

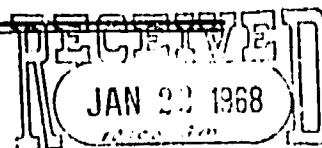
828-1

1. Considered 3-20, 1968
2. Name of Applicant I. B. SAMMONS
3. Post Office Address DUPREE
4. Amount of water claimed 2.2
5. Source of water supply MOREAU RIVER & DRY DRAW
6. Water to be used for IRRIGATION
Acres to be irrigated 152
7. Water to be diverted and used in ZIEBACH county
about 10N 4W miles _____ of DUPREE
8. Proof of Publication
Received ✓
Not received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:

254 ac ft storage

Low Flow
DOMESTIC

No. **828-1**Water Division No. **1** **MOREAU 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.)

DEAN A. & JERRY M. DECKER

1. Name of applicant -----
Postoffice address Dupree, County Ziebach, State South Dakota

I. If a corporation ----- None -----

(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)

Employment of others

(b) Cash on hand, \$ adequate

(c) Treasury stock, \$ -----

(d) Bonds to be issued, \$ -----

(e) Other resources, \$ GPCP-ACP-SCS

2. Name of diversion work Irrigation dam and pumping plant

3. Amount of water claimed 2.2 cubic feet per second

4. Source of water supply Moreau River and dry creek

5. Location of point of diversion see attachment

----- on ----- bank ----- County.

6. Annual period or periods during which water is to be used when available

7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Irrigation and water spreading

(a) Number of acres to be irrigated 152 acres.

see attachment

(b) Legal subdivisions to be irrigated -----
(NOTE--A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written 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.) Storage dam in NW 1/4 SE 1/4

Township 14 N, Range 21 E is used for stock water

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

(a) Nature of use Stock water
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 NO 690-1

8. Estimated cost of work:

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

(c) Fluming, \$-----

(e) Other structures land leveling and dikes \$10,000.00

drain pipes 1,000.00

(b) Pumping plant, \$1,000.00

Rock, \$-----

Total, \$1,000.00

9. Description of diversion works:

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

Earth dam (existing) and pumping plant

II. Dimensions of works.

(a) Dam: Height 20.0 feet; length at bottom 380 feet; length at top 700 feet; thickness at bottom 112 feet; thickness at top 12 feet; slope at front water face 3:1; slope at back face 2:1

material used in construction Earth

(b) Reservoir: Capacity when filled 254 acre feet. Surface area at highwater mark 30.5 acres.

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

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

Material -----

(d) Canal: Total length 1.4 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 -----

