

5-82-1

1. Considered 7-19, 1961
2. Name of Applicant Western Cattle Co
3. Post Office Address Rapid City
4. Amount of water claimed ~~2.45~~ 2.95 Apr 1 to Nov 1
5. Source of water supply Any down
6. Water to be used for irrigation
Acres to be irrigated 20618
7. Water to be diverted and used in Minnehaha County about
105 SE miles of White Sulphur
8. Proof of Publication Received ✓ Not Received
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____

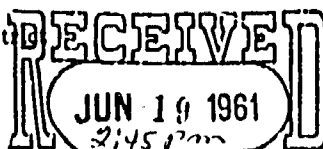
10. Remarks:

No. 582-1Water 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~~ South Dakota

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



1. Name of applicant Western Cattle Company PLAINVIEW
 Postoffice address Box 592, Plainview, S.D., County Pennington, State South Dakota

I. If a corporation

(a) Name of same Western Cattle Co., a Division of Norris Grain Co.(b) Date and place of incorporation State of Illinois

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors See Articles of Incorporation, a copyof which is on file at the Office of State Water Resources Commission at Pierre, South Dakota

(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)
Contracts and employment of others.

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Two Rivers Water Spreader No. 13. Amount of water claimed 2.95 cubic feet per second or 620.4 Acre Ft.4. Source of water supply Surplus run-off from normally dry draws5. Location of point of diversion South 13⁰ west of NE corner Section 35, Township 6 N., Range 11E a distance of 2550' on ----- bank ----- Meade ----- County.6. Annual period or periods during which water is to be used Whenever available during annual period.

7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity(a) Number of acres to be irrigated 206.8 acres.(b) Legal subdivisions to be irrigated See attached sheet.

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

(c) Statement as to domestic use (giving location, etc.) none

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

(a) Nature of use

Name any of the above uses claimed

(b) Amount of power to be generated

horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

MAP N° 495-1

8. Estimated cost of work:

(a) Head Gates, \$ 7000.00

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

(c) Fluming, \$3000.00

(d) Canal-earth, \$6000.00

Rock, \$-----

Total, \$16,000.00

(e) Other structures -----

9. Description of diversion works:

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

Diversion ditch conveying water into a spreading area consisting of spreader ditches.

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	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 ----- 3 ----- years.

11. Time required for complete application of water to the proposed beneficial use ----- 3 ----- years.

12. Choice of newspaper for publication of notice of intention to appropriate ----- The Water The Black Independent, Faith, South Dakota Hill Press, St. Louis, S. Dak

STATE OF SOUTH DAKOTA

County of Pennington } ss.

I, -----, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, 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 Western Cattle Co
Edmund Anderson

Subscribed and sworn to before me this 16th day of June 1961

Alice S. Farrington
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

ALICE S. FARRINGTON
My Commission Expires May 25, 1960

Lands to be irrigated:

