

751-1

1. Considered 7-14, 1915
2. Name of Applicant PRAIRIE VIEW, INC.
3. Post Office Address STURGIS
4. Amount of Water Claimed 2.84
5. Source of water supply BEAR BUTTE CREEK
6. Water to be used for IRRIGATION
- Acres to be irrigated 194
7. Water to be diverted and used in MEADE County about
15E 4N Miles of STURGIS
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 751-1Water Division No. 1 BELLE FOURCHE RIVER District
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of applicant Prairie View Incorporated
 18 Hereford Road
 Postoffice address Sturgis, County Meade, State S.D.

I. If a corporation

- (a) Name of same Prairie View Incorporated S.D.
 (b) Date and place of incorporation January 2, 1964, 1113 Sherman St. Sturgis
 (c) Amount of capital stock \$250,000.00
 (d) Amount paid in \$200,000.00 received and paid for by trading of
property
 (e) Names and addresses of directors Leo Keffler, Lois Keffler and Keith

Keffler all of Sturgis, South Dakota

Inclosed herewith

(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)
Employment of others and direct labor
 Current bank account and livestock to market at proper time.
 (b) Cash on hand, \$ (c) Treasury stock, \$
 (d) Bonds to be issued, \$None (e) Other resources, \$Stock on ranch.

2. Name of diversion work Prairie View Irrigation Project
 3. Amount of water claimed 3.84 cubic feet per second
 4. Source of water supply Bear Butte Creek
Pump Site; S 77° 45' W from the N. 1/4 Cor Sec. 19, T. 8 N., R. 8 E-BHM-Rt. Bank
 5. Location of point of diversion Stuck water reservoir; & Spreader; N. 57° E. 1968' (from W. 1/4 Cor. S. 19,
T. 8 N., R. 8 E-BHM on Left Bank Meade County.
 6. Annual period or periods during which water is to be used April 15th thru Nov. 1st
 7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Pumping and gravity

- (a) Number of acres to be irrigated 199 acres.
NW-NW-16 ac., NE-NW-25 Ac., SW-NW-18 ac., SE-NW-4 ac.,

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

- (b) Legal subdivisions to be irrigated
NW-NE-33 Ac., NE-NE-34 Ac., SW-NE-33 Ac., SE-NE-36 Ac. S. 19, T. 8 N., R. 8 E
 (c) Statement as to domestic use (giving location, etc.) Total 199 Ac.

Stockwatering

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

- (a) Nature of use Stockwatering and Irrigation
 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 Y Y Y Y

MAP No 630-1

6. Estimated cost of work:

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

(c) Fluming, \$1000.00

(e) Other structures.....

(b) Pumping pl'n', \$1500.00.

(d) Canal-earth, \$500.00

Rock, \$.....

Total, \$3000.00

9. Description of diversion works:

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

Pumping plant with ditches to spread water

II. Dimensions of works. The following described dam is for stockwater but the spillway and ditch spread water over flats.

(a) Dam: Height 25 feet; length at bottom 225 feet; length at top

225 feet; thickness at bottom 120 feet; thickness at top 15

feet; slope at front water face 2:1; slope at back face 1:1

material used in construction earth

(b) Reservoir: Capacity when filled 241/ not available for irrigation

mark 16.40 acres.

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH DEPTH AT OUTLET-ACRES	FEET	ACR & FEET CAPACITY

(c) Head gate: Width.....feet; height.....feet;

Material.....

(d) Canal: Total length.....miles. This project will be under the Great Plains setup. No survey made by them yet

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 reduction in size are made.)

10. Time required for completion of work 5 years.

11. Time required for complete application of water to the proposed beneficial use 5 years.

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

Sturgis Tribune, Sturgis, So. Dak.

STATE OF SOUTH DAKOTA

County of Neade

ss.

I, Leo Keffler, President of Prairie View Incorporated, 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 Prairie View Leo Keffler Pres.

Subscribed and sworn to before me this 19th day of April 1965

Carl M. Cornell Notary Public (or other qualified officer.)

*Each diversion must have a head gate or measuring device.

PLAT
OF
THE PRAIRIE VIEW INCORPORATED IRRIGATION PROJECT.
In Sec. 19 T.8 N., R.6 E-BEM, in Meade County, South Dakota

