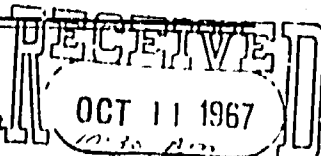


Water Division No. 821-1 Belle Fourche River District
(Blanks to be Filled by the Engineer for the W. R. C.)



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 George D. Levin
HERTFORD
Postoffice address Nowell, County Butte, State South Dakota

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

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

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

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

(b) Cash on hand, \$ _____ (c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

Levin & Sons Irrigation Project

2. Name of diversion work _____

3. Amount of water claimed 7 (seven) cubic feet per second _____

4. Source of water supply The Belle Fourche River

N 56° E 17 1/2° from the W 1/4 Cor. Sec. 19, T5N, R10E. -BHM to a point S 1260' from

5. Location of point of diversion the E 1/4 Cor. Sec. 19, T5N, R10E-BHM

_____ on left bank Meade County.

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

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? _____

(a) Number of acres to be irrigated 490 acres.

(b) Legal subdivisions to be irrigated see attachment

(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.)

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

stockwater and irrigation

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

(a) Nature of use stockwater and irrigation

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 # 464-1

George D. Levin and Sons, Newell, S.D.

7. I. (b) Legal subdivisions to be irrigated

Section				Acres
SW NE	19	5N	10E	38
SE NE	19	5N	10E	22
Lot 3	19	5N	10E	23
Lot 5	19	5N	10E	10
Lot 6	19	5N	10E	38
Lot 7	19	5N	10E	38
Lot 8	19	5N	10E	36
Lot 9	19	5N	10E	8
Lot 10	19	5N	10E	31
NE SW	19	5N	10E	36
SE SW	19	5N	10E	40
NW SE	19	5N	10E	38
Lot 1	30	5N	10E	2
Lot 2	30	5N	10E	21
Lot 3	30	5N	10E	33
Lot 1	25	5N	9E	10
Lot 8	24	5N	9E	32
Lot 9	24	5N	9E	32
Total				490 Acres

8. Estimated cost of work:

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

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

(c) Fluming, \$.....

(d) Canal-earth, \$.....

Rock, \$.....

(e) Other structures\$.....

Total, \$.....

9. Description of diversion works:

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

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....material used in construction.....

(b) Reservoir: Capacity when filled.....acre feet. Surface area at highwater mark.....acres.

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

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

Material.....

(d) Canal: Total length.....miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work.....5.....years.

11. Time required for complete application of water to the proposed beneficial use.....4.....years.

12. Choice of newspaper for publication of notice of intention to appropriate.....Sturgis Tribune, Sturgis, S.D.

STATE OF SOUTH DAKOTA

County of Hughes ss.

I, George D. Lewis, 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

George D. Lewis

Subscribed and sworn to before me this

11

day of

Oct1907

Notary Public (or other qualified officer.)

PLAT
OF
THE JOSEPH P. AND JOHN J. PRAZEE IRRIGATION PROJECT,
SECTIONS 19 & 20, T.5 N., R.10 E., and SECTION 24 T.5 N., R.9 E.-BHM,
HEREFORD, MEADE COUNTY, SOUTH DAKOTA.

SCALE: 8 inches = 1 mile.
1 inch = 800 feet.

- 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 JOSEPH P. AND JOHN J. PRAZEE (FATHER AND SON), I HAVE MADE A SURVEY OF THE TRACTS SHOWN HEREON AND HAVE PREPARED THIS PLAT OF THE SAME FOR THE PURPOSE OF FURNISHING THE REQUIRED MAP OF THE IRRIGABLE AREAS CONTAINED IN THEIR APPLICATION FOR A PERMIT TO APPROPRIATE WATER FROM THE BELLE FOURCHE RIVER, FOR IRRIGATION PURPOSES. OF WHICH SAID APPLICATION THIS MAP IS A PART.

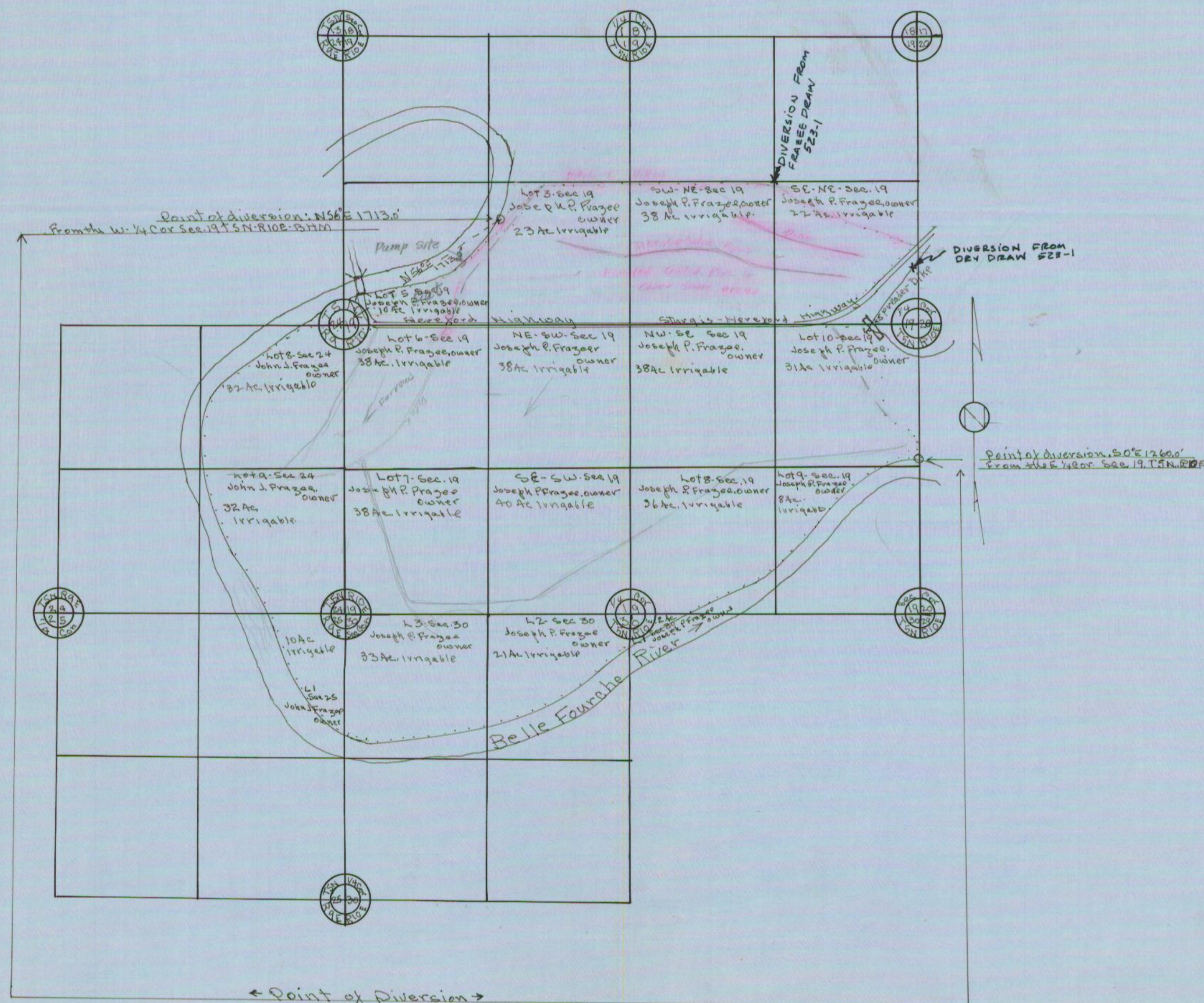
I FURTHER CERTIFY THAT, THE LENGTHS AND BEARINGS OF ALL LINES SHOWN AND THEIR LOCATION WITH REFERENCE TO THE GOVERNMENT LAND CORNERS SHOWN, ARE CORRECT, TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SUBSCRIBED AND SWORN TO AT BUFFALO, SOUTH DAKOTA THIS 14th DAY OF APRIL 1930.