West River progress Dupree, S. D. 57623

STATE OF SOUTH DAKOTA

County of ZIEBACH

I, J. B. SAMMONS

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

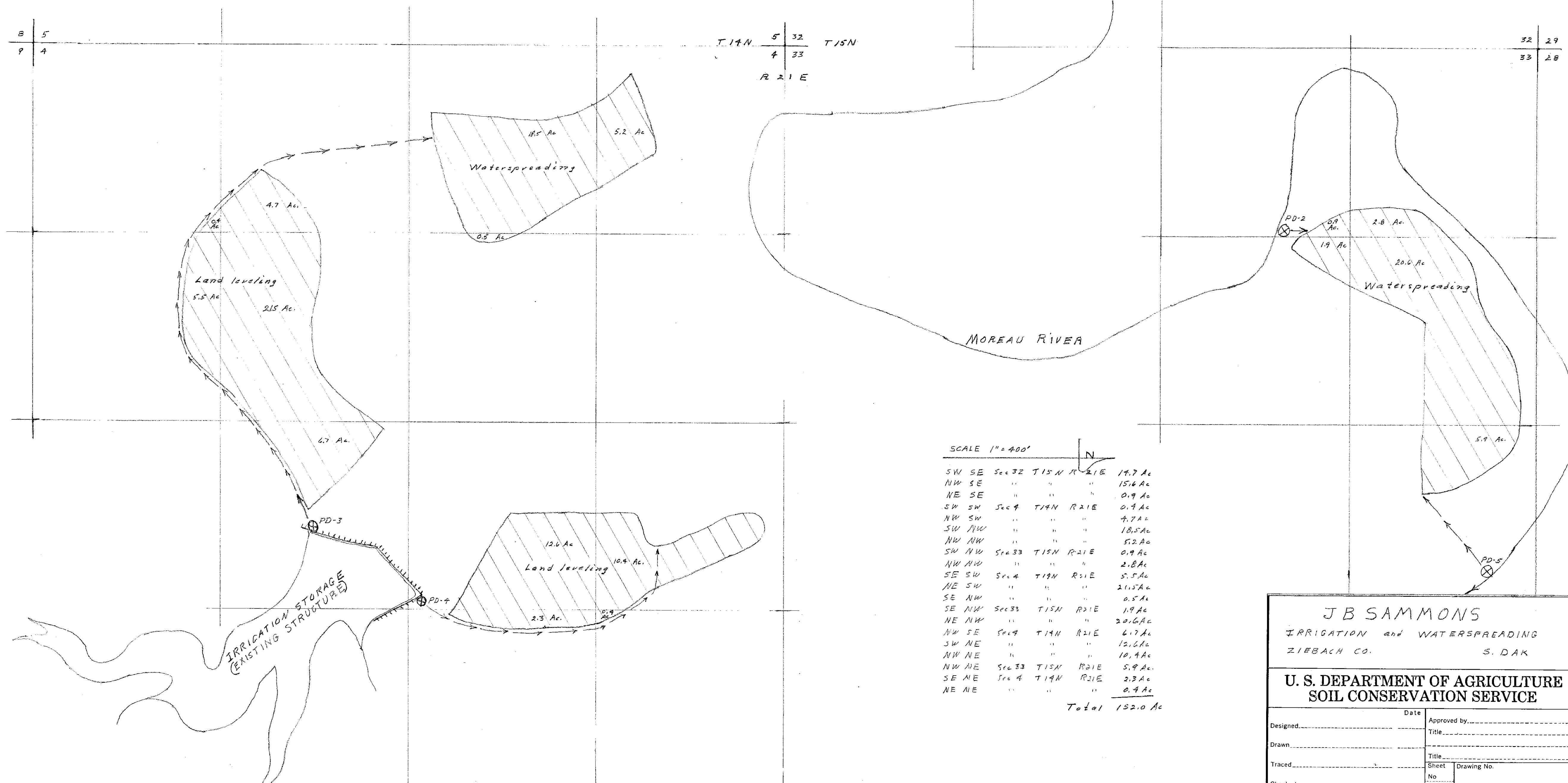
Subscribed and sworn to before me this 22nd day of January 1948

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

8 5
9 4

T. 14 N. 5 32 T. 15 N
4 33
R. 21 E



SCALE 1" = 400'

SW SE	Sec 32	T 15 N	R 21 E	14.7 Ac
NW SE	"	"	"	15.6 Ac
NE SE	"	"	"	0.9 Ac
SW SW	Sec 4	T 14 N	R 21 E	0.9 Ac
NW SW	"	"	"	4.7 Ac
SW NW	"	"	"	18.5 Ac
NW NW	"	"	"	5.2 Ac
SW NW	Sec 33	T 15 N	R 21 E	0.9 Ac
NW NW	"	"	"	2.8 Ac
SE SW	Sec 4	T 14 N	R 21 E	5.5 Ac
NE SW	"	"	"	21.5 Ac
SE NW	"	"	"	0.5 Ac
SE NW	Sec 33	T 15 N	R 21 E	1.9 Ac
NE NW	"	"	"	20.6 Ac
NW SE	Sec 4	T 14 N	R 21 E	6.7 Ac
SW NE	"	"	"	12.6 Ac
NW NE	"	"	"	10.4 Ac
SW NE	Sec 33	T 15 N	R 21 E	5.9 Ac
SE NE	Sec 4	T 14 N	R 21 E	2.3 Ac
NE NE	"	"	"	0.9 Ac
Total				152.0 Ac

JB SAMMONS
IRRIGATION and WATERSPREADING
ZIEBACH CO. S. DAK

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed	Date	Approved by
Drawn		Title
Traced		Title
Checked		Sheet No. Drawing No.

