please complete and return the enclosed 2012 irrigation questionnaire form(s) by **December 3, 2012**. Submission of the questionnaire(s) is required whether or not you irrigated; otherwise, your water permit or right may be suspended or cancelled.

If you complete the online questionnaire available at <http://denr.sd.gov/iq.aspx> you can save a copy for your own records and be notified by email when we receive your questionnaire(s). To complete the online questionnaire you need a PC that is able to send and receive email and uses the free Adobe Reader software.

Some items to be aware of when completing the questionnaires(s):

- Completion of the form(s) does NOT protect a water right from being subject to cancellation for periods of nonuse greater than three years unless legal excuse exists. Legal excuse includes unavailability of water to satisfy a permit, excessive precipitation causing flooding, or participation in a federal acreage set aside program (e.g. Conservation Reserve Program – CRP) provided the water source is not fully appropriated, participating in CRP does not prevent approval of new permits and water was used prior to entering CRP.
- If you have multiple permits, do not combine the permits onto a single questionnaire form if the water sources are not the same for each permit. The water source for each permit is shown in No. 4 on your questionnaire.

If you have questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352 or by email at genny.mcmath@state.sd.us. Additional copies of the questionnaire can also be printed by following the "Available forms" link at "<http://denr.sd.gov/wr>."

For the Water Management Board

Garland Erbele, Chief Engineer
Water Rights Program

enclosures

3 easy options to return your irrigation questionnaire(s)	1. Online (preferred method),	2. Mail, or	3. Fax
	http://denr.sd.gov/iq.aspx	Use the enclosed postage paid return envelope	Fax the completed form(s) to 605 773-4068
For assistance completing your form(s), contact Genny McMath at 605 773-3352 or by email: genny.mcmath@state.sd.us			
Note: Examples of how to complete questionnaires are available on the reverse side of this page.			

Listed below are two examples of how to complete the irrigation questionnaire:

EXAMPLE 1: In June through August, 264 acres were irrigated using pivot systems (128 acres of corn & 136 acres of alfalfa). The pump rate of each pivot is 800 gallons per minute. In September only alfalfa was irrigated and the acreage was reduced to 68 acres. Please note that only the information that changes from month to month needs to be recorded – for example -- the number of days irrigation occurs. If no changes occur, then you may use ditto marks or draw arrows as shown below to indicate no change.

MONTH	CROP	ACRES	PUMP RATE	# DAYS	AVE/HRS DAY
JUNE	CORN	128	800 GPM	8	24
	ALFALFA	136	↓	10	↓
JULY	↓	↓	↓	10	↓
				12	
AUGUST	↓	↓	↓	20	↓
				15	
SEPTEMBER	ALFALFA	68	↓	4	↓

EXAMPLE 2: In June, 40 acres of alfalfa were irrigated (using big gun @ 500 gpm) for 15 days - 8 hours per day; 60 acres of beans were irrigated (using gated pipe @ 2000 gpm) for 5 days at 8 hours per day. In July and August, the # of days and hours per day changed as shown below.

JUNE	ALFALFA	40	500 GPM	15	8
	BEANS	60	2000 GPM	5	8
JULY	↓	↓	↓	10	12
				↓	↓
AUGUST	↓	↓	↓	↓	↓
				20	↓

Please specify if you are reporting kilowatt hours. If reporting kilowatt hours, also include the depth to water (feet) & system pressure (pounds per square inch) in the comment section of the form.

McMath, Genny

From: Charlotte <bfid1@sdplains.com>
Sent: Thursday, November 29, 2012 8:56 AM
To: McMath, Genny
Subject: RE: Box Z Ranch

Genny, Yes, we have the Box Z changing hands to 5G Farm, Inc., 55566 847 Road, Norfolk. NE 68701. Hope this helps you. Charlotte @ BFID

From: McMath, Genny [<mailto:Genny.McMath@state.sd.us>]
Sent: Thursday, November 29, 2012 7:11 AM
To: 'bfid1@sdplains.com'
Subject: Box Z Ranch

Hi there,

I have a question for you – we were recently notified by Box Z Ranch that they sold the ranch as of August 1, 2012. I note from the file that the land described in the water right is within the District. Have you guys had an ownership change filed with you for that land? I am searching for who to contact regarding current ownership. If you do not have anything yet, I can give the assessor's office a call. I thought I would start with you first.

Thank you in advance for any information you have.

