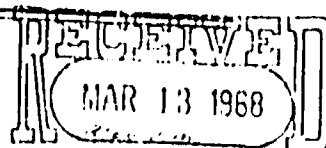


839-1

1. Considered 5-22, 1968
2. Name of Applicant SPEARFISH VALLEY RANCH, INC.
3. Post Office Address SPEARFISH
4. Amount of water claimed 1.58
5. Source of water supply ARTESIAN GROUND WATER
6. Water to be used for IRRIGATION
Acres to be irrigated 111.08
7. Water to be diverted and used in LAWRENCE county
about 2 1/2 5 1/2 miles of SPEARFISH
8. Proof of Publication Received ✓
Not received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. **839-1**Water Division No. **1** **Belle Fourche River** District
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

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

1. Name of applicant SPEARFISH VALLEY RANCH, INC.
Postoffice address R.R. 1, SPEARFISH County LAWRENCE State S. DAK.

I. If a corporation

(a) Name of same SPEARFISH VALLEY RANCH, INC.
(b) Date and place of incorporation SPEARFISH, S. DAK. (APRIL, 1963)
(c) Amount of capital stock \$150,000
(d) Amount paid in \$150,000
(e) Names and addresses of directors FRANK CARR, SPEARFISH; MELVIN DELZER, SELBY;
AND DR. D. D. SLATER, HOT SPRINGS.

(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)
CONTRACT AND EMPLOYMENT OF OTHERS

(b) Cash on hand, \$ 15,000 (c) Treasury stock, \$ 100,000
(d) Bonds to be issued, \$ NONE (e) Other resources, \$ _____

2. Name of diversion work VALLEY RANCH WELL NO. 4
3. Amount of water claimed 710 GPM cubic feet per second 1.58 CU. FT./SEC.
4. Source of water supply DEEP ARTESIAN WELL
5. Location of point of diversion 1,130 FEET NORTH AND 1,050 FEET EAST OF THE E $\frac{1}{4}$ CORNER,
SEC. 21, T7N, R2E, BHM EDF bank LAWRENCE County.
6. Annual period or periods during which water is to be used MAY THROUGH OCTOBER

7 To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? COMBINED(a) Number of acres to be irrigated 111.08 acres.

(b) Legal subdivisions to be irrigated 2.10 ACRES IN NW $\frac{1}{4}$ NW $\frac{1}{4}$; 38.49 ACRES IN NE $\frac{1}{4}$ NW $\frac{1}{4}$;
32.00 ACRES IN SW $\frac{1}{4}$ NW $\frac{1}{4}$; 38.49 ACRES IN SE $\frac{1}{4}$ NW $\frac{1}{4}$; ALL
(NOTE—A map 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.) IN
SEC. 22, T7N, R2E, BHM.

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

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

(a) Nature of use STOCKWATERING
Name any of the above uses claimed(b) Amount of power to be generated NONE 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 REDWATER RIVER - AT APPROXIMATE
NORTH CENTER OF SEC. 10, T7N, R2E, LHM.

MAR 13 1968

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications (SEE MAP ALSO)

- (a) Hole and casing
Size of drill hole or excavation $11''$ FOR 120' AND $7-7/8''$ TO BOTTOM, Depth 1,180' $\pm$
Type of casing STEEL - GROUTED
(wood, concrete, steel, etc.)
Size of casing $8-5/8''$ FOR 120' $6-5/8''$ FOR 1180', Thickness of casing $5/8''$ AND $1/2''$
Length of casing 1,180' If collection gallery, length, size and depth of gallery
(b) Screens
Type of perforated screen
Size of perforated screen (diameter) (length)
Thickness of gravel pack, length of gravel pack
(c) Water Bearing Materials
Distance to water 1,120' Character of water bearing materials
MINNELUSA, PINK AND WHITE SANDS
Thickness of water bearing material 60' $\pm$
(d) Pump and Motor
Type of pump CENTRIFUGAL
(centrifugal, propeller, mixed flow, etc.)
Name of pump, size
Kind of motor ELECTRIC
(gasoline, electric, diesel, etc.)
Horsepower 50, Name of Motor WESTINGHOUSE
(e) Complete well
Capacity 710 GPM at drawdown of NONE Estimated cost \$10,000.00
(f) Owner of land upon which well is located SPEARFISH VALLEY RANCH, INC.,
Name
RURAL ROUTE 1, SPEARFISH, SOUTH DAKOTA
Address
(g) Distance to nearest existing wells
On same owner's property 160 rods. On property owned by others 240 rods

8. Estimated cost of work:

(a) Head Gate \$..... (b) Pumping plant, \$.....
 (c) Flum. \$..... (d) Canal-earth, \$..... Rock, \$.....
 (e) Other structures \$..... WELL \$ 10,000 Total, \$ 10,000

9. Description of diversion work:

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

DITCH AND PUMP FOR SPRINKLER

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
ALL POINTS IN- CLUDING WELL SITE	1.5 feet	0 feet	2 feet	5 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
At.....Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work.....4.....years.
 11. Time required for complete application of water to the proposed beneficial use.....6.....years.
 12. Color of newspaper for publication of notice of intention to appropriate.....

QUEEN CITY MAIL, SPEARFISH, SOUTH DAKOTA

STATE OF SOUTH DAKOTA

County of LAWRENCE ss.

I, MELVIN E. DELZER, PRESIDENT....., 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.