Remarks by State Water Resources Commission:

LOW FLOWS AS NEEDED FOR DOWNSTREAM DOMESTIC
USE, INCLUDING LIVESTOCK WATERING, AND PRIOR
WATER RIGHTS MUST BE BY-PASSED
APPROVAL OF THIS PERMIT RECOGNIZES STORAGE
OF 254 ACRE FEET ANNUALLY.

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, MARCH 22, 1968

This is to certify that the foregoing application was received by the Commission at 10:00 o'clock
a.m. upon the 22ND day of JANUARY, 1968

State Water Resources Commission

By:

[Signature]
for Chief Engineer, Executive Officer

Number of permit 828-1

Date of first receipt of application JANUARY 22, 1968

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 JANUARY 22, 1968

Approved MARCH 20, 1968, Recorded in Book 10 Page 46

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____

SEPTEMBER 20, 1970

2nd. The whole of said work is to be completed on or before MARCH 20, 1973

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

MARCH 20, 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 2.2 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

and beneficially applied for irrigation on or before MARCH 20, 1977; said water to be used during the following described annual period:

WHEN AVAILABLE

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

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

POINTS OF DIVERSION

DRY DRAW: AT POINTS IN THE
NW⁴SE⁴ and SW⁴NE⁴,
SECTION 4, T14N, R21E

MOREAU RIVER: BETWEEN POINTS
IN THE SW⁴SE⁴, SECTION 32,
AND IN THE NW⁴NE⁴,
SECTION 33, T15N, R21E.

SCALE 1" = 400'

N

SW	SE	Sec 32	T 15 N	R 2 E	18.7 Ac
NW	SE	"	"	"	15.6 Ac
NE	SE	"	"	"	0.9 Ac
SW	SW	Sec 33	T 14 N	R 2 E	0.4 Ac
NW	SW	"	"	"	4.7 Ac
SW	NW	"	"	"	18.5 Ac
NW	NW	"	"	"	5.2 Ac
SW	NW	Sec 33	T 15 N	R 2 E	0.9 Ac
NW	NW	"	"	"	2.8 Ac
SE	SW	Sec 34	T 14 N	R 2 E	5.5 Ac
NE	SW	"	"	"	21.5 Ac
SE	NW	"	"	"	0.5 Ac
SE	NW	Sec 33	T 15 N	R 2 E	1.9 Ac
NE	NW	"	"	"	20.6 Ac
NW	SE	Sec 34	T 14 N	R 2 E	6.7 Ac
SW	NE	"	"	"	12.6 Ac
NW	NE	"	"	"	10.4 Ac
NW	NE	Sec 32	T 15 N	R 2 E	5.9 Ac
SE	NE	Sec 34	T 14 N	R 2 E	2.3 Ac
NE	NE	"	"	"	0.4 Ac

Total 152.0 Ac

PROOF OF PUBLICATION

APPROPRIATION OF WATER

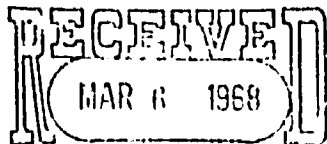
STATE OF SOUTH DAKOTA

County Ziebach } ss.Harry L. Fairbank being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the

West River Progress a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in theCity of Dupree, County of Ziebach and State of South Dakota; that the said notice was published in said newspaper on the following dates:Feb 8-15-22-29-1968in each and every issue of the full number thereof, the first publication being made on the 8th day of Feb1968 and the last publication on the 29th day ofFeb 1968, 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 ✓ of the said newspaper.