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

- - SURVEYOR'S CERTIFICATE - -

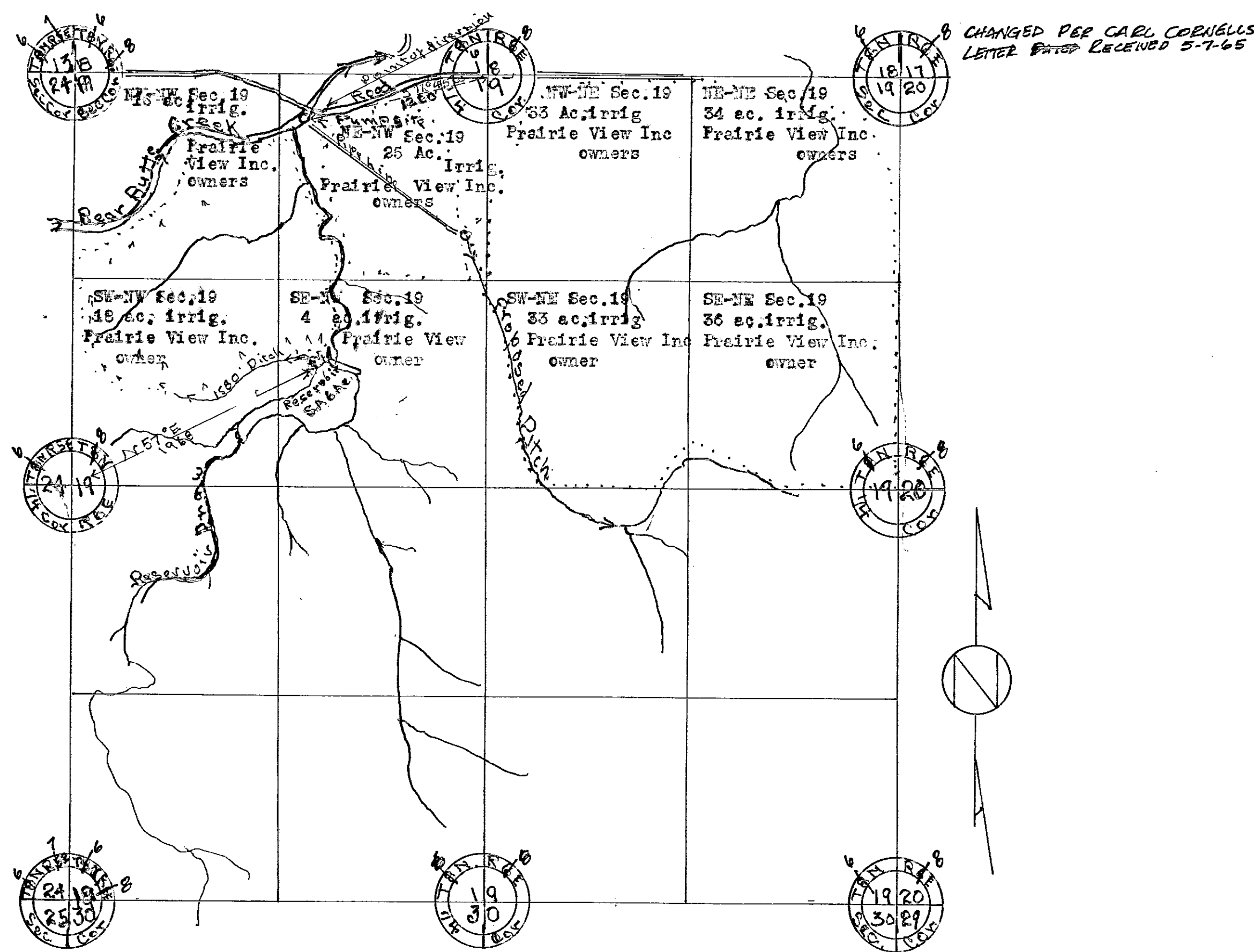
I, Carl M. Cornell, Licensed Surveyor, in and for the State of South Dakota, do hereby certify that, at the request of Leo Keffler, President of the Prairie View Inc. Ranch, I have made a survey and prepared this map of the irrigable area contained in this application for a permit to appropriate water for the purpose of irrigating the lands described on this plat.
I further certify that the bearings and lengths of all lines shown hereon, 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, So. Dak. this 21st day of April 1965.

Carl M. Cornell
Carl M. Cornell, Licensed Surveyor
Lic. No. 144 (SEAL)

Subscribed and sworn to before me at Buffalo, South Dakota this 21st day of April 1965:

Edgar Lindholm
Notary Public. (SEAL)



MAP No 630-1
(APPL No 751-1)

Remarks by State Water Resources Commission:

UNDER THIS PERMIT, LOW FLOWS AS NEEDED
FOR DOWNSTREAM DOMESTIC USE MUST BE
BY-PASSED.

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, JULY 15, 1965

This is to certify that the foregoing application was received by the Commission at 8:05 o'clock
A.m. upon the 3RD day of MAY, 1965

State Water Resources Commission

By:

Burton Jones
for Chief Engineer, Executive Officer

Number of permit 751-1

Date of first receipt of application MAY 3, 1965

Date of return to applicant for correction, amendments or changes required as follows: MAY 3, 1965

Date of receipt of corrected application MAY 7, 1965

Date from which applicant may claim right MAY 3, 1965

Approved JULY 14, 1965, Recorded in Book 9 Page 20

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 14, 1968

2nd. The whole of said work is to be completed on or before JULY 14, 1970

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

JULY 14, 1970

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 2.84
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 14, 1970; said water to be used during the following described annual period:

APRIL 15 THRU NOVEMBER 1

Witness my hand this 15TH day of JULY, 1965

State Water Resources Commission

By:

George H. Miller
Chief Engineer, Executive Officer

Certificate of Construction Issued DECEMBER 3, 1973.

Water License Issued DECEMBER 3, 1973.

WATER LICENSE NO. 751-1

(1) WHEREAS, On the 3rd day of May A. D. 1965

Prairie View, Inc.

made Water Right Application No. 751-1 for a permit to use 2.84 cubic feet per second of the waters of Bear Butte Creek and Reservoir Draw

County of Meade, State of South Dakota, for Irrigation

purpose and

(2) WHEREAS, On the 15th day of July A. D. 1965

Permit No. 751-1, with a date of priority of May 3, 1965

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 14th day of July A. D. 1970 and for the application to beneficial use of said water on or before the 14th day of July A. D. 1970

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 2.84 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 19, T6N, R8E

	Acrea
NW $\frac{1}{4}$ NW $\frac{1}{4}$	16
NE $\frac{1}{4}$ NW $\frac{1}{4}$	25
SW $\frac{1}{4}$ NW $\frac{1}{4}$	18
SE $\frac{1}{4}$ NW $\frac{1}{4}$	4
NW $\frac{1}{4}$ NE $\frac{1}{4}$	33
NR $\frac{1}{4}$ NE $\frac{1}{4}$	34
E $\frac{1}{4}$ NE $\frac{1}{4}$	33
SE $\frac{1}{4}$ NE $\frac{1}{4}$	36
Total	199 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 Prairie View, Inc.

_____ of Scourie

the holder _____ and owner _____ of said permit No. 751-1 a water right, dating from May 3, 1965

_____ to use of 2.34 cubic feet per second of the waters

of Bear Butte Creek and Reservoir Draw

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

purposes hereinbelow mentioned, to be diverted at points from Bear Butte Creek, South 77° 45' West,

1200 ft. from the W $\frac{1}{2}$ Corner, and from reservoir North 57° East, 1969 ft. from

the W $\frac{1}{2}$ Corner, Section 19, T6N, R8E

and conduct to and upon portions of Section 19, T6N, R8E, more fully described on the face
of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 751-1 and subject to the laws of the State of South Dakota.

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

this 3rd day of December A. D.

Nineteen Hundred and Seventy-three

WATER RIGHTS COMMISSION

By:

Chief Engineer, Executive Officer DONALD DRISCOLL

Permit No. 751-1Water Diversion No. 1 BELLE FOURCHE RIVER Water District

CERTIFICATE OF CONSTRUCTION

Frairie View, Inc.