All in Section 36, T6N, R14E

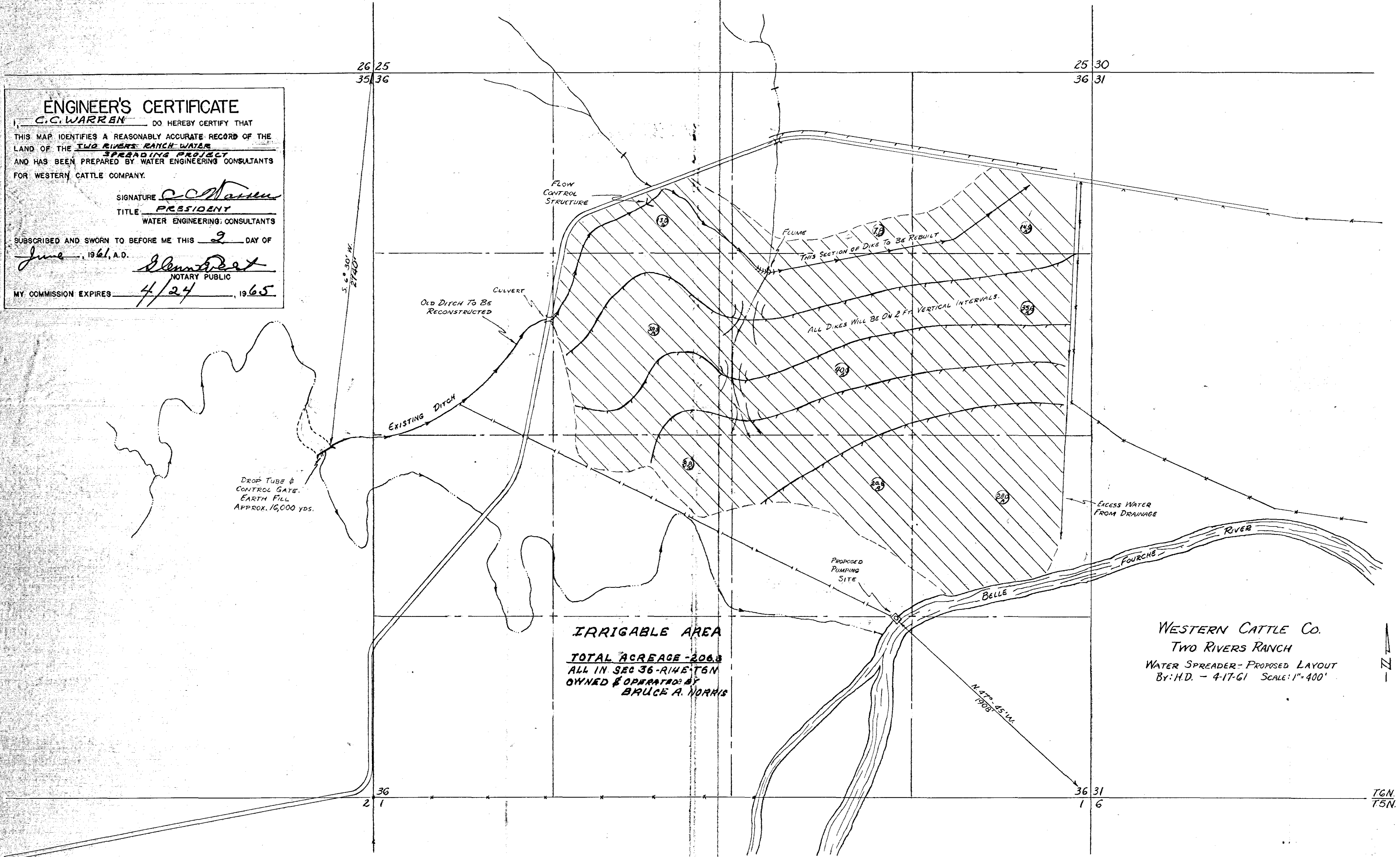
NE ⁴ NW ⁴	13.0	acres
NW ⁴ NE ⁴	7.8	"
NE ⁴ NE ⁴	14.5	"
SE ⁴ NW ⁴	38.5	"
SW ⁴ NE ⁴	40.0	"
SE ⁴ NE ⁴	35.6	"
NE ⁴ SW ⁴	8.8	"
NW ⁴ SE ⁴	20.6	"
NE ⁴ SE ⁴	28.0	"
Total	206.13	acres.

ENGINEER'S CERTIFICATE
C.C. WARREN DO HEREBY CERTIFY THAT
THIS MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE
LAND OF THE TWO RIVERS RANCH WATER
SPREADING PROJECT
AND HAS BEEN PREPARED BY WATER ENGINEERING CONSULTANTS
FOR WESTERN CATTLE COMPANY.

SIGNATURE C.C. Warren
TITLE PRESIDENT
WATER ENGINEERING CONSULTANTS

SUBSCRIBED AND SWORN TO BEFORE ME THIS 2 DAY OF
June, 1961, A.D. Blumhert
NOTARY PUBLIC

MY COMMISSION EXPIRES 4/24, 1965



IRRIGABLE AREA
TOTAL ACREAGE - 208.8
ALL IN SEC 36-R14E-T6N
OWNED & OPERATED BY
BRUCE A. MORRIS

WESTERN CATTLE CO.
TWO RIVERS RANCH
WATER SPREADER - PROPOSED LAYOUT
BY: H.D. - 4-17-61 SCALE: 1" = 400'

R14E. R15E.

MAP N° 495-1
APPL N° 582-1 &
583-1

Remarks by State Water Resources Commission:

The diversion rate limitation of 1 cubic foot per second for each 70 acres irrigated shall not apply to this Dry Draw irrigation diversion during periods of flood flows, when such flows are in excess of the amount of water required to satisfy domestic use requirements and other water rights.

STATE OF SOUTH DAKOTA

County of

Hughes

ss.

Pierre, South Dakota,

July

28

1961

This is to certify that the foregoing application was received by the Commission at 2:45 o'clock

p.m.