Harry L. FairbankSubscribed and sworn to before me this 7 day of MarA. D. 1968STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTANotary Public Ziebach County, S. D.Office of State Water Resources
CommissionPierre, South Dakota, February
1, 1968

Notice is hereby given that J. B. Sammons, whose postoffice address is Dupree, S. D., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.2 cubic feet of water per second of time from the Moreau River and a dry draw through the Sammons Irrigation Project, the point of diversion of which is to be located on either bank of said streams from the dry draw in the NW¼ SE¼, Section 4, T14N, R21E, and from the Moreau River between points in the SW¼ SE¼ Section 32, and in the NW¼ NE¼ of Section 33, T15N, R21E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW¼, W¼NW¼, NW¼, SE¼, NE¼, Section 4, T14N, R21E; W¼, NE¼ SE¼, Section 32; NW¼, NW¼NE¼, Section 33, T15N, R21E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 20th day of March, 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 State Water Resources Commission.

Burton F. Jones
BURTON F. JONES
Water Rights Specialist
pub 2-8-15-22-29

Form C, Notice of Intention to
Appropriate Water

No. 626-1

First Publication on or before February 15, 1968
APPROPRIATION OF WATER

Office of State Water Resources Commission
Pierre, South Dakota, February 1, 1968

Notice is hereby given that J. B. Sammons, whose postoffice address is Dupree, S.D., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.2 cubic feet of water per second of time from the Moreau River and a dry draw through the Sammons Irrigation Project, the point of diversion of which is to be located on either bank of said streams from the dry draw in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4, T14N, R21E, and from the Moreau River between points in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, and in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, T15N, R21E. Said water to be used for the purpose of providing irrigation on portions of the following described land: SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 4, T14N, R21E; W $\frac{1}{2}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32; NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33, T15N, R21E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 20th day of March, 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

BURTON F. JONES
Water Rights Specialist

cc: J.B. Sammons, Dupree, S.D.

Form 20.

No. 828-1

NOTICE OF TRANSFER OF WATER PERMIT

TO: **WATER RIGHTS COMMISSION**

State Office Building No. 2
Pierre, South Dakota 57501

Date _____

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

Section 4, T14N, R21E - SW $\frac{1}{4}$ SE $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 32, T15N, R21E.

NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33, T15N, R21E

formerly owned by J. D. Sammons

has been transferred to _____

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 828-1 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the **WATER RIGHTS COMMISSION** as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)

County of WATWORTH) ss.

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

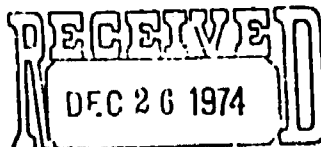
Dean A. Decker

Jerry M. Decker
(Signed)

Suscribed and sworn to before me this 21st day of December, 19 74.

John F. Loran
(Notary Public)

My commission expires: Nov. 20, 19 197



STATE WATER RIGHTS COMM
PIERRE, SOUTH DAKOTA

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

No. 828-1

March 10, 1986

Rolling Plains PCA
P.O. Box 958
Childress, Texas 79201

Dear Sir:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

DWNR-820A-8/83

Rolling Plains Production Credit Association

P.O. Box 958
Chidress TX 79201
Telephone (817) 937-2553



March 6, 1986



Dept. of Water and Natural Resources
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

We are writing you concerning "water rights" for property that we now own in Ziebach County, South Dakota.

This property is located 15 miles north of Dupree, South Dakota. The former owner was Dean Decker. There is about 13,000 acres of deeded land and about 3000 acres of leased land. The Moreau River runs through this property and we would like to have the water rights that Mr. Decker had transferred to the Rolling Plains Production Credit.

Mr. Decker deeded this ranch and assigned all leases to the Rolling Plains FCA in February 1986. These transfers and assignments are on record at the courthouse in Dupree, South Dakota.

Please let us know if there is additional information or forms that we need to complete.