This is to Certify, That _____

_____ the holder _____ of
 Permit No. 751-1, issued upon Application No. 751-1, bearing date of priority of May 3,
1965 authorizing the diversion of 2.84 cu. ft. per second of the waters of _____
Bear Butte Creek and tributaries County of Meade, State of South Dakota at _____
points from Bear Butte Creek, South 77° 45' West, 1200 ft. from the N½ Corner,
and from reservoir North 57° E, 1968' from the W½ Corner, Section 19, T6N, R6E
 _____, 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 4.0 cu. ft. per second of water.

Date December 3, 1973

~~WATER RIGHTS COMMISSION~~
 WATER RIGHTS COMMISSION

Py.

DONALD DRISCOLL, Chief Engineer

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Meade } ss.

Morris G. Hallock being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____

Sturgis Tribune 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 Sturgis County of Meade and State of South Dakota; that the said notice was published in said newspaper on the following dates:

June 16, 1965

June 23, 1965

June 30, 1965

July 7, 1965

in each and every issue of the full number thereof, the first publication being made on the 16th day of June

1965 and the last publication on the 7th day of

July 1965, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was publisher the printer and publisher of the said newspaper.

Morris G. Hallock

Subscribed and sworn to before me this 8th day of July A. D. 1965

Notary Public Meade County, S. D.

My Commission Expires:
April 12, 1968.

No. 751-1
APPROPRIATION OF WATER
Office of State Water
Resources Commission
Pierre, S. Dak., June 7, 1965
Notice is hereby given that
Prairie View Incorporated whose
postoffice address is Sturgis, 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 3.84
cubic feet of water per second
of time from Bear Butte Creek
and Reservoir Draw through the
Prairie View Irrigation Project,
the point of diversion of which
is to be located on the left bank
of said stream at points in the
NE1/4, NE1/4, Section 19, and in the
SE1/4 of the NW1/4 of Section 19
Twp. 6N Range 1E. Said water
to be used for the purpose of
providing irrigation on portions
of the following described land:
NW1/4 and NE1/4, Section 19, T6N,
R5E.

This application will be taken
up by the State Water Resources
Commission at their office at
Pierre for consideration upon
that Lilly M. Grasse has filed
the 14th day of July, 1965, 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
Tit J-16-23.30 July 7

RECEIVED
JUL 12 1965

STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

on or before
(First Publication June 17, 1965)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., June 7, 1965

Notice is hereby given that Prairie View Incorporated whose postoffice address is Sturgis 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 2.64 cubic feet of water per second of time from the Bear Butte Creek and Reservoir Draw through the Prairie View Irrigation Project the point of diversion of which is to be located on the left at points in the NE 1/4 NW 1/4, Section 19, and bank of said stream/in the SE 1/4 of the NW 1/4 of Section 19 Twp. 6N Range 8E portions of said water to be used for the purpose of providing irrigation on the following described land:

NW 1/4 and NE 1/4, Section 19, T6N, R8E

XXXXXX and for _____ purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 14th day of July, 1965, 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

CC: Mr. Morris O. Hallock, Publisher
Sturgis Tribune
Sturgis, S. Dak.

Permit No. 751-1Water Division 1 BELLEFOURCHE RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

WATER RIGHTS COMMISSION

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 PRAIRIE VIEW, INC. of STURGIS holder of Permit No. 751-1, bearing date of priority of MAY 3, 1965 authorizing the diversion of 2.84 cu. ft. per second of the waters of BEAR BUTTE CREEK for IRRIGATION purposes, in MEADE County.

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

The Water Use System consists of,

STORAGE DAM APPROX 200 ACRE FEET STORAGE

A. Works used to divert the water:

LAYNE-BOWLER 8" PUMP W/ 75 H.P. NEWMAN ELECTRIC MOTOR
BERKELEY 8" INLET 10" OUTLET PUMP, POWERED BY
CHRYSLER GASOLINE MOTOR

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

2300' OF 10" MAINLINE TO PIVOT
2000' OF 10" MAINLINE

C. Works used to apply water to beneficial use.

WATER IS PUMPED INTO DINED LEVELLED FIELDS. HEADGATE
THRU DAM TO TWO FIELDS.
10 TOWER VALVE SYSTEM

The system is in the following condition: GOOD

The point of diversion is located FROM CREEK S77°45' W, 1200' FROM THE N 1/4 CORNER.
FROM RESERVOIR N57°E, 1968' FROM THE W 1/4 CORNER. SECTION 19, T6N, R8E

The works are capable of diverting and conveying to the place of use 4.0cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN SECTION 19, T6N, R8E

<u>NW 1/4 NW 1/4</u>	<u>16 ACRES</u>	<u>NW 1/4 NE 1/4</u>	<u>33 ACRES</u>
<u>NE 1/4 NW 1/4</u>	<u>25 "</u>	<u>NE 1/4 NE 1/4</u>	<u>34 "</u>
<u>SW 1/4 NW 1/4</u>	<u>18 "</u>	<u>SW 1/4 NE 1/4</u>	<u>33 "</u>
<u>SE 1/4 NW 1/4</u>	<u>4 "</u>	<u>SE 1/4 NE 1/4</u>	<u>36 "</u>

comprising a total of 199 acres of land.Date NOVEMBER 26, 1973

Durton Jones
 (Signature)

WATER RIGHT SPECIALIST
 WATER RIGHTS COMMISSION

M E M O R A N D U M

Subject: Modification in Water Right No. 751
To: File
From: Vern W. Butler
Date: January 30, 1973

Mr. and Mrs. Keffler (dba Prairie View Corp.) of 16 Hereford Road, Sturgis, South Dakota, stopped by the office to discuss a proposed modification in their irrigation operation covered by W.R. #751 issued in 1965. Mr. Keffler wants to increase the size of the dam on a tributary of Bear Butte Creek and install a pump and circular system, rather than ditches. The system would cover area in the NE $\frac{1}{4}$ of Section 19 now being irrigated by ditch. Pumpage from Bear Butte Creek would remain the same.

The system has a permit only with a construction date limitation of July, 1970. The system has not been inspected at this time, although its application was pulled and scheduled for inspection.

