

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 638-1A
(DIVISION OF WATER LICENSE NO. 638-1 INTO 638-1A & 638-1B)

(1) Water License No. 638-1, bearing a priority date of September 7, 1961, is held by David & Morgan Hargrove, and authorizes the diversion of 2.8 cubic feet of water per second from Indian Creek, Butte County, South Dakota for the irrigation of 198 acres located in the S ½ NW ¼ & S ½ of Section 3, T9N, R4E.

On August 6, 2025, Indian Creek Ranch LLC filed a "Notice of Transfer of Ownership" for a portion of the land described in Water Right No. 638-1. Based on the ownership change, the water right is being divided and reissued to reflect separate ownership as follows:

- **Water Right No. 638-1A, Indian Creek Ranch LLC, 46034 265th St, Hartford SD 57033** authorizing diversion of 2.15 cfs from Indian Creek to irrigate 152 acres within portions of the SW ¼ and SE ¼, Section 3, T9N, R4E.
- **Water Right No. 638-1B, David & Morgan Hargrove, 17541 Arpan Rd, Nisland SD 57762** authorizing the diversion of 0.65 cfs from Indian Creek to irrigate 46 acres within portions of the S ½ NW ¼, Section 3, T9N, R4E.

(2) It is certified that the water right holder Indian Creek Ranch LLC, has complied with the provisions of South Dakota State Law and is entitled to divert 2.15 cubic feet of water per second for beneficial use. The locations of the diversion points are:

- West Pump: 1,830 ft N & 630 ft E of the SW corner Section 3, T9N, R4E (NW ¼ SW ¼)
(Latitude 44.76830 and Longitude -103.62639)
- East Pump: 875 ft N & 4,745 ft E of the SW corner Section 3, T9N, R4E (SE ¼ SE ¼)
(Latitude 44.76564 and Longitude -103.61044)

(3) The water is to be used during the following described annual period: April 1 – November 30.

(4) The water right holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate to following land:

Section 3, T9N, R4E	
NE ¼ SW ¼ - 34 acres	NE ¼ SE ¼ - 20 acres
NW ¼ SW ¼ - 22 acres	NW ¼ SE ¼ - 31 acres
SE ¼ SW ¼ - 12 acres	SW ¼ SE ¼ - 12 acres
	SE ¼ SE ¼ - 21 acres
Total – 152 acres	

(5) Pursuant to South Dakota Water Law 46-5-30.1 Indian Creek Ranch LLC, the holder and/or owner of Water Right No. 638-1A is issued a license to appropriate water, the right to use 2.15 cubic feet of water per second from Indian Creek, with a priority date of September 7, 1961, from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 638-1.

Mark Mayer
 Mark Mayer, PE
 Director of Office of Water

8/14/25
 date





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

AUG 14 2025

Indian Creek Ranch LLC
c/o Tom Opitz
46034 265th St
Hartford SD 57033

No. 638-1A

Dear Mr. Opitz:

Enclosed is Water License No. 638-1A. Based on the ownership change filed by Indian Creek Ranch LLC, Water Right No. 638-1 was divided and reissued to reflect separate ownership as follows:

- **Water Right No. 638-1A** authorizing diversion of 2.15 cfs from Indian Creek to irrigate 152 acres within portions of the SW $\frac{1}{4}$ and SE $\frac{1}{4}$, Section 3, T9N, R4E.
- **Water Right No. 638-1B** authorizing the diversion of 0.65 cfs from Indian Creek to irrigate 46 acres within portions of the S $\frac{1}{2}$ NW $\frac{1}{4}$, Section 3, T9N, R4E.

The validity of Water Right No. 638-1A has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

If you have any questions regarding the enclosed license, please contact Water Rights Permitting Administrator, Amanda Dewell at (605) 773-3352 or Amanda.Dewell@state.sd.us.

Sincerely,

Mark Mayer, PE
Director of Office of Water
(605) 773-3352

Note: While this Water Right includes diversion from Indian Creek, access to the creek on private property is not afforded under this license. Access arrangements would need to be made with the adjacent landowner.

enclosure