Sincerely,

W. E. Mitchell

W. E. Mitchell
Vice President

*Managed by Don Smith
by Connecticut Mutual
2.24-9811*

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 7-24-86

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

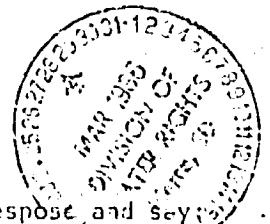
152 Acres - SW1/4, NW1/4, NW1/4SE1/4, NE1/4 Section 4, T14N, R21E; W1/4, NW1/4SE1/4, Section 32, NW1/4, NW1/4NE1/4, Section 33, T15N, R21E.

formerly owned by Dean & Jerry M. Decker, Dupree, SD
has been transferred to Rolling Plains PCA, PO Box 958, Childress, TX 79201
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 328-1 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF ~~XXXXXXXXXXXX~~ TEXAS) ss.
County of Childress)



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

Dean Decker
(Signed)

Subscribed and sworn to before me this 24th Day of July, 1986.

Laurie Evans
(Notary Public)



LAURIE EVANS
Notary Public, State of Texas
My Commission Expires November 8, 1987

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, _____ March 26, 1967

RECEIVED OF Rolling Plains, PCA PO Box 958, Childress TX 79201

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>32c-1</u>		2 50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer JOHN HATCH (S)

No. _____

82E-1

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

April 7, 1986

Rolling Plains PCA
PO Box 958
Childress, Texas 79201

Dear Sir:

Enclosed is receipt No. 410387 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 82E-1.

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

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

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

PLEASE FILL OUT AND RETURN AT ONCE

November, 1986

This is the Water Management Board data sheet for recording 1986 irrigation estimates.

828-1
ROLLING PLAINS PCA
PO BOX 958
CHILDRESS
TX 79201

2H/MR SURFACE WATER ☒ (check one)
GROUNDWATER ☐
Number of acres actually irrigated _____
If you did not irrigate during 1986-check this box ☒
If your system has not been constructed-check this box ☐

For Dept. use only

Type of power	No. acres irrigated
1. Electric	<u>✓</u>
2. Gravity	_____
3. Gasoline	_____
4. Nat. Gas pipeline	_____
5. Diesel	_____
6. Propane	_____
7. Other	_____

Type of System	
1. Hand Moved Sprinklers <u>✓</u>	
2. Portable booms	_____
3. Center pivots (# of)	_____
4. Gated pipes	<u>✓</u>
5. Sidewheel	_____
6. Towlines	_____
7. Big gun	_____
8. Siphons	_____
9. Flood	_____
10. Other	_____

Owner or address change, if any:

Month	# days pumped	Average # hours per day	Average pump rate (gpm)	Acres of Crop Irrigated and Estimate Water Use					
				Crop	Acres	Water Used	Crop	Acres	Water Used
April	<u>11</u>	<u>did not</u>	<u>irrigate</u>	<u>1986</u>					
May	<u>11</u>	<u>have the</u>	<u>irrigation</u>	<u>pipe, pump & motor</u>					
June	<u>on the ranch</u>	<u>and</u>	<u>used to</u>	<u>have our</u>					
July	<u>we do not</u>	<u>use it</u>							
August									
Sept.									
Oct.									
Other Months									

Season Static Water Level: beginning _____ ft. end _____ ft. (Groundwater only)
COMMENTS: Complete and return to: WATER MANAGEMENT BOARD
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181



 **Department of
Water & Natural Resources**

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

February 11, 1987

W E Mitchell, Vice President
Kolling Plains PCA
PO Box 958
Childress, TX 79201

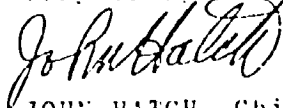
Dear Mr. Mitchell:

This letter is in reference to the 1986 irrigation questionnaire you returned for Water Permit No. 828-1. You indicated no irrigation was done in 1986 but that the equipment was available and the land may be irrigated in the future.

South Dakota Water Law 46-5-37 states that when any person entitled to the use of appropriated water fails to use beneficially all or any part of such water for the purpose for which it was appropriated, for a period of three years, such unused water shall revert to the public and shall be regarded as unappropriated public water.

The purpose of this letter is to make you aware of the specific water law which deals with non-use of appropriated water and that water use is a requirement for keeping a water permit valid. If you have any questions, please contact us.