I indicated it appeared they could proceed with the modification but would check with the Deputy Chief Engineer.

State of South Dakota

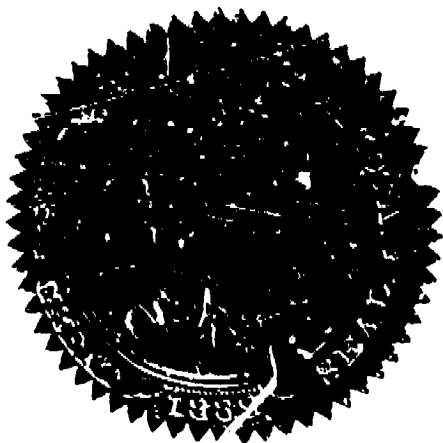


Department of State

United States of America, } Secretary's Office
State of South Dakota, }

This is to certify that the attached instrument of writing
is a true, correct and examined copy of Articles of Incorporation of
PRAIRIE VIEW INC., as filed for record in this office on the 27th
day of December, 1963;

and the whole thereof, and has been carefully compared with
the original now on file in this office and found correct.



In Testimony Whereof, *I have hereunto*
set my hand and affixed the Great
Seal of The State of South Dakota
at the City of Pierre, the Capital on
this 27th day of December 19 63

Eric Wideman
Secretary of State.

FEES. \$ 2.00

BY _____
Assistant Secretary of State

Approved for Filing
27th Dec. 1963
Walter Bergquist

ARTICLES OF INCORPORATION

PRAIRIE VIEW INC.

KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned, Leo Keffeler, Lois Keffeler, and Keith Keffeler all of Sturgis, South Dakota, for ourselves, our associates and successors have associated ourselves together for the purpose of forming a corporation under and by virtue of the statutes and laws of the State of South Dakota, and we do hereby certify and declare as follows:

FIRST

The name of this corporation shall be PRAIRIE VIEW INC.

SECOND

The purpose for which this corporation is formed shall be to engage in the farm and ranch business and to engage in any commercial and industrial and agricultural enterprise calculated and designed to be profitable to this corporation and in conformity with the laws of the State of South Dakota, and in connection therewith to purchase or otherwise acquire and to hold, own, maintain, sell, lease and convey real and personal property and to make and enter into any and all contracts in order to further the purposes herein, to accept gifts by deed or otherwise, and to do all and everything necessary suitable and proper for the accomplishment of any of these purposes or the furtherance of any of the powers hereinbefore set forth, either alone and in association with other corporations, firms or individuals, and to do every other act or acts, thing or things incidental or pertinent to, or growing out of, or connected with the aforesaid business or powers, or any part or parts thereof; provided, the same be not inconsistent with the laws under which this corporation is organized.

THIRD

The place where the principal business of this corporation shall be transacted is sixteen miles east of Sturgis in the County of Meade, State of South Dakota, and its postoffice address is Sturgis, South Dakota.

FOURTH

This corporation shall have perpetual existence.

FIFTH

The number of directors of this corporation shall be three and the names and residences of such who are to serve until the election of their successors are as follows:

NAMES

RESIDENCE

Leo Keffeler
Lois Keffeler
Keith Keffeler

Sturgis, South Dakota
Sturgis, South Dakota
Sturgis, South Dakota

SIXTH

The amount of capital stock of this corporation shall be and is Two hundred fifty thousand and no/100 Dollars (\$250,000.00) divided into Two Thousand Five Hundred Shares (2,500) of a par value of One Hundred and no/100 Dollars (\$100.00) each fully paid and nonassessable.

SEVENTH

No stockholder shall be liable for the debts of the corporation in any amount greater than his unpaid subscription.

IN WITNESS WHEREOF we do hereunto set our hands this 24 day of December, 1963.

Leo Keffeler
Lois Keffeler

Keith Keffeler

STATE OF SOUTH DAKOTA)
COUNTY OF MEADE)^{SS}

On this 24 day of December, 1963, before me, a Notary Public within and for said County and State personally appeared Leo Keffeler, Lois Keffeler and Keith Keffeler, known to me to be the persons who are described in and who executed the above and foregoing instrument and they acknowledged to me that they executed the same for the purposes therein contained.

David C. Merrill

(SEAL)

NOTARY PUBLIC

STATE OF SOUTH DAKOTA)
COUNTY OF MEADE)^{SS}

LEO KEFFELER, LOIS KEFFELER, AND KEITH KEFFELER being each first duly sworn on his oath each for himself deposes and says: That he is one of the persons described in and who signed the foregoing articles of incorporation as an incorporator therein; that he has read said articles and knows the contents thereof; that the incorporators intend in good faith to form a corporation for the purpose of the promotion of a lawful business as set forth in said articles, and not for the purpose of enabling any corporation or corporations to avoid the provisions of Chapter 13.13 of the South Dakota Code of 1939 and acts amendatory thereto of the State of South Dakota, relating to unlawful business practices.

Leo Keffeler Lois Keffeler
Keith Keffeler

Subscribed and sworn to before me this 24 day of December, 1963.

David C. Merrill
NOTARY PUBLIC

(SEAL)

1961, continued on p. 2.

On the 22nd day of December, 1931, between me, a Deputy Sheriff within and the said County and that person(s) appearing as Kellner, John Kellner and John Kellner, known to me to be the persons who are described in the above and foregoing instrument and they acknowledged it to be their act and deed for the purpose and intent contained.

RELATIONS BUREAU TO STATE
(ROOM 10 10 1000)

I hereby certify that the within instrument was filed for record on the _____ day of _____ A.D. 1909.

Notary Public for the State of California

My Comm. Expires _____ A.D. 1910

day of December A. D. 1963
at 12 o'clock A. M., and recorded in
Vol. _____ on Page _____ Record

Domestic Corporations of this office, and of the other offices of the Department.

Ernst Wiedemann

Secretary of State.

Asst. Sec. of State.

OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE

SOUTH DAKOTA
Department of
Water & Natural Resources

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

April 15, 1985

Prairie View Inc
HC 75 Box 154
Sturgis SD 57785

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s). 751-1. The request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

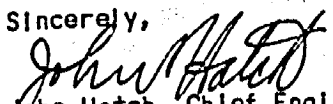
The hearings will be held at 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

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

1. Amend Permit No(s). 751-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

Sincerely,


John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

NOTE: If the questionnaire(s) is received in this office before the May 15th hearing date, your name will be deleted from the agenda for the hearings.