19th

day of

June

1961

State Water Resources Commission

By:

Barton Jones
Chief Engineer, Executive Officer

Number of permit

582-1

Date of first receipt of application

June 19

1961

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 19

1961

Approved

July 19

1961

Recorded in Book

6

Page

286

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

January 19

1963

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

July 19

1964

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

July 19

1967

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 2.95 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

and beneficially applied for irrigation on or before

July 19

1967

said water to be used during the following described annual period:

whenever available during annual period

Witness my hand this

28th

day of

July

1961

State Water Resources Commission

By:

J. G. Brimer

Chief Engineer, Executive Officer

Certificate of Construction Issued

AUGUST 18

1970

Water License Issued

AUGUST 18

1970

Remarks by the Applicant:

The Two Rivers Water Spreading No. 1 and/or Two Rivers Off-season Irrigation have been engineered to utilize water from the dry draw via the water spreading system as illustrated on Water Application Map and to employ off-season water via pumping system from the Belle Fourche River, also shown on the Water Application Map.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 582-1

(1) WHEREAS, On the 19th day of June A. D. 19 61
Western Cattle Company

made Water Right Application No. 582-1 for a permit to use 2.95 cubic feet per second of the waters
of dry draws
County of Beade, State of South Dakota, for Irrigation
_____ purposes; and

(2) WHEREAS, On the 28th day of July A. D. 19 61
Permit No. 582-1, with a date of priority of June 19, 1961

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 19th day of July A. D. 19 64 and for the
application to beneficial use of said water on or before the 19th day of July A. D. 19 67

and, Whereas on the 18th day of August, 1970, the Permit was transferred
to McCasland and Schiller,

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 2.95 cubic feet
per 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 land in Section 36, T6N, R14E

NE $\frac{1}{4}$ NW $\frac{1}{4}$	13.0 acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$	7.8 acres
NE $\frac{1}{4}$ NE $\frac{1}{4}$	14.5 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$	38.8 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$	40.0 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$	35.6 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$	8.8 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$	20.6 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$	28.5 acres
Total	206.8 Acres

(5) 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 Mc Casland and Schiller

_____ of Glovis, New Mexico
the holder _____ and owner _____ of said permit No. 582-1 a water right, dating from June 19, 1961
_____ to an amount of 2.95 cubic feet per second of the waters
of dry draws

in the County of Deade and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point South 60° 30' West, 2740 feet from the NE
Corner, Section 35, T6N, R14E

and conduct to and upon a portion of Section 36, T6N, R14E, described on the face of this
license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 582-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 19th day of August A. D.
Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J. W. GRIMES

Form 15.

Permit No. 582-1

Water Diversion No. 1 BELLE FOURCHE RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That McCasland & Schiller

_____ the holder _____ of
Permit No. 582-1, issued upon Application No. 582-1, bearing date of priority of June 19,
1961 authorizing the diversion of 2.95 cu. ft. per second of the waters of _____
dry draws County of Meade, State of South Dakota at _____
a point S. 6° 30' W. 2740 feet from the NE Corner, Section 35, T6N, R14E
_____, 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 up to 25 cu. ft. per second of water.

Date August 18, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

Permit No. 582-1Water Division 1 BELLE FOURCHE Water District
RIVERREPORT 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 McCasland & Schiller of Plainview, South Dakota holder of Permit No. 582-1, bearing date of priority of July 19, 19 61 authorizing the diversion of 2.95 cu. ft. per second of the waters of runoff from dry draws for Spreader irrigation purposes, in Meade 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:

plugs, ditches and reconstructed ditch

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

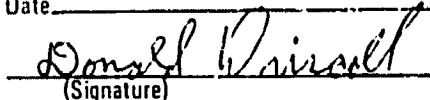
Well constructed dikes placed at 2 foot vertical intervals

C. Works used to apply water to beneficial use.

land leveled and sloped

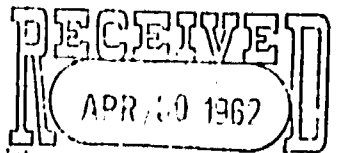
The system is in the following condition: goodThe point of diversion is located S. 6° 30' W, 2740 feet from NE Corner, of Section 35, T6N, R14EThe works are capable of diverting and conveying to the place of use up to 25 cu. ft. per second of water which is to be used for spreader irrigationWater has been put to beneficial use to the maximum extent as follows: all in Sec. 36, T6N, R14E