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

December 30, 1987

Mark Joens
Fischer Rounds & Associates
PO 218
Pierre SD 57501

Dear Mr. Joens:

Enclosed is a copy of Water Permit No. 828-1 listed in the name of Rolling Plains PCA, Childress, TX. If you have any questions, please contact us.

Sincerely,

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure

828-1

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-2131

January 4, 1989

828-1

John Rike
Rolling Plains PCA
PO Box 950
Stamford, TX 79553

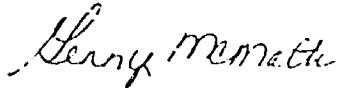
Dear Mr. Rike:

In response to our telephone conversation, enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Permit No. 828-1. The form should be completed and then signed in the presence of a notary public by the new owner. Upon completion, the form should be returned to our office with a required \$2.50 filing fee.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact us.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



ROBERT KEITH DROMMOND
4300 FIRST REPUBLICBANK PLAZA
DALLAS, TEXAS 75202



January 19, 1989

Ms. Genny McNath
Natural Resources Analyst
South Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Dear Ms. McNath:

Enclosed is Notice of Transfer of Water Permit which I have signed on behalf of my partner, Rowland Foster, and myself. Also enclosed is my check in the amount of \$2.50 which I hope you find satisfactory. If you should require a certified check, etc., please let me know.

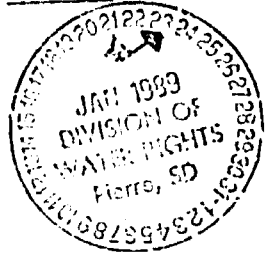
Thanks very much.

Most sincerely,

A handwritten signature in dark ink, appearing to be "R. Keith Drommond", written over the "Most sincerely," text.

RKD/nm
enclosures
cc Mr. Rowland Foster

NO. 828-1



NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 1/19/89

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

152 acres - SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ Section 4, T14N, R21E: W $\frac{1}{2}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$,

Section 32, NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33, T15N, R21E

formerly owned by Rolling Plains PCA, PO Box 950, Stamford, TX 79553

has been transferred to Rowland Foster and Keith Drummond, P.O. Box 50100, Dallas TX 75250
(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

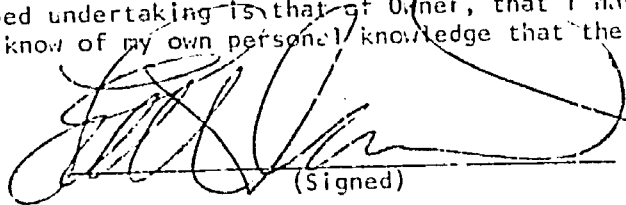
Water Right Permit No. 828-1 as provided for in SDCL 46-5-22 and 46-5-33.

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

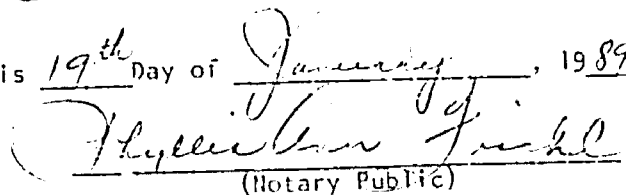
A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-1.

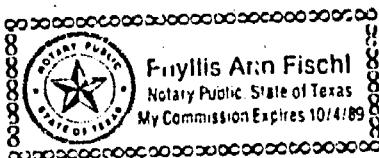
STATE OF ~~TEXAS~~)
COUNTY OF ~~DALLAS~~) ss.
County of DALLAS)

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


(Signed)

Subscribed and sworn to before me this 19th Day of January, 1989.