Department of Water & Natural Resources

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

June 12, 1985

Notice or Amendment to Water Permit(s)

To: Leo Keffler
Prairie View Inc.
HC 75, Box 154
Sturgis, SD 57785

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

SUBJECT: Amendment to Water Permit No(s). 751-1.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 751-1 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required Irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

South Dakota Department of
Water & Natural Resources

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

Attachment to Water Permit No(s). 751-1

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 751-1 to add the following qualification:

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



Department of Water & Natural Resources

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

February 8, 1989

LEO KEFFLER
PRAIRIE VIEW INC
HC 75 BOX 154
STURGIS, SD 57785

NOTICE

RE: Violation of Water Permit No(s). 751-1

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 751-1. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 751-1 qualification:

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

The hearing will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

The hearing will be conducted pursuant to the provisions of SDCL 45-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 751-1 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is received in this office before the March 1st hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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





Department of Water & Natural Resources

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

March 6, 1989

751-1

Leo Keffler
Prairie View Inc
HC 75 Box 154
Sturgis, SD 57785

Dear Mr. Keffler:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 751-1. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division



Department of Water & Natural Resources

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

February 9, 1990

PRAIRIE VIEW INC
HC 75 BOX 154
STURGIS, SD 57785

NOTICE

RE: Violation of Water Permit No(s). 751-1

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 751-1. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 751-1 qualification:

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

The hearing will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Roosevelt-Jefferson Room, I-90 at LaCrosse, Rapid City SD.

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

1. Suspend Permit No(s). 751-1 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is received in this office before the March 7th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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



Department of Water & Natural Resources

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

March 2, 1990

751-1

Prairie View Inc.
HC 75, Box 154
Sturgis SD 57785

Dear Sir:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit No. 751-1. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

Bon Duvall /ks

RON DUVALL
Natural Resources Engineer
Water Rights Division



751-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: PRAIRIE VIEW INC
HC 75 BOX 154
STURGIS SD 57765

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Violation of Water Permit No(s) 751-1

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 751-1. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 751-1 qualification:

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

The hearing will be held at 9:30 am, March 3, 1993, 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 SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 751-1 in accordance with applicable provisions of SDCL 46-1-12;
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. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

SENDER:

- Complete items 1 and 2 for return of services.
- Fill in items 3, 4, and 5, if applicable.
- If space is needed, attach this form so that we can return it to you.
- Attach this form to the front of the package, or on the back if space is not available.
- Write "Insured" or "Registered" on the package below the article number.
- If return is requested, write in the article was delivered and the date received.

Article Addressed to:

PRAIRIE VIEW INC
HC 75 BOX 154
STURGIS SD 57785

5. Signature (Addressee)

6. Signature (Agent)

1-30-93

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:

P 906 560 194

4b. Service Type

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

7. Date of Delivery

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

PS Form 3811, December 1991

EUS, GPO: 1992-323-402

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



751-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

March 9, 1993

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: PRAIRIE VIEW INC
HC 75 BOX 154
STURGIS SD 57785

FROM: Ron Duvall, Natural Resources Engineer IV
Water Rights Division
(605) 773-2352 *Ron Duvall*

SUBJECT: One Year Suspension of Water Permit No. 751-1

Pursuant to the provisions of the notices dated January 29, 1993, and following the hearing of March 3, 1993, the Water Management Board has ordered:

That Water Permit No. 751-1 be SUSPENDED until December 31, 1993. Suspension of the permit does not excuse the permit owner from the requirement to submit the 1992 irrigation questionnaire.

Suspension of a permit means water may not be pumped during the 1993 irrigation season. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

If you wish to petition the Water Management Board to rescind the suspension(s), you will need to submit a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 5-6, 1993 in Pierre. The letter should include your reasons for not completing the irrigation questionnaire prior to the March Board meeting.

751-1

CERTIFICATION

I hereby certify that on March 9, 1993, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 9, 1993, regarding NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT'S addressed as stated below:

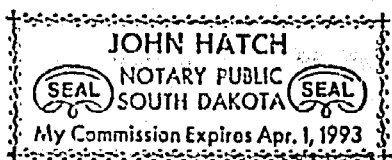
- 4681-3: Donald Abraham, RR 2, Box 64, Elk Point, SD 57025.
- 833-2: Sadie & Bob Assman, RR 3, Box 144, Winner, SD 57580.
- 754-1: Lloyd & Barbara Campbell, HC 62, Box 8, McIntosh, SD 57641.
- 978-2: Robert Christensen, HCR 81, Box 47, Kennebec, SD 57544.
- 2080-2: Gary L. Dickinson, HC 72, Box 23, Tuthill, SD 57574.
- 4702-3, 5226-3: Dan Hanson, RR 1, Box 6A, Elk Point, SD 57025.
- 5070-3: Mike Wurtz-Jamesville Colony, RR 1, Box 51, Utica, SD 57067.
- 984B-1: Dale Johnson, Mgr. RR 3, Box 23AA, Vale, SD 57788.
- 1252-3: Dave Kokesh, Renter, Rt 1, Wagner, SD 57380.
- 4948-3: Gerald A. Person, RR 2, Box 123, Britton, SD 57430.
- 751-1: Prairie View, Inc., HC 75, Box 154, Sturgis, SD 57785.
- 2137-2: Frank Simpson, 1116 Jackson Bl., Rapid City, SD 57702.
- 1028-3: William M. Smith, Rt 1, Box 136, Mission Hills, SD 57046.
- 200-3: Teresa Wessel, RR 1, Box 127, Woonsocket, SD 57385.
- 5482-3: Wiese Brothers Farms, RR 1, Box 36A, Twin Brooks, SD 57269-9801.
- 1341-3: Daniel J. Kamphuis, 8513 Keiser SE, Alto, MI 49302-9728.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 10th day of March, 1993.



John Hatch
Notary Public



751-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
623 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

June 14, 1995

751-1

Tom Lien
4940 S Hwy 16
Rapid City, SD 57701

Dear Mr. Lien:

I am contacting you in regard to ownership of land described under Water Right No. 751-1. The water right is currently listed in the name of Prairie View, Inc. Keith Kesteler notified our office he sold the land to you.