SIGNED Carl M. Cornell
CARL M. CORNELL, LICENSED SURVEYOR
BUFFALO, S.D., No. 144. (SEAL)

SUBSCRIBED AND SWORN TO BEFORE ME AT BUFFALO, SOUTH DAKOTA THIS 14th DAY OF APRIL 1930.

Eleanor Lindholm
Notary Public (SEAL)



Map No 404-1

App'l No 463-1
App'l No 821-1

Remarks by State Water Resources Commission:

YOUR USE OF WATER UNDER THIS PERMIT IS
CONTINGENT UPON SUPPLIES BEING AVAILABLE
TO PRIOR WATER RIGHTS.

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, JANUARY 22, 1968

This is to certify that the foregoing application was received by the Commission at 10:30 o'clock
a.m. upon the 11TH day of OCTOBER, 1967

State Water Resources Commission

By:

Auston Jones
for Chief Engineer, Executive Officer

Number of permit 821-1

Date of first receipt of application OCTOBER 11, 1967

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 OCTOBER 11, 1967

Approved JANUARY 10, 1968 Recorded in Book 10 Page 43

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 _____

JULY 10, 1970

2nd. The whole of said work is to be completed on or before JANUARY 10, 1973

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

JANUARY 10, 1977

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 7.0 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 JANUARY 10, 1977; said water to be used during the following described annual period:

APRIL 1 THRU NOVEMBER 30

Witness my hand this 22ND day of JANUARY, 1968.

State Water Resources Commission

By:

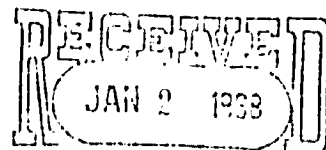
Auston Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Meade } ss.



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

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:

Dec. 6, 1967

Dec. 13, 1967

Dec. 20, 1967

Dec. 27, 1967

in each and every issue of the full number thereof, the first publication being made on the 6 day of Dec 1967 and the last publication on the 27 day of Dec 1967, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was _____ the printer and publisher X of the said newspaper.

Morris G. Hallock

No. 821-1
APPROPRIATION OF WATER
Office of State Water Resources Commission
Pierre, S. Dak., December 1, 1967
Notice is hereby given that George D. Levin whose postoffice address is Newell, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 7.0 cubic feet of water per second of time from the Belle Fourche River through the Levin and Sons Irrigation Project, the point of diversion of which is to be located on the left bank of said stream between points in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, and in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19 Twp. 5N Range 10 E. Said water to be used for the purpose of providing irrigation on the following described land: S $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$ Lots 3, 5, 6, 7, 8, 9 and 10, Section 18; Lots 1, 2 and 3, Section 30, T5N, R10E; and Lot 1, Section 25; Lots 8 and 9, Section 24, T5N, R9E.
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 10th day of January, 1968, at 2:00 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: ELLIOT F. JONES
Water Rights Specialist
Trib Dec. 6-13-20-27

Subscribed and sworn to before me this 28 day of December A. D. 1967

Banhu
Notary Public Meade County, S. D.

On or before
(First Publication December 14, 1967)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., December 1, 1967

Notice is hereby given that George D. Levin whose postoffice address is Newell S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 7.0 cubic feet of water per second of time from the Belle Fourche River through the Levin and Sons Irrigation Project, the point of diversion of which is to be located on the left bank of said stream/in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19 Twp. 5N Range 10E. Said water to be used for the purpose of providing irrigation on the following described land:

S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Lots 3, 5, 6, 7, 8, 9 and 10, Section 19; Lots 1, 2 and 3, Section 30, T5N, R10E; and Lot 1, Section 25; Lots 8 and 9, Section 24, T5N, R9E purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 10th day of January, 1968, at 2:00 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: George D. Levin, Newell, S.D.

State Water Resources Commission

By:

~~Chief Engineer; Executive Officer~~
BURTON F. JONES
Water Rights Specialist



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division (605) 773-3352

June 10, 1981

George Levin & Sons
Huronford, SD 57743

Gentlemen:

The rules adopted by the Water Management Board for establishing a water use control area on the Belle Fourche River, Whitewood Creek and Owl Creek requires that the water right holder be assessed a fee of ten dollars for each cubic foot per second or portion thereof of the diversion capability of the diversion works plus twenty-five cents for each acre irrigated as shown by the water rights of record in the Division of Water Rights. These fees are required to be paid to the Division of Water Rights by July 1, 1981.

Permits for which fees have not been paid by July 1, 1981 shall be refused the right to divert water for the remainder of the year. The fees paid will be used to defray the costs of providing water master services within the water use control area. The following is a tabulation of your assessment.