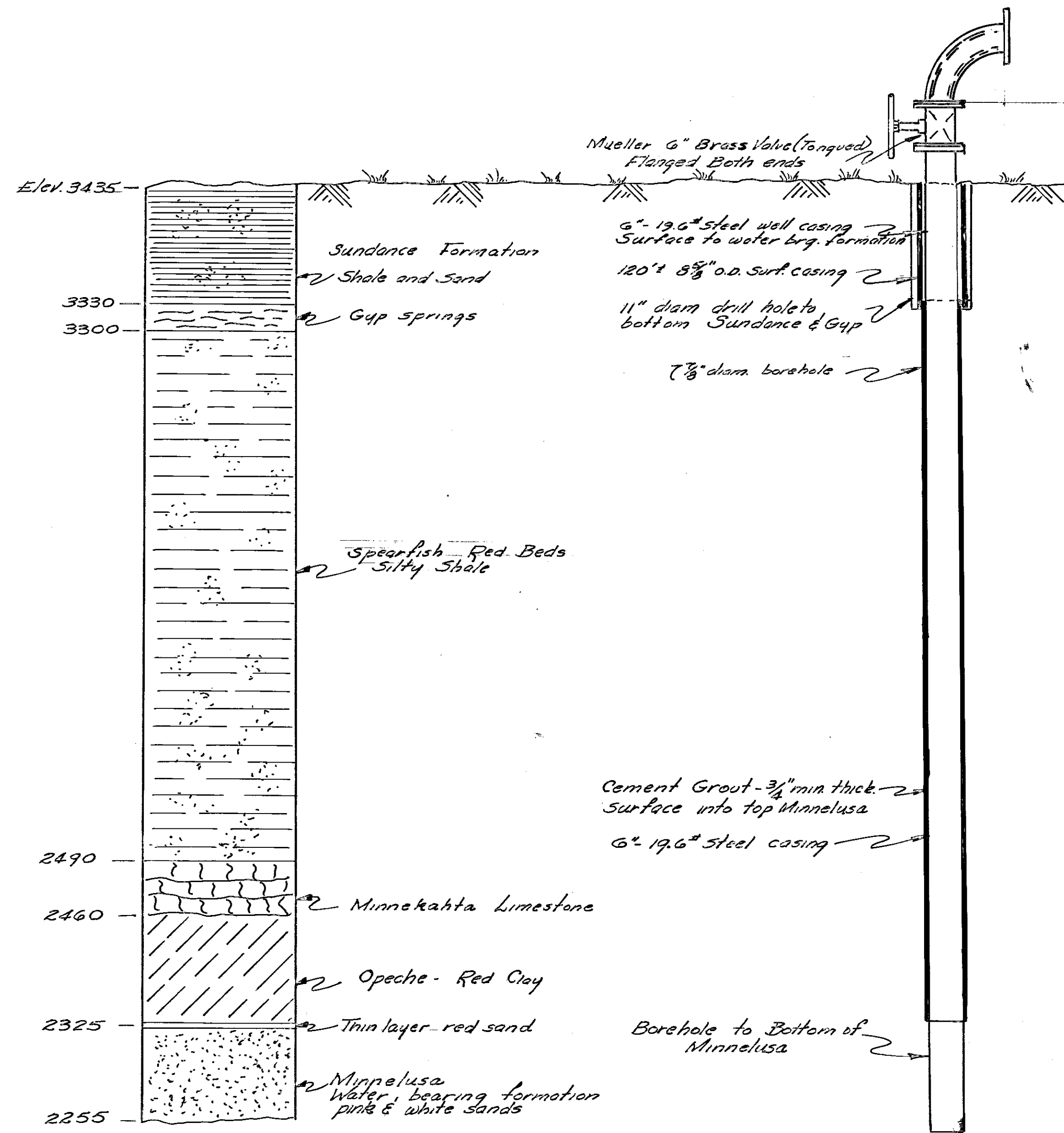
Signed

MELVIN E. DELZER, PRESIDENT

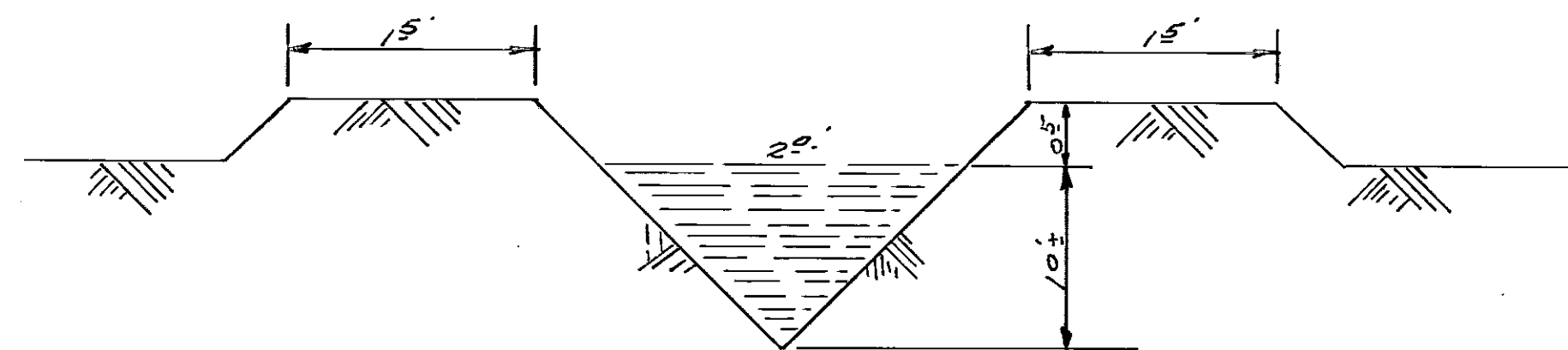
Subscribed and sworn to before me this 13th day of March 1968

Betty Westlund, Notary Public (or other qualified officer.)