Enclosed is a copy of Water Right No. 751-1 for your review. Also enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change on the water right. Please review the form and complete the portion "to be transferred to:". Upon completion, please sign the form in the presence of a notary public and return it to our office with a required filing fee of \$2.50.

If you have any questions concerning completion of the transfer form or concerning the water right, please contact me. You may keep the copy of the water right for your records.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP



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

No. 751-1

Date: _____

I/We request that Water Right No. 751-1

formerly owned by: Prairie View, Inc., HC 75 Box 154, Sturgis, SD 57785

be transferred to: (name & address) MT. VIEW RANCH, Tom Lien
P.O. Box 771 Rapid City, SD 57709 (Telephone No) 605 343 7272

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

N 1/2 Section 19, T6N, R8E (199 acres)

I/We understand that the validity of Water Right No. 751-1 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 at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 43-2-13.

STATE OF SOUTH DAKOTA)

County of PENNA.)

I/We Tom Lien 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 that I know of my own personal knowledge that the information herein stated is true.

Tom Lien
(Signed)

Subscribed and sworn to before me this 17th day of August, 19 95.

Justin Lien
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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

Division of Water Rights

414593

South Dakota Department of Environment and Natural Resources

Pierre, _____ August 21, 19 95

RECEIVED OF Tom Lien, Mt. View Ranch, PO Box 771, Rapid City, SD 57709

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 751-1</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By *John W. Husted*
Chief Engineer

751-1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**
JGE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

August 23, 1995

No. 751-1

Tom Lien
Mt. View Ranch
P.O. Box 771
Rapid City, SD 57709

Dear Mr. Lien:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 751-1.

Our records now show Mt. View Ranch as the owner of Water Right No. 751-1.

Sincerely,

A handwritten signature in cursive script that reads 'Cheryl F. Frost'.

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

enclosure



January 30, 1996

NOTICE

757-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

TO: MT VIEW RANCH, TOM LIEN, PO BOX 771, RAPID CITY, SD 57709 0771
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Water Permit No(s) 751-1

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 751-1. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 751-1 qualification:

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

The hearing will be held at 9:45 am, March 6, 1996 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 751-1 in accordance with applicable provisions of SDCL 46-1-12;
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 1, 1996, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.

as your RETURN ADDRESS is completed on the reverse side?

SENDER:

- Complete Items 1 and/or 2 for additional services.
- Complete Items 3, 4a, and 4b.
- 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:

MT VIEW RANCH
TOM LIEN
PO BOX 771
RAPID CITY SD 57709-0771

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *Megann L. Kunder*

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

Z 161 984 067

4b. Service Type

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

7. Date of Delivery

01-31-96

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

Domestic Return Receipt

751-1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 13, 1996

751-1

Mt. View Ranch
Tom & Judy Lien
4940 S Hwy 16
Rapid City, SD 57701

Dear Mr. & Mrs. Lien:

I am writing to acknowledge receipt of your 1995 irrigation questionnaire. You may disregard the January 30, 1996, Notice of Violation of Water Permit No. 751-1.

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

On the questionnaire you stated you wish to relinquish your permit. Water Right No. 751-1 describes a 200 acre feet storage dam located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 19 (see enclosed map). Please contact our office as to whether or not the storage dam still exists.

If you have any questions, please contact me.

Sincerely,

Genny McMath

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

enclosure

Is your RETURN
stamped on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- 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:

751-1
MT VIEW RANCH
TOM LIEN
4940 S HWY 16
RAPID CITY SD 57701

5. Received By: (Print Name)

Judy Lien
6. Signature: (Addressee or Agent)

PS Form 3811, December 1994

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 080 558

4b. Service Type

- ☐ Registered
☐ Express Mail

☐ Return Receipt for Merchandise

☒ Certified

☐ Insured

☐ COD

7. Date of Delivery

2-10-97

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

Domestic Return Receipt

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 1997

NOTICE

TO: MT VIEW RANCH, TOM LIEN, 4940 S HWY 16, RAPID CITY, SD 57701

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

SUBJECT: Violation of Water Permit No(s). 751-1

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 751-1. 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 permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 751-1 qualification:

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

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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 751-1 in accordance with applicable provisions of SDCL 46-1-12;
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, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.



March 3, 1997

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

751-1

Tom Lien
Mt. View Ranch
4940 S Hwy 16
Rapid City, SD 57701

Dear Mr. Lien:

I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, Notice of Violation of Water Permit No. 751-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Your 1995 irrigation questionnaire stated you wished to relinquish your water right. This issue has not been dealt with yet because we were waiting to hear from you about the status of your storage dam. Our records indicate that the dam has approximately 260 acre feet in storage capacity. I assume you want to retain the authority granted by Water Right No. 751-1 for the storage dam for stock watering purposes and relinquish the irrigation component of the water right. Under SD water law, a permit is required for storage dams that store over 25 acre feet of water.

The original water permit application filed by Prairie View Inc., listed stock watering and irrigation as uses to be made from the storage dam. If acceptable to you, we can reissue Water License No. 751-1 to authorize stock watering only from the storage dam and delete the irrigation portion.

Please take the time to write and let us know what you would like done with your water right. I am including a postage paid envelope for your reply. If you have any questions, please contact me.

Sincerely,

Genny McMath

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

enclosure



751-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

January 9, 1998

NOTICE**TO:** MT VIEW RANCH, TOM LIEN, 4940 S HWY 16, RAPID CITY, SD 57701**FROM:** Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program**SUBJECT:** Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 751-1. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 751-1 qualification:

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

The hearing will be held at 9:45 am, February 25, 1998 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 751-1 in accordance with applicable provisions of SDCL 46-1-12;
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 20, 1998, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Gerny McMath at (605) 773-3352.

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.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- 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.

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:

MT VIEW RANCH
TOM LIEN
4940 S HWY 16
RAPID CITY SD 57701

4a. Article Number

2119141258

4b. Service Type

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

7. Date of Delivery

11/13/98

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)

X 7055

Thank you for using Return Receipt Service.