<u>Permit No.</u>	<u>Diversion Rate</u>	<u>Acreage</u>	<u>Fee</u>
821-1	7.0	490.0	\$192.50
1136-1	3.07	215.0	93.75
1135-1	7.3	514.0	208.50
TOTAL			\$ 489.75

Please make check or money order payable to the Dept. of Water and Natural Resources and send to the Division of Water Rights, Joe Foss Building, Pierre, SD 57501.

If you have any questions, do not hesitate to contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH/JW/gy

Equal Opportunity Employer

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8355

PIERRE, June 30, 1981

RECEIVED OF George Levin, Hereford, SD 57743
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)	
Fee for Inspecting Construction, and Issuing Cert. of Construction No.	
Fee for Inspecting Beneficial Use, and Issuing Water Licence No.	
Fee for Issuing Location Certificate-Dry Draw, No.	
Fee for filing	
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	
Fee for water master services on WR# 821-1 (any other work as provided by law)	192.50
TOTAL	192.50

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH / *et*

Belle Fourche River and Tributaries
Water Use Control Area
Financial Report
1981

Summary of Receipts and Expenditures
June, 1981 - July, 1981

	<u>Receipts</u>	<u>Disbursements</u>	<u>Balance</u>
Collections (Water User's fees)	\$7,379.37	\$	\$
Watermaster (Salary and Mileage)		2,028.62	5,350.75
	<u>\$7,379.37</u>	<u>\$2,028.62</u>	<u>\$5,350.75</u>

Detailed Report of Receipts

No.	Name	<u>Rate</u>	<u>Acreage</u>	<u>Receipts (total fee)</u>	<u>Amount Returned</u>
789-1	Louis Budmayr	0.90	95.50	\$ 34.00	\$ 30.10
429-1	Ed Brunner & Son	1.43	106.00	46.50	41.16
429-1A	Mel Pittman	1.07	79.00	40.00	35.41
506-1	Bob Bartels	.23	17.00	14.25	12.61
892-1	Bob Bartels	1.00	70.00	27.50	24.34
417-1A	Quinten & Karen Watson	.53	78.00	29.50	26.11
417-1B	Clarence Anderson	1.43	206.00	64.00	56.65
417-1C	Mrs. Eddie (Vivian) Anderson	1.15	69.00	69.50	61.52
531-1	Ruby Dillinger	1.27	89.29	42.50	37.62
1162-1	Charles & Dorothy Shaykett	4.61	324.70	131.00	115.96
1210-1	Charles & Dorothy Shaykett	1.80	128.30	52.00	46.03
1132-1	Ezra Pauley	4.00	285.00	111.25	98.48
1204-1	Art Keitz, Jr.	2.19	153.00	68.25	60.41
1205-1	Harlan K Schnell	1.88	132.00	53.00	46.91
1215-1	H L & Mildred Brunner	3.00	264.50	96.12	85.08
418-1	Alex Miller	1.67	117.00	49.25	43.59
1213-1	Robert W Grant	1.43	100.00	45.00	39.83
419-1	Herman Stark	2.50	179.00	74.75	66.17
421-1	Lee Dutton	2.50	175.00	73.75	65.28
1049-1	Thorval Jensen	1.47	103.00	45.75	40.50
1122-1	Thorval Jensen	4.88	324.14	135.75	120.16
1160-1	Thorval Jensen	1.90	133.49	53.50	47.36
1029-1	Homestake Mining	1.39	97.00	44.25	39.17
910-1	Donald Halbmaier	2.50	175.00	73.75	65.28
1165-1	Tom Bowen	2.85	200.00	80.00	70.81
712-1	Edith Anderson & Tom Bowen	2.80	196.00	79.00	69.93
1148-1	Homestake Mining	13.50	948.00	377.00	333.71
430-1	Gerald Wetz	1.65	116.00	49.00	43.37
432-1	Roy Casteel	4.30	307.00	126.75	112.20
414-1	Mary Ann Schummer	3.40	239.00	99.75	88.30
411-1	Edward Poss	5.10	452.00	173.00	153.13
440-1	David A Richards	5.00	416.00	154.00	136.32
1149-1	Homestake Mining	3.20	226.00	96.50	85.42
1150-1	Homestake Mining	7.60	534.00	213.50	188.98
437-1	McNenny Ranch Inc.	5.90	418.00	164.50	145.61
1151-1	Homestake Mining	5.50	390.00	157.50	139.41
821-1	George Levin & Sons	7.00	490.00	192.50	170.40
1136-1	George Levin & Sons	3.07	215.00	93.75	82.98

Detailed Report of Receipts Cont.