NE NW	13.0 acres	SW NE	40.0 acres	NE SE	28.0 acres
NW NE	7.8 acres	SE NE	35.6 acres		
NE NE	14.5 acres	NE SW	8.8 acres		
SE NW	38.5 acres	NW SE	20.6 acres		

comprising a total of 206.8 acres of land.Date February 17, 1970

DONALD DRISCOLL, Deputy Chief Engineer
Water Resources Commission

Permit No. 582-1Water Division No. 1 Belle Fourche River

Water District

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA**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.) Box 592, Rapid City, South Dakota(Date) April 25, 1962

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

2.95

cu. ft. per second of the waters of the state from

~~whenever available during annual period~~for irrigation purposesTo be used

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 Western CattleCompany2. The postoffice address of such person or the place of business of such corporation is Rapid CityCounty of Pennington State of South Dakota3. The number of such permit is 582-1 and the date set for the completion of such work isNovember, 19614. 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 2.95 cubic feet per second.

6. The amount of land for which said water is available is 206.8 acres,particularly described as follows: S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ all in
Section 36, Township 6 North, Range 14 East, Haakon County, South
Dakota. (See application map for exact locations)

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

Western Cattle Company

(Signature of Owners) By

E. L. AndersonE. L. Anderson, Property Development
Manager

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)

COUNTY OF MEADE) ss

Morris C. Hallock

of said County and State, being
duly sworn, on oath says: THE BLACK HILLS PRESS is a weekly newspaper of gen-
eral circulation, printed and published in STURGIS in said County and State and has
been such newspaper during the times hereinafter mentioned; that the said BLACK
HILLS PRESS is a legal newspaper and has been in existence for more than one year
immediately preceding the first publication herein mentioned; and has more than
200 bona fide subscribers; that I, the undersigned, am Publisher

of said newspaper, and in charge of the advertising department thereof, and have
personal knowledge of all facts stated in this affidavit; and that the advertisement

headed Appropriation of Water No. 582-1

, a printed copy of which is hereto attached, was printed,
and published in said newspaper for Four successive issues, the first
publication being on the 24 day of June, 1961 and the last
publication on the 15 day of July, 1961; that \$18.57 being

the full amount of the fee for publication of the annexed notice insures solely to
the benefit of the publishers of the said newspaper; that no arrangement or under-
standing for a division hereof has been made with any person, and that no part

thereof has been agreed to be paid to any other person whomsoever

Morris C. Hallock

Subscribed and sworn to before me this 17 day of July,
1961.

Bob Lee

Notary Public, Meade County

Bob Lee

My Commission Expires
April 12, 1968

WATER No. 582-1
APPROPRIATION OF WATER
Office of State Water, Re-
sources Commission,
Pierre, S. Dak., June 20, 1961
Notice is hereby given that the
Western Cattle Company whose
postoffice address is Rapid Ci-
ty, S. Dak., has made an applica-
tion in accordance with the pro-
visions of the water laws of
South Dakota for a permit to ap-
propriate for beneficial use 2.85
cubic feet of water per second of
the Two Rivers Water Spreader
Number 1, the point of diversion
of which is to be located on the
left bank of said stream in the
NE 1/4 of the SE 1/4 of Section
35 Twp. 6N Range 11E. Said
water is to be used for the purpose
of providing irrigation on por-
tions of the following described
land:
E 1/2 NE 1/4, N 7 1/2, NW 1/4 SW 1/4
and N 1/2 NE 1/4, all in section 35,
T 6 N, R 11 E.
This application will be taken
up by the State Water Resources
Commission at their office at
Pierre for consideration upon
the 19th day of July, 1961, 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 pre-
sented.
State Water Resources Com-
mission
By: Burton F. Jones
Press June 24, July 1, 8, and 15

On or before June 24, 1961
(First Publication _____)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., June 20, 1961

Notice is hereby given that the Western Cattle Company whose postoffice address is Rapid City 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 2.25 cubic feet of water per second of time from the dry draws through the Two Rivers Water Spreader #1, the point of diversion of which is to be located on the left bank of said stream in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 35 Twp. 6N Range 14 E portions of said water to be used for the purpose of providing irrigation of the following described land:
E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{2}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$, all in Section 36, T 6 N, R 14 E

~~XXXXX~~ ~~XXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 19th day of July, 1961, 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 - Morris G. Hallock, Publisher State Water Resources Commission
Black Hills Press
Sturgis, S. Dak.

By:

~~XXXXXXXXXXXXXXXXXXXX~~
Burton F. Jones
Water Right Specialist

**OVERSIZE
DOCUMENT IS
SUPPLEMENTARY
TO MICROFILM FILE**

April 17, 1961

Western Cattle Company
Box 371
Rapid City, South Dakota

Dear Sirs:

This letter will serve as an affidavit to enable you to apply for a vested water right on the lands described below.