751-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 1998

751-1

Tom Lien
Mt. View Ranch
4940 S Hwy 16
Rapid City, SD 57701

Dear Mr. Lien:

I am writing to acknowledge receipt of your 1997 irrigation questionnaire. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit No. 751-1.

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 cursive script that reads "Genny McMath".

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



751-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 1999

NOTICE

TO: MT VIEW RANCH, TOM LIEN, 4940 S HWY 16, RAPID CITY, SD 57701

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

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 751-1. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 751-1 qualification:

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

The hearing will be held at 9:45 am, March 3, 1999 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 46-2-7. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 751-1 in accordance with applicable provisions of SDCL 46-1-12;
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 1, 1999, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.

751-1

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- 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.

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:

MT VIEW RANCH
TOM LIEN
4940 S HWY 16
RAPID CITY SD 57701

4a. Article Number
2119141592

4b. Service Type

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

7. Date of Delivery

5. Received By: (Print Name)
Tom Lien

6. Signature: (Addressee or Agent)
X *[Signature]*

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

9-1-99

Thank you for using Return Receipt Service.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 2, 1999

751-1

Tom & Judy Lien
Mt. View Ranch
4940 S Hwy 16
Rapid City, SD 57701

Dear Mr. & Mrs. Lien:

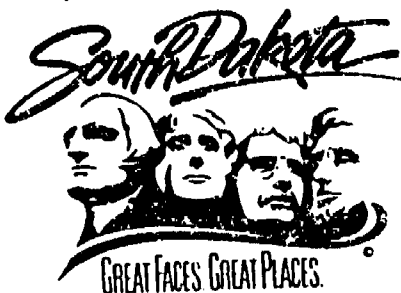
I am writing to acknowledge receipt of your 1998 irrigation questionnaire. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right No. 751-1.

I completed a questionnaire for you based on my February 2nd telephone conversation with Judy Lien. 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



751-1
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: MT VIEW RANCH, TOM LIEN, 4940 S HWY 16, RAPID CITY, SD 57701
FROM: Ron Duvall, Natural Resources Engineer
for Gar and Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 751-1. 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(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 751-1 qualification:

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

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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 751-1 in accordance with applicable provisions of SDCL 46-1-12;
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, 2000, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.

751-1

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ 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.		A. Received by (Please Print Clearly)	B. Date of Delivery 1-15-00
1. Article Addressed to: MT VIEW RANCH TOM LIEN 4940 S HWY 16 RAPID CITY SD 57701		C. Signature X <i>Tom Lien</i> ☐ Agent ☒ Addressee	
		D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☒ No	
2. Article Number (Copy from service label) 2 227 670 485		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
		4. Restricted Delivery? (Extra Fee) ☐ Yes	



**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

751-1

Tom Lien
Mt View Ranch
PO Box 771
Rapid City, SD 57709-0771

Dear Mr. Lien:

I am writing to acknowledge receipt of your 1999 irrigation questionnaire. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit No. 751-1.

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



751-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: MT VIEW RANCH, TOM LIEN, PO BOX 771, RAPID CITY, SD 57709
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire(s)

Our records indicate that the 2002 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 751-1. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 751-1 qualification:

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

The hearing will be held at 8:30 am, March 5, 2003 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 751-1 in accordance with applicable provisions of SDCL 46-1-12;
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, 2003, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.

Track & Confirm

Delivery Status

You entered 2301 0370 0000 7541 3954

Your item was delivered at 7:48 am on January 20, 2003 in RAPID CITY, SD 57709. The item was signed for by B ELOM.

[Shipment History >](#)

[Request Delivery Record >](#)

Track & Confirm

Enter label number:

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SIGNATURE CONFIRMATION NUMBER:
2301 0370 0000 7541 3954

MT VIEW RANCH
TOM LIEN
PO BOX 771
RAPID CITY SD 57709

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PS Form 153, February 2001 (See Reverse)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 28, 2003

751-1

Tom Lien
Mt View Ranch
PO Box 771
Rapid City SD 57709

Dear Mr. Lien:

I am writing to acknowledge receipt of your 2002 irrigation questionnaire. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right No. 751-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

On the irrigation questionnaire you indicated that you do not have a system and did not irrigate. I reviewed your file and found that a couple years ago you mentioned you would like to relinquish your water right. The water right authorizes irrigation of land from Bear Butte Creek and a dry draw (storage dam). Irrigation questionnaire records reflect that you have not irrigated since at least 1992. If you have abandoned irrigation, we can go through the steps to reissue your water right to cover storage of water in the dam for stock watering purposes and delete any reference to irrigation. Is this something you would like done? Reissuing the water right to delete the irrigation portion would eliminate the need for you to submit the annual irrigation questionnaire.

Please give me a call when you can to discuss the water right. Thank you in advance for your help.

Sincerely,

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

Query - Microsoft Visual FoxPro													
File Edit View Tools Program Table Window Help													
Year	Permit	Basin	Man	County	Fract	License	Co	Cor	Address2	City	State	Zip	Water used
1985	751-1	BF		MD	PRAIRIE	VIEW INC			HC 75 BOX 154	STURGIS	SD	577850	
1983	751-1	BF		MD	PRAIRIE	VIEW INC			18 HEREFORD RT	STURGIS	SD	577850	
1984	751-1	BF		MD	PRAIRIE	VIEW INC			HC 75 BOX 154	STURGIS	SD	577850	
1986	751-1	BF		MD		PRAIRIE VIEW INC			HC 75 BOX 154	STURGIS	SD	57785	
1987	751-1	BF		MD		PRAIRIE VIEW INC			HC 75 BOX 154	STURGIS	SD	57785	
1989	751-1	BF		MD		PRAIRIE VIEW INC			HC 75 BOX 154	STURGIS	SD	57785	
1989	751	BF		MD		PRAIRIE VIEW INC			HC 75 BOX 154	STURGIS	SD	57785	
1990	751-1	BF		MD		PRAIRIE VIEW INC			HC 75 BOX 154	STURGIS	SD	57785	X
1991	751-1	BF		MD		PRAIRIE VIEW INC			HC 75 BOX 154	STURGIS	SD	57765	X
1992	751-1	BF		MD		PRAIRIE VIEW INC			HC 75 BOX 154	STURGIS	SD	57765	
1993	751-1	BF		MD		PRAIRIE VIEW INC			HC 75 BOX 154	STURGIS	SD	57785	X
1994	751-1		T			PRAIRIE VIEW INC			HC 75 BOX 154	STURGIS	SD	57785	X
1995	751-1		T			MT VIEW RANCH	TO						X
1996	751-1		T			MT VIEW RANCH	TO		4940 S HWY 16	RAPID CITY	SD	57701	X
1997	751-1		T			MT VIEW RANCH	TO		4940 S HWY 16	RAPID CITY	SD	57701	X
1998	751-1		T			MT VIEW RANCH	TO		4940 S HWY 16	RAPID CITY	SD	57701	X
1999	751-1		T			MT VIEW RANCH	TO		PJ BOX 771	RAPID CITY	SD	57709	X
2000	751-1		T			MT VIEW RANCH	TO		PO BOX 771	RAPID CITY	SD	57709	X
2001	751-1		T			MT VIEW RANCH	TO		PO BOX 771	RAPID CITY	SD	57709	X