Genny
605 773-5455



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

January 7, 2013

578-1

Melora Hirschman
5G Farm Inc
55566 847 Rd
Norfolk NE 68701

Dear Ms. Hirschman:

I am contacting you in regard to ownership of land described in Water Right No. 578-1 (copy enclosed).

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

For informational purposes, I have also enclosed excerpts of the SD Water Laws and Water Management Board Rules on criteria needed to maintain a water right and what would constitute an invalid water right.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosures

RECEIVED
MAY 22 2013
WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 578-1

Date: 5-15-13

I/We request that Water Right No. 578-1

formerly owned by: Box Z Ranch

be transferred to: (name & address) 5G Farms Inc.
55566 847 Rd
Norfolk NE 68701

Telephone No. 402-841-5907

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

135 acres – SE ¼ Section 36, T9N, R5E; Lots 3 & 4, Section 31, T9N, R6E

I/We understand that the validity of Water Right No. 578-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We 5G Farm Inc, the new owner, certify that the above information is true and correct.

Melora Hirschman, President
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 5/22, 20 13

RECEIVED OF 5G Farm Inc 55566 847Rd Norfolk NE 68701

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>578-1</u>	
Fee for _____	
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____	
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____	
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50 00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____	
(Any Other Work Provided by Law)	TOTAL
	50 00

No. 06340

By

James Holoman Jr.
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 6, 2013

578-1

Melora Hirschman
5G Farms Inc
55566 847 Rd
Norfolk NE 68701

Dear Ms. Hirschman:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 578-1.

The ownership change has been completed. Water Right No. 578-1 formerly held by Box Z Ranch is now listed in the name of 5G Farms Inc.

Enclosed for your records is Receipt No. 06340 in the amount of \$50.00 which you paid for filing the ownership change. If you have any questions, please contact me.

Sincerely,

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

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

enclosure



578-1
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 24, 2014

NOTICE

TO: 5G FARMS INC, MELORA HIRSCHMAN, PRESIDENT, 55566 847 RD, NORFOLK, NE 68701

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

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaire(s)

Our records indicate that the 2013 Irrigation Questionnaire has not been submitted for Permit No(s) 578-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 18, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 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 **9:00 am, March 6, 2014**, 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) 578-1 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, 2014**, 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 28, 2014

578-1

Melora Hirschman
5G Farms Inc.
55566 847th Rd
Norfolk NE 68701

Dear Ms. Hirschman:

I am writing to acknowledge receipt of your 2013 irrigation questionnaire.

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Right No. 578-1. 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,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



578-1
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 20, 2017

NOTICE

TO: 5G FARMS INC, MELORA HIRSCHMAN, PRESIDENT, 55566 847 RD, NORFOLK, NE 68701

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

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire has not been submitted for Permit No(s) 578-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 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 1, 2017 at 11:00 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) 578-1 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 1, 2017** 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: <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.



578-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 15, 2017

578-1

Melora Hirschman
SG Farms Inc
55566 847 Rd
Norfolk NE 68701

Dear Ms. Hirschman:

I am writing to acknowledge receipt of your 2016 irrigation questionnaire.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right No. 578-1. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



578-1
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 26, 2018

NOTICE

TO: 5G FARMS INC, MELORA HIRSCHMAN, PRESIDENT, 55566 847 RD, NORFOLK, NE 68701

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

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire has not been submitted for Permit No(s) 578-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 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 7, 2018 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) 578-1 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 7, 2018** 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: <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
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

February 22, 2018

578-1

Melora Hirschman
5G Farms Inc
55566 847th Rd
Norfolk NE 68701

Dear Ms. Hirschman:

I am writing to acknowledge receipt of your 2017 irrigation questionnaire.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right No. 578-1. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



578-1
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 25, 2019

NOTICE

TO: 5G FARMS INC, MELORA HIRSCHMAN, PRESIDENT, 55566 847 RD, NORFOLK, NE 68701

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

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire has not been submitted for Permit No(s) 578-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 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 6, 2019 at 10:30 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) 578-1 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 6, 2019** 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: <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.

578-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 2019

578-1

Melora Hirschman, President
5G Farms Inc
55566 847 Rd
Norfolk NE 68701

Dear Ms. Hirschman:

I am writing to acknowledge receipt of your 2018 irrigation questionnaire.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right No. 578-1. 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,

A handwritten signature in black ink, which appears to read "Genny McMath". The signature is written in a cursive, flowing style.

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