No.	Name	Diversion Rate	Acreage	Receipts (total fee)	Amount Returned
1152-1	Homestake Mining	6.60	452.00	\$ 185.50	\$ 164.20
449-1	George Wurnig	5.00	365.00	171.25	151.59
1153-1	Homestake Mining	6.10	428.00	177.00	156.68
311-1	Lester Clark	16.61	1,163.60	461.00	408.06
310-1	Lester Clark	6.76	473.20	188.50	166.85
248-1	Lawrence Burke	0.90	64.00	26.00	23.01
1077-1	Charles M Arneson	1.44	131.00	52.75	46.69
165-1	Trigg Ranches Inc.	4.30	301.00	275.00	243.42
122-1	Trigg Ranches Inc.	3.75	263.00		
1146-1	Trigg Ranches Inc.	1.89	336.00		
928-1	Charles Wennberg	2.20	155.00	68.75	60.86
912-1	Gilbert Alan	1.46	101.80	45.50	40.28
926-1	Donald Berger	2.04	143.00	65.75	58.20
1176-1	Arthur J Odekoven	2.30	163.00	70.75	62.63
1190-1	Neil Shuck	3.53	247.00	101.75	90.07
611-1	Alex Miller	3.35	235.00	98.75	87.41
569-1	Ramona McFarland	0.97	68.00	27.00	23.90
870-1	Eugene C Bishop	0.70	49.00	22.25	19.70
401-1	Kenneth & Dorothy Aker	1.88	132.00	53.00	46.91
135-1	Walter Hoffman	3.11	220.00	95.00	84.09
408-1	James A Mickelson	3.10	218.00	94.50	83.65
469-1	Raymond Garness	1.30	91.00	42.75	37.84
1218-1	William Dillinger	.40	42.70	20.75	18.37
1222-1	John Ismay(Norman)	1.11	79.00	39.75	35.19
1154-1	Homestake Mining	4.50	319.00	129.75	114.85
285-1	Edgar Colin Smart	1.42	150.00	67.50	---
331-1	Anna Stetta (Louis Budmayr)	1.87	131.00	52.75	---
472-1	Timothy Reich	2.00	167.84	62.00	---
275-1	John Durr	1.90	133.00	53.25	---
271-1	Herbert Clarkson	.06	43.00	20.75	---
296-1	Robert Helmer	2.50	179.00	74.75	---
308-1	Lewis Bertolotto	.64	45.00	21.25	---
282-1	James Jeffrev	1.05	73.70	38.50	---
1182-1	George Leach	1.60	108.00	47.00	---
228-1	Thornton Vallery	.72	54.17	23.75	---
290-1	Thornton Vallery	5.50	386.00	156.50	---
264-1	Thornton Vallery	.22	15.30	14.00	---
321-1	Clarence & Lawrence Foos	1.64	115.00	48.75	---
962-1	Ione A Shevling	3.00	251.00	92.75	---
960-1	Thornton & Gwenivere Vallery	.50	35.00	18.75	---
289-1	Thornton & Gwenivere Vallery	1.02	75.00	38.75	---
273-1	Ruben & Esther Kling	.46	32.60	19.25	---
273-1A	Ruben & Esther Kling	1.54	108.40	47.25	---
1177-1	Ruben & Esther Kling	3.30	231.00	97.75	---
416-1	Creta & Leslie Miner	2.66	198.00	79.50	---
865-1	Solomn Stark	2.14	150.00	67.50	---
287-1	David G Rathbun	2.20	154.00	68.50	---
1126-1	John Lewis	3.11	339.00	124.75	---

STATE OF SOUTH DAKOTA

Do not use this space.

DIRECT VOUCHER

AGENCY VOUCHER No.	DATE
1111	11/10/81

PAYEE

George Levin & Sons
Hereford, SD 57743

DEPT.

DWNR, Water Rights Division
Foss Bldg.
Pierre, SD 57501

STAPLE
HERE

AGENCY

ADDRESS

Agency	Fund	Sub Fund	Prog. Act.	Obj. S. & Obj.	Agency Coding	Amount	Contract No.
200301	699	01	0000	0001		253 38	1
							2
							3
							4
							5
							6
							7
							8
							9
							10
TOTAL						22 253 38	

Warrant # 82079280
AC # 077381
date 11/10/81

NOTE: Vendors invoice must be attached.

Invoice No.(s)	Date Delivered	QUAN.	DESCRIPTION OF SERVICE OR COMMODITY	UNIT PRICE	AMOUNT	MEMO
			Refund of unexpended funds collected from the Belle Fourche River and tributaries Water Use Control Area Permit Owners			
		821-11	George Levin & Sons		170.40	
		1136-1	" " "		82.98	
TOTAL					253.38	

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federally assisted programs.

AGENCY VERIFICATION

I hereby certify that this claim has been examined by me, and to the best of my knowledge and belief is in all things true and correct and the same is hereby approved.

John H. H. H.
Claimant Signature

11-5-81
Date

John H. H. H.
DIVISION APPROVAL

11-5-81
DATE

APPROVAL SIGNATURE

DATE

1533
963-1
821-1

George Levin & Sons Inc.
HC 75 Box 244
Heresford SD 57785

Water Rights Division
Joe Foss Building
523 East Capitol
Pierre S.D. 57501

Dear Sirs

Enclosed please find data sheet for
water right no. 821-1.

There are two other water rights
that we hold - no. 523-1 & 963-1.

If you would send data sheets I
would be glad to fill them out
and return them.

Sincerely
Dennis J. Levin
George Levin & Sons Inc.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

821-1

December 1, 1987

523-1
963-1

Dennis L. Levin
George Levin & Sons Inc.
HC 75, Box 244
Hereford, South Dakota 57785

Dear Mr. Levin:

Thank you for the prompt return of the 1987 irrigation questionnaire for Water Right No. 821-1. I am contacting you in regard to your inquiry about completing questionnaires for Water Right Nos. 523-1 and 963-1.

Our records show the water use systems under Water Right Nos. 523-1 and 963-1 are waterspreading systems. Water Right holders with waterspreading systems are not required to submit yearly irrigation questionnaires. This is why you did not receive forms for Nos. 523-1 and 963-1.

Thank you for your inquiry into this matter. If you have any questions, please contact me.

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst

GM:ms



**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 821-1

January 14, 1987

George Levins & Sons, Inc.
Box 244, R.R. 75
Hereford, South Dakota 57743

Dear Sir:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 821-1 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Maxine Stirling
Secretary

ms/

NOTE: On form of payment, please include the number of the water permit. This insures proper handling of the fee.

DWNR-814 8/83



Department of Water & Natural Resources

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

April 11, 1988

SECOND NOTICE

Permit No. 821-1

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Dennis Levin
George Levins & Sons, Inc.
HCR 75, Box 244
Hereford SD 57743

Dear Mr. Levin:

January 14, 1987 you were notified the final inspection fee of \$50.00 is due before Water License No. 821-1 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

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

s508.wr

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

4-1203

Pierre, April 19, 1928, 19__

RECEIVED OF George Levin & Sons, HC 75 Box 244, Hereford, SD 57785

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. <u>821-1</u>	50	00
Fee for Filing Transfer Form _____		
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	50 00

By John Patch
Chief Engineer JOHN PATCH (85)

Permit No. 821-1 Incorpor. # 523-1Belle Fourche River Water District 10120202**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by George Levin and Sons, Inc., Box 2-44 of Heratford, SD 57743 holder of Permit No. 821-1 ~~#523-1~~ Dry Draws = October 24, 1960 bearing the priority of October 11 1967 authorizing the diversion of 7.0 cu. ft. per second of the waters of Frazee draw, dry draws & Belle Fourche River for Irrigation purposes, in Medde County.