(Notary Public)



WHR-820-5/83

Notice of Transfer of Water Permit

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, January 23, 1980

411545

RECEIVED OF Keith Drummond, 4805 Bobbitt Dr., Dallas Texas 75229

Following amount in fees for services rendered as provided for by law:

for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
for Application for Permit No. _____ to Appropriate Water for Future Use _____		
to retain Future Use Permit No. _____ after period of seven years.		
for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
for Filing Transfer Form <u>828-1</u>	2.00	
for Filing Extension Request _____		
for Certified Copy of _____		
for Print Copy of Map _____		
for Certifying _____		
for _____		
(Any Other Work Provided by Law)	Total	2.00

By [Signature]
Chief Engineer

**SOUTH Dakota Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3151

January 30, 1989

Keith Drummond
4305 Bobbitt Drive
Dallas, TX 75229

Enclosed is Receipt No. 411595 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 828-1.

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

Sincerely,

Marie R. Arthur

Marie R. Arthur
Water Rights Division
(605) 773-3352





828 /
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 16, 2002

NOTICE

TO: KEITH DRUMMOND, PO BOX 50100, DALLAS, TX 75250 0100

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire has not been submitted for Permit No(s) 828-1. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 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 13, 2002, in the Visitor Center (west bank of Capitol Lake), 650 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) 828-1 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 8, 2002, 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.

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:

KEITH DRUMMOND
PO BOX 50100
DALLAS TX 75250 0100

COMPLETE THIS SECTION ON DELIVERY

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

1-2302

C. Signature

X *[Signature]*

☐ Agent

☐ Addressee

D. Is delivery address different from item 1?

☒ Yes

☐ No

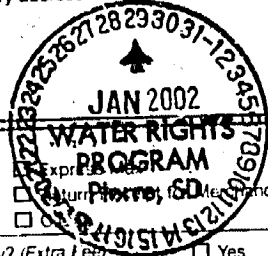
If YES, enter delivery address below:

3. Service Type

☒ Certified Mail

☐ Registered

☐ Insured Mail



4. Restricted Delivery? (Extra Fee)

☐ Yes

2. F 7001 2510 0004 4797 5354

828-1

 **ROWLAND FOSTER**

BOX 267
1114 WEST COURT PLAZA
ANSON, TEXAS 79501

Phone: 915-823-3800
Fax: 915-823-2083
Email: fostlaw@aol.com



January 29, 2002

RECEIVED

FEB - 4 2002

**WATER RIGHTS
PROGRAM**

Ron Duvall
Natural Resources Engineer
Water Rights Program
Dept. of Environment and Natural Resources
Foss Building
Pierre, SD 57501-3182

Dear Mr. Duvall:

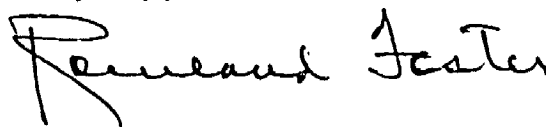
We received your letter of January 16, 2002 and have requested our tenant to promptly file the questionnaire.

Would you, however, please change our address to the following:

Drummond-Foster Ranch
P.O. Box 267
Anson, Texas 79501

Thank you.

Very truly yours,



RF:mjh

cc: Keith Drummond



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 4, 2002

828-1

Rowland Foster
Drummond-Foster Ranch
PO Box 267
Anson, TX 79501

Dear Mr. Foster:

I am writing to acknowledge receipt of the information for your 2001 irrigation questionnaire. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Permit No. 828-1.

I completed a questionnaire for you based on my February 4th telephone conversation with Nila Woodward. 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 and if you have any questions, please contact me.

Sincerely,

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



828-1

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2026

NOTICE

TO: ROWLAND FOSTER, PO BOX 267, ANSON, TX 79501 0267

FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaire(s)

Our records indicate your 2025 Irrigation Questionnaire has not been submitted for Permit No(s) 828-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 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 on **Wednesday, March 4, 2026 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 828-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2026** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: ZMBEIS**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 19, 2026

828-1

Rowland Foster
PO BOX 267
Anson, Tx 79501

Dear Mr. Foster,

I am writing to acknowledge receipt of your 2025 irrigation questionnaire(s).

You may disregard the January 20, 2026, "Notice" concerning irrigation reporting requirements for your water permit/right(s). 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,

Shannon Konst
Water Rights Program
605 773-8204
Shannon.konst@state.sd.us