I constructed and kept in operation a spreading system in Sections 35 and 36, Township 6 North, Range 14 East, Meade County, South Dakota. This system was constructed and operated by me between the years of 1930 and 1946.

Very Truly Yours

Mack Trask

Witness:

Jim Humphrey

WESTERN CATTLE COMPANY

DIVISION OF MORRIS GRAIN COMPANY

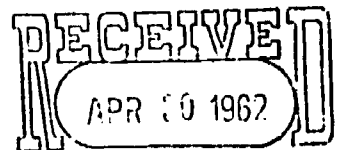
1651 BOARD OF TRADE BUILDING
CHICAGO 4, ILLINOIS

April 26, 1962

Address Reply To:

WESTERN CATTLE COMPANY
Box ~~592~~
RAPID CITY, S. DAK.
Phone: FI 3-4340

Mr. Joe W. Grimes
Chief Engineer
State Water Resources Commission
Pierre, South Dakota



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Dear Mr. Grimes:

Enclosed is the Notice of Completion of the Two Rivers water spreader system. As to date we have not put in a pump installation for the off-season pumping unit. Will possibly go to work on that this summer so we can start pumping late next fall.

In our telephone conversation the other day, I believe I stated that we had not purchased any water from Morris from his well on Highway 79 south of Rapid City. However, at that time I did not know that he had agreed with the manager of our Hart Ranch to give us water for one stock dam in compensation for running his pipes over our property. Since the disturbance with Mr. Neugebauer and the Industrial Pipe Line Company at Hermosa, I have advised our manager on the Hart Ranch not to accept any water for filling this dam.

One other question has arisen since our Friday discussion with Neugebauer and the Industrial Pipe Line. We have put in crossings across Battle Creek on the Stenger Ranch with culverts through and a very low grade across over the culverts. These culverts are anchored so that any large flows will not wash them out. These crossings are not intended to impound any water but merely for passage of vehicles and cattle during the winter months. Is there a minimum size culvert that should be installed at these crossings? I am not sure, but I think we are using two 18" culverts at each crossing.

Mr. Lund asked me the length of Battle Creek that ran thru our ranches. I have taken a ruler and measured from the point of entrance to where the creek leaves the ranch and find that there are $8\frac{1}{2}$ miles on the Stenger Ranch and 3.4 miles on the Battle Creek Ranch. Using the same method, I measured the entire distance of Battle Creek from Mr. Neugebauer's property to the mouth of the creek and find that this is 22 miles. All of these distances are as the crow flies and do not indicate actual creek bed mileage. Would you please call this to Mr. Lund's attention?

Yours very truly

WESTERN CATTLE COMPANY

E. L. Anderson

E. L. Anderson

Property Development Manager

ELA:ag
Enc.

NOTICE OF TRANSFER OF WATER PERMIT

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

Date August 18, 1970

This is to notify you that title to the lands described as follows:
Section 36, T6N, R14E

formerly owned by Western Cattle Company

has been transferred to McCasland and Schiller

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 582-1 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore heraby 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 HUGHES) ss.

I, Don Fleming 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.

McCasland & Schiller
By Don Fleming (Signed)

Suscribed and sworn to before me this 18th day of August, 1970

Betty Westlund
(Notary Public)
Betty Westlund, Technical Assistant
Water Resources Commission

NOTICE OF TRANSFER OF WATER PERMIT

TO: **WATER RIGHTS COMMISSION**
State Office Building No. 2
Pierre, South Dakota 57501

August 7, 1975
Date _____

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

206.8 acres in portions of Section 36, T6N, R14E, described in
Water License No. 582-1

_____ formerly owned by McCasland and Schiller, Plainview, S.D.

_____ has been transferred to Caruthers Ranch, Inc., Plainview, S.D.

_____ together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 582-1 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~~ **WATER RIGHTS COMMISSION** as evidence of the change of ownership.

A fee of one dollar is here'o 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 Hughes) ss.

I, Donald A. Haggan, as Attorney for McCasland & Schiller, R 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.