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

A. Works used to divert the water:

75 H.P. GE Motor, Berkeley Pump Model BBGPBM. Pumps
Diversion Dikes and Dams 2200 gpm

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

10" Aluminum Pipe - 4500 ft 10" Some is gated Pipe
4000 ft Concrete Ditches
Ditches

C. Works used to apply water to beneficial use:

Gated Pipe. Ditches Dikes with 4" Pipes thru them.
Flood irrigated & Ditch Irrigation

The system is in the following condition Good

The point of diversion is located Belle Fourche River from a point. 760' N + 1300' E of the
W 1/4 cor sec. 19 to a point 1260 ft S of the E 1/4 cor sec. 19. Frazee Draw
& Dry Draws = Within the S 1/4 NE 1/4 & SE 1/4 NW 1/4 - Sec. 19 All in T5N R10E

The works are capable of diverting and conveying to the place of use Pumping 4.5 cfs, Run-off. cfs est.
 cu. ft. per second of water which is to be used for Irrigation

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

See Attached Sheet.comprising a total of 279 acres of land and the license should be issued for 4.0 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: Date May 21, 1966

Leroy J. Mernaugh
 (Signature)

#821-1 George Levin & Sons, Inc

Areas Irrigated.

Section 19, T5N R10E

	Priority date	Priority date
	Oct 11, 1967	Oct. 24, 1960
SW $\frac{1}{4}$ NW $\frac{1}{4}$	3 Ac	
SE $\frac{1}{4}$ NW $\frac{1}{4}$	23	23 Ac.
SW $\frac{1}{4}$ NE $\frac{1}{4}$	38	38
SE $\frac{1}{4}$ NE $\frac{1}{4}$	22.	22
NW $\frac{1}{4}$ SW $\frac{1}{4}$	38	
NE $\frac{1}{4}$ SW $\frac{1}{4}$	38	28
SW $\frac{1}{4}$ SW $\frac{1}{4}$	32	
NW $\frac{1}{4}$ SE $\frac{1}{4}$	34	34
SW $\frac{1}{4}$ SE $\frac{1}{4}$	24	
SE $\frac{1}{4}$ SE $\frac{1}{4}$	2	
		Total 145 Ac

Section 30 T5N R10E

NW $\frac{1}{4}$ NW $\frac{1}{4}$	2
NE $\frac{1}{4}$ NW $\frac{1}{4}$	5

Section 24 T5N R9E

NE $\frac{1}{4}$ SE $\frac{1}{4}$	15
SE $\frac{1}{4}$ SE $\frac{1}{4}$	3

Total. 279 Ac

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 821-1

(1) George D. Levin of HC 75, Box 244, Hereford SD 57785 made Application No. 821-1, October 11, 1967 for water permit to appropriate 7.0 cubic feet of water per second from the Belle Fourche River, Meade County, South Dakota for irrigation purposes. Permit No. 821-1, with a priority date of October 11, 1967 was approved January 10, 1968 and issued to applicant for diversion of water with construction of the described water supply system to be completed on or before January 10, 1973 and for the application to beneficial use of said water on or before January 10, 1977.

The land authorized under Water Right No. 523-1 for irrigation from Frazee Draw and dry draws, is also irrigated from the Belle Fourche River, as authorized by Permit No. 821-1. The applicable portions of Water Right No. 523-1 are incorporated into this Water License No. 821-1.

The priority dates as they relate to the land irrigated are described in #3 of this license.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 4.0 cubic feet of water per second for beneficial use. The location of the diversion points are on the Belle Fourche River from a point 760'N & 1300'E of the W 1/4 corner Section 19 to a point 1260'S of the E 1/4 corner Section 19, T5N, R10E and on Frazee Draw and dry draws within the S 1/2 NE 1/4 and SE 1/4 NW 1/4 Section 19, T5N, R10E.

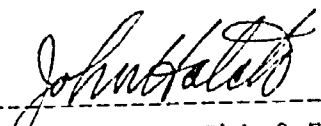
(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent to irrigate the following land:

T5N, R10E Section 19	SW 1/4 NW 1/4	3 acres
	*SE 1/4 NW 1/4	23 "
	*SW 1/4 NE 1/4	38 "
	*SE 1/4 NE 1/4	22 "
	NW 1/4 SW 1/4	38 "
	*NE 1/4 SW 1/4	38 "
	SW 1/4 SW 1/4	32 "
	*NW 1/4 SE 1/4	34 "
	SW 1/4 SE 1/4	24 "
	SE 1/4 SE 1/4	2 "
Section 30	NW 1/4 NW 1/4	2 "
	NE 1/4 NW 1/4	5 "
T5N, R9E Section 24	NE 1/4 SE 1/4	15 "
	SE 1/4 SE 1/4	3 "

TOTAL 279 acres

- * The land in Section 19 (SE 1/4 NW 1/4-23 ac; SW 1/4 NE 1/4-38 ac; SE 1/4 NE 1/4-22 ac; NE 1/4 SW 1/4-28 ac; and NW 1/4 SE 1/4-34 ac) when irrigated from Frazee Draw and dry draws carries an October 24, 1960 priority date as established by No. 523-1. Irrigation of any of the above lands from the Belle Fourche River carries a priority date of October 11, 1967 as established under No. 823-1.

(4) Pursuant to Section 46-5-30.1 George D Levin of HC 75 Box 244, Hereford SD 57785 the holder and/or owner of Incorporated No. 821-1 is issued a license to appropriate 4.0 cubic feet of water per second from Frazee Draw, dry draws & the Belle Fourche River with priority dates of October 11, 1967 and October 24, 1960 from the location specified in (2) of this license. The water is to be used for the purpose of irrigation. This license is subject to any limitations, conditions or qualifications listed in Incorporated No. 821-1 and subject to South Dakota State Law.



 JOHN HATCH, Chief Engineer
 Water Rights Division
 Department of Water and Natural
 Resources

DEC 19 1988

No. 821-1

SOUTH Dakota Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-5352

DEC 19 1988

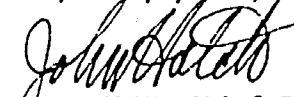
George D. Levin
HD 75, Box 244
Hereford SD 57785

Dear Mr. Levin:

Enclosed herewith is, Water License No. 821-1. This is the final water right document completing your 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, Chief Engineer
Water Rights Division

JH:ks

Enclosures

NOTE: The applicable portions of Water Right No. 523-1 are incorporated into this Water License No. 821-1.

WNR-817 3/83
Transmittal of Water License

821-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: GEORGE LEVIN & SONS
HCR 75 BOX 244
STURGIS SD 57785

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

A handwritten signature in dark ink, appearing to read "Ron Duvall", is written over the typed name.

RE: Violation of Requirement to Submit 1992 Irrigation Questionnaire

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 821-1. 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 hearing to determine if any Board action is to be taken concerning the violation.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 821-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

821-1

GEORGE LEVIN & SONS
HCR 75 BOX 244
STURGIS SD 57785

4a. Article Number

P 906 560 079

4b. Service Type

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

7. Date of Delivery

5. Signature (Addressee)

Shirley Levin

6. Signature (Agent)

1-30-93

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

PS Form 3811, December 1991 • U.S.G.P.O. : 1992-307-330 • **DOMESTIC RETURN RECEIPT**

Thank you for using Return Receipt Service.

821-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 10, 1993

821-1

George Levin & Sons
HCR 75 Box 244
Sturgis, SD 57785

Dear Sirs:

I am writing to acknowledge receipt of your 1992 irrigation questionnaire for Water Right No. 821-1. You may disregard the January 29, 1993, Notice of Violation of the Requirement to Submit the 1992 Irrigation Questionnaire.

The questionnaire 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
Natural Resources Analyst
Water Rights Division
(605) 773-3352

L



March 26, 1997

821-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

821-1

Levin Ranch, Inc.
HCR 75 Box 244
Hereford, SD 57785

Dear Sirs:

I am contacting you in regard to Water Right No. 821-1. On the 1996 Irrigation Questionnaire, a notation was made to change the name on the water right from "George Levin" to "Levin Ranch, Inc.". In order to change the name on a water right or to file an ownership change, you have to submit a "Notice of Transfer" form to our office.

Enclosed is a partially completed form. Please review the form and make any necessary corrections. Upon completion, please sign the transfer form in the presence of a notary public and return it to our office with a required filing fee of \$2.50.

As soon as the completed form and filing fee are returned to our office, Water Right No. 821-1 will be transferred to Levin Ranch, Inc. If you have any questions, please contact me.

Sincerely,

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

encl



821-1
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3161
www.state.sd.us/denr

January 14, 2000

NOTICE

TO: LEVIN RANCH INC, DENNIS LEVIN, HC 75 BOX 244, HEREFORD, SD 57785

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

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire has not been submitted for Permit No(s) 821-1. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 1:30 pm, March 1, 2000, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 821-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

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.

821-1

SENDER, COMPLETE THIS SECTION ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.	
1. Article Addressed to: LEVIN RANCH INC DENNIS LEVIN HC 75 BOX 244 HEREFORD SD 57785	
2. Article Number (Copy from service label) 2227 670 371	
PS Form 3811, July 1999	
Domestic Return Receipt	
102595-99-M-1783	

ADDRESSEE, COMPLETE THIS SECTION	
A. Received by (Please Print Clearly)	B. Date of Delivery 01/15/62
C. Signature X E Levin	
☐ Agent ☐ Addressee	
D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
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 26, 2000

821-1

Dennis Levin
Levin Ranch
HC 75 Box 244
Hereford, SD 57785

Dear Mr. Levin:

Thank you for calling about your 1999 irrigation questionnaire. I completed a form for you based on our phone conversation. The questionnaire states that you did not irrigate in 1999 due to ample rain.

You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit No. 821-1. 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



821-1
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: LEVIN RANCH INC, DENNIS LEVIN, HC 75 BOX 244, HEREFORD, SD 57785

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

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire

Our records indicate that the 2002 Irrigation Questionnaire has not been submitted for Permit No(s) 821-1. 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 be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 821-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **February 28, 2003**, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.



821-1

Track & Confirm

Delivery Status

You entered 2301 0370 0000 7540 6048

Your item was delivered at 10:59 am on January 18, 2003 in STURGIS, SD 57785. The item was signed for by J LAVINE.

[Request Delivery Record >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 0370 0000 7540 6048

LEVIN RANCH INC
DENNIS LEVIN
HC 75 BOX 244
HEREFORD SD 57785

Postmark
Here

POSTAL CUSTOMER:

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

CHECK ONE (POSTAL USE ONLY)

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☐ Package Services

(See Reverse)

PS Form 153, February 2001



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 11, 2003

821-1

Dennis Levin
Levin Ranch Inc
HC 75 Box 244
Hereford SD 57785

Dear Mr. Levin:

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. 821-1.

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



821-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2004

NOTICE

TO: LEVIN RANCH INC, DENNIS LEVIN, 20795 HEREFORD RT, HEREFORD, SD 57785

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire has not been submitted for Permit No(s) 821-1. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 3, 2004, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 821-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **February 27, 2004**, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.



821-1

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 8633

Your item was delivered at 10:45 am on January 15, 2004 in STURGIS, SD 57785. The item was signed for by D LEVIN.

[Shipment Details >](#)

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Enter label number:

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SIGNATURE CONFIRMATION NUMBER: 2301 3460 0000 8515 8633		LEVIN RANCH INC DENNIS LEVIN 20795 HEREFORD RT HEREFORD SD 57785		ling. [Redacted]
Walver of Signature		☐ YES	☐ NO	
Postmark Here				
		POSTAL CUSTOMER: Keep this receipt. For Inquiries: Access internet web site at www.usps.com or call 1-800-222-1811		
		☐ Priority Mail® ☐ Package Services		



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2004

821-1

Dennis Levin
Levin Ranch LLC
20795 Hereford Rt
Hereford SD 57785

Dear Mr. Levin:

I am writing to acknowledge receipt of your 2003 irrigation questionnaire. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right No. 821-1.

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



821-1
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 20, 2005

NOTICE

TO: LEVIN RANCH INC, DENNIS LEVIN, 20795 HEREFORD RT, HEREFORD, SD 57785

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire

Our records indicate that the 2004 Irrigation Questionnaire has not been submitted for Permit No. 821-1. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 2, 2005, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No. 821-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire is received in this office on/or before February 25, 2005, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire, please contact Genny McMath at (605) 773-3352.

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.



821-1

Track & Confirm

Current Status

You entered 2301 3460 0000 8516 1619

Your item was delivered at 10:25 am on January 21, 2005 in STURGIS, SD 57785. The item was signed for by J LEVIN.

[Shipment Details >](#)

Notification Options

- Track & Confirm by email [What is this?](#) [Go >](#)
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Track & Confirm

Enter label number:

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8516 1619

LEVIN RANCH INC
DENNIS LEVIN
20795 HEREFORD RT
HEREFORD SD 57785

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

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

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PS Form 153, July 2001

(See Reverse)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 2005

821-1

Dennis Levin
Levin Ranch Inc
20795 Hereford Rt
Hereford SD 57785

Dear Mr. Levin:

I am writing to acknowledge receipt of your 2004 irrigation questionnaire. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 821-1.

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

NOT TO SCALE



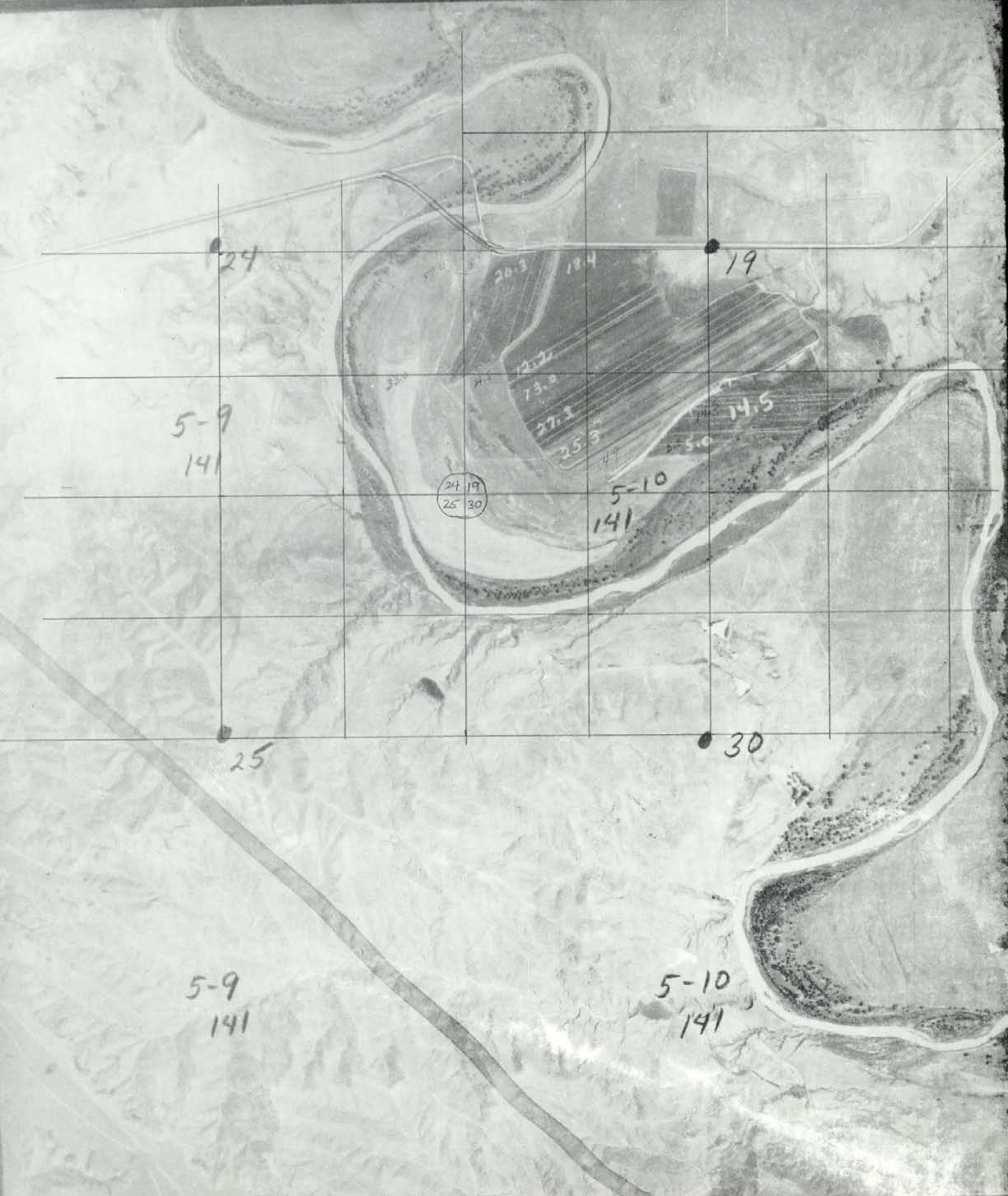
Water Right No. 821-1

NOT TO SCALE

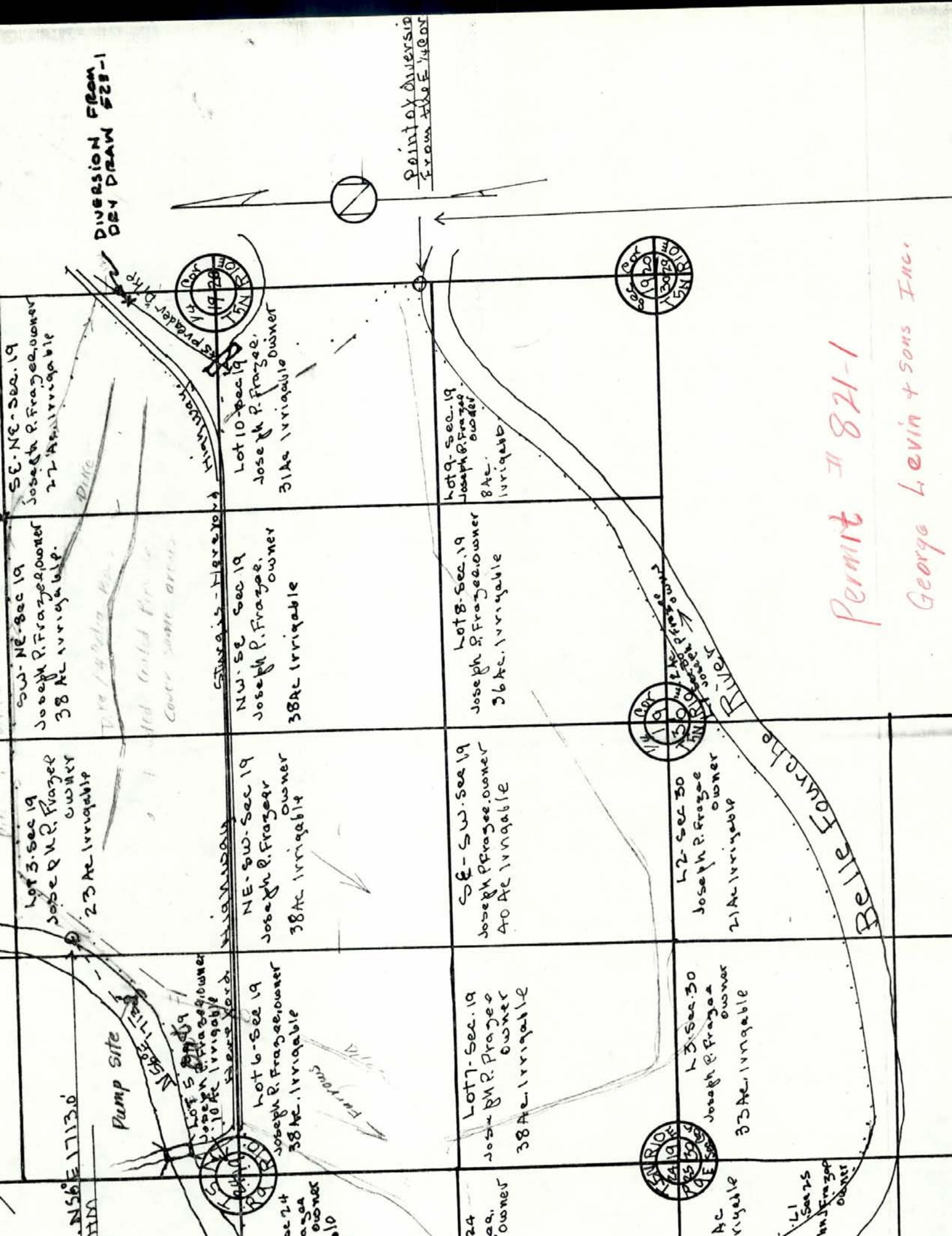


NOT TO SCALE



NOT TO SCALE

George Levin & Sons Inc.





821-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 21, 2011

NOTICE

TO: LEVIN RANCH INC, DENNIS LEVIN, 20795 HEREFORD RT, HEREFORD, SD 57785

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

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaire(s)

Our records indicate that the 2010 Irrigation Questionnaire has not been submitted for Permit No(s) 821-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 9, 2011**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 821-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2011**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

821-1

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 1086

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

Your item was delivered at 11:15 am on January 22, 2011 in STURGIS, SD 57785. The item was signed for by L RANCH.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Detailed Results:

- Delivered, January 22, 2011, 11:15 am, STURGIS, SD 57785
- Notice Left, January 22, 2011, 10:50 am, STURGIS, SD 57785
- Out for Delivery, January 22, 2011, 8:19 am, STURGIS, SD 57785
- Sorting Complete, January 22, 2011, 8:09 am, STURGIS, SD 57785
- Arrival at Post Office, January 22, 2011, 7:34 am, STURGIS, SD 57785

Notification Options

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No FEAR Act EEO Data

FOIA

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 1086	LEVIN RANCH INC DENNIS LEVIN 20795 HEREFORD RT HEREFORD SD 57785		mailing.
	Waiver of Signature ☐ YES ☐ NO		
	Postmark Here		
	POSTAL CUSTOMER: Keep this receipt. For Inquiries: Access internet web site at www.usps.com ® or call 1-800-222-1811		
		☐ Priority Mail™ Service ☐ First-Class Mail® parcel ☐ Package Services parcel	



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 31, 2011

821-1

Dennis Levin
Levin Ranch Inc
20795 Hereford Rt
Hereford SD 57785

Dear Mr. Levin:

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

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right No. 821-1. 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
email: genny.mcmath@state.sd.us



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 29, 2013

821-1

Jeff & Shelane Graham
20947 157th Pl
Sturgis SD 57785

Dear Mr. & Mrs. Graham:

I am writing in regard to Water Right No. 821-1 currently listed in the name of Levin Ranch Inc. I have included a copy of the water right for your review. It is my understanding from the 2012 irrigation questionnaire you submitted that ownership has changed and the water right should be in your names.

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

For informational purposes, under South Dakota Water Law, water must be placed to beneficial use for the purpose it was appropriated at least once every three years in order to maintain a water permit. This three year period may be waived if legal excuse exists for the years of nonuse. Enclosed are excerpts of the water right laws and Water Management Board Rules dealing with these issues.

If I have misunderstood the information on the irrigation questionnaire and ownership has not changed, please let me know. If you have any questions, please contact me.

Sincerely,

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

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

enclosures

RECEIVED

MAY 31 2013

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 821-1

Date:

5-28-13

I/We request that Water Right No. 821-1

formerly owned by: Dennis Levin, Levin Ranch Inc

be transferred to: (name & address) Jeff and Shelane Graham,

Levin Ranch Inc 20947 157th Place

Sturgis SD 57785

Telephone No. 605-985-5970

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

279 acres- S ½ NW ¼, S ½ NE ¼, N ½ SW ¼, SW ½ SW ¼, NW ¼ SE ¼, S ½ SE ¼ Section 19,

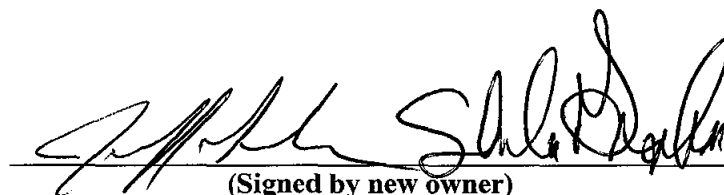
N ½ NW ¼ Section 30, all in T5N, R10E and the E ½ SE ¼ Section 24, T5N, R9E

I/We understand that the validity of Water Right No. 821-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

I/We Jeff Shelane, the new owner, certify that the above information is true and correct.


(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 5/31, 20 13

RECEIVED OF Levin Ranch 20947 157th Place Sturgis SD 57783

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>821-1</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 06353

By

Jaime Goodman
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 6, 2013

821-1

Jeff & Shelane Graham
Levin Ranch Inc
20947 157th Place
Sturgis SD 57785

Dear Mr. & Mrs. Graham:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 821-1.

The ownership change has been completed. Water Right No. 821-1 formerly held by Dennis Levin is now listed as "Jeff and Shelane Graham, Levin Ranch Inc."

Enclosed for your records is Receipt No. 06353 in the amount of \$50 which you paid for filing the ownership change. If you have any questions, please contact me.

Sincerely,

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

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

enclosure