Query Record: 32741/63730 Record Unlocked

Start Inbox - Microsoft Outlook Microsoft Visual FoxPro USPS - Track & Confirm ... Query - Microsoft Vis... received tx (Read-Only) ...

2:43 PM

Stroup, Donald

From: McMath, Genny
Sent: Tuesday, January 14, 2003 4:35 PM
To: Stroup, Donald
Cc: Rath, Mark
Subject: 751-1, Mt View Ranch

This water right will be up for suspension due to non-return of their irrigation questionnaire. However, in reviewing the past correspondence, I noticed that they had mentioned before that they wished to relinquish their water right because they do not irrigate. I wrote to them twice asking information about whether or not the big ole dam (200 acre feet storage) still existed and tried to get them to write in and request that the water right be issued for stock water only. They did not respond and it keeps popping up on my irrigation questionnaire list every year since it has not been taken care of.

Mark told me to ask you if you would get ahold of them and see if we can't get the thing straightened out. The area is on Bear Butte Creek in Meade County. I put the fische back in the drawer for now.

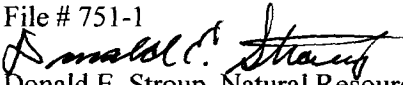
643-7277

TOKI RBE 519

103.19839 44.46942 Dam 2003.f.
103° 11.9034' 44° 28.1652'

Talked to Lien & explained need to keep
WR because of dam size. Need to
change it over for stock water use &
send paper work to him.

MEMORANDUM

TO: File # 751-1
FROM: 
Donald E. Stroup, Natural Resources Project Engineer
SUBJECT: Change to Water Right 751-1

On April 17, 2003 I spoke with Mr. Lein, holder of WR # 751-1, about non-return of the Irrigation Questionnaire and if they were or intended to irrigate. Mr. Lein advised that they are not irrigating and don't intend to. I advised Mr. Lein that we would then change WR # 751-1 canceling the diversion from Bear Butte Creek, but because of the size of the dam (200 af), maintaining the WR for stock watering for the impoundment. Mr. Lein agreed to this.

Licensing of Irrigation Water Permit for Stock Watering

NAME: Tom Lien, Mt View Ranch

ADDRESS: 4940 S Hwy 16, Rapid City SD 57701

DATE: April 23, 2003 **COUNTY:**

AUTHORITY

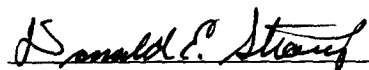
Pursuant to SDCL 46-5-31.1, if permitted irrigation use from a storage dam is abandoned or forfeited but the storage dam is used for stock watering, stock watering may be added to the license or permit upon the request of the permit or license holder.

REQUEST

On April 17, 2003, I visited with Mr. Lien regarding the water right. Mr. Lien indicated they are not irrigating and no longer intend to. Due to the size of the storage dam authorized by this water right, Mr. Lien concurred that reference to use of water for irrigation be taken off the water right and the license be reissued for storage of water for domestic livestock watering purposes.

RECOMMENDED ACTION

Based on the above request, it is recommended that the water license be issued for stock watering.



Donald E Stroup, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant to SDCL 46-5-31.1 that:

This addition of stock watering does not impair existing water rights and no diversion of water will be made from the stock dam. Licensing of the water permit for stock watering may occur without application or publication pursuant to SDCL 46-2A-4.



Garland Erbele, Chief Engineer
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 13 2003

751-1

Tom Lien
Mt View Ranch
PO Box 771
Rapid City SD 57709-0771

Dear Mr. Lien:

Enclosed is Reissued Water License No. 751-1. Based on information received from you, the water license was reissued to delete the reference to irrigation and authorize use of water from your storage dam for domestic livestock watering.

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

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosure

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 751-1

(1) Prairie View Inc was issued Water License No. 751-1, December 3, 1973 for a water right to divert 2.84 cubic feet of water per second from Bear Butte Creek and Reservoir Draw, Meade County, South Dakota for irrigation purposes. Water License No. 751-1, with a priority date of May 3, 1965 was issued to the permit holder for diversion of water with construction of the described water supply system completed and the application to beneficial use of water completed.

On August 21, 1995, Water Right No. 751-1 was transferred from Prairie View Inc to Mt. View Ranch % Tom Lien.

A 200 acre-feet storage dam was part of the original irrigation system. The water right holder has discontinued irrigation. The storage dam is still in existence with water being used for domestic purposes.

Pursuant to SDCL 46-5-31.1, stock watering may be added as a water use to the license provided no diversion is made from the dam. The Chief Engineer makes a finding that the addition of stock watering does not impair existing water rights.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, Tom Lien, Mt. View Ranch, PO Box 771, Rapid City, SD 57709-0771 the holder and/or owner of Water Right No. 751-1 is issued a license, bearing a priority date of May 3, 1965 to impound 200 acre feet of water in a storage dam on Reservoir Draw for domestic livestock watering purposes.

The storage dam is located N57°E, 1968 feet from the W ¼ corner of Section 19, T6N, R8E (SE ¼ NW ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 751-1 including the following qualification:

- Low flows as needed for downstream domestic use must be bypassed.

Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 13 2003

date