Donald A. Haggan
(Signed)

Suscribed and sworn to before me this 8th day of August, 1975

Shari C. Holden
(Notary Public)

My Commission Expires: 2-24-77



582-1, 756-1, 877-1

Department of Natural Resource Development

WATER RIGHTS COMMISSION
Joe Foss Building, Pierre South Dakota 57501
Phone 605/773-3151

May, Adam, Gerdes, & Thomson
503 South Pierre Street
Pierre, SD 57501

Gentlemen:

ATTENTION: Tom Adam
Your Re: William Marvin Caruthers

Enclosed are copies of Water License No. 582-1 & 756-1 and a copy of Water Permit No. 877-1. Although the licenses are not shown in Caruthers name, he is the owner of record in this office.

Acreages shown are for the total he has under permit. We are aware that the ranch is to be divided, but do not have such a division yet. The acreages shown are by 40 acre tracts, so can be transposed to his present ownership.

If we can be of further assistance, do not hesitate to call on us.

Sincerely,

BURTON F. JONES
Water Rights Specialist

BFJ/gy

encl

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

582-1, 756-1, 877-1

June 30, 1980

Duane Lammers
Two Rivers Ranch Inc.
3928 Doran Drive
Rapid City, SD 57701

Dear Mr. Lammers:

Enclosed please find copies of our Form 20, Notice of Transfer of Water Permit. These must be signed by the owner before a notary public and returned to this office with a fee of \$2.50 each, for a total of \$7.50.

Upon receipt of the Forms and the \$7.50 filing fee, the permits will be transferred to the proper name.

Please advise if you have any questions.

Sincerely,

GENNY YOUNG
Staff Assistant

gy

encl

Equal Opportunity Employer

NO. 582-1

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: October 1, 1984

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

206.8 acres - E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 36, T6N, R14E

formerly owned by Caruthers Ranch

has been transferred to MaCaBe Ranch Partnership, c/o Haggard's Action Realty, PO box 606
(please include complete mailing address) Pierre, SD 57501
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 582-1 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.

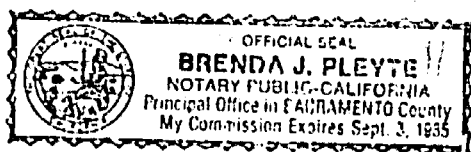
A fee of Two Dollars and Fifty cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-1.

CALIFORNIA
STATE OF ~~SOUTH DAKOTA~~)
ss.
County of SACRAMENTO

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

William M. Caruthers
(Signed)

Subscribed and sworn to before me this 1st Day of October, 1984.



Brenda J. Pleyte
(Notary Public)



No. 582-1

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

November 1, 1984

Haggar's Action Realty
PO Box 606
108 N. Euclid
Pierre, South Dakota 57501

Dear Sir:

Enclosed is receipt No. 4 9792 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 582-1.

Our records now show ^{McCabe Ranch Partnership} ~~you~~ as the owner of this Water Right.

Sincerely,

Maxine Stifling
Staff Assistant

ms/
Enc.

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

RECEIPT

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

No. 4 9792

Pierre, October 11, 1984

RECEIVED OF Haggard's Action Realty, PO Box 606, 108 W. Euclid, Pierre, SD 57501
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 582-1 (to McCabe Ranch Partnership)	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	2	50

By

Chief Engineer

JOHN HATCH

(ms)

Water Rights Division
605 773-3352

September 21, 1984

Don Hagger
Action Realty
108 N Euclid
Pierre SD 57501

RE: Transfer of Water Right No. 582-1 and Water Permit No. 1294-1

Dear Mr. Hagger:

Enclosed are partially completed transfer forms for transferring Water Right No. 582-1 and Water Permit No. 1294-1 to MaCaBe Ranch Partnership. The forms should be signed by the owner, notarized and returned to our office with a filing fee of \$2.50 each (total of \$5.00).

Water Permit No. 1294-1 is ready to be licensed upon receipt of the filing fees and transfer forms. The license will incorporate 877-1A and 582-1.

If you have any questions, please contact us.

Sincerely,

GENNY MCMAHATH
Natural Resources Analyst

GM:ks

encl.

NOTE: You can sign transfer forms as agent for MaCaBe Ranch unless you would rather forward the forms to them.

South Dakota
Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
Water Rights Division
605 773-3352

November 1, 1984

McCabe Ranch Partnership
% Haggard's Action Realty
PO Box 606
Pierre SD 57501

Dear Sir:

Enclosed are your receipts and Water License No. 1294-1 which has been transferred to McCabe Ranch Partnership. This is the final water right document completing the process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

John Hatch

JOHN HATCH, Chief Engineer
Water Rights Division

ks

enclosures

NOTE: The applicable portions of Water Right No. 582-1 and Water Permit No. 877-1A have been incorporated into this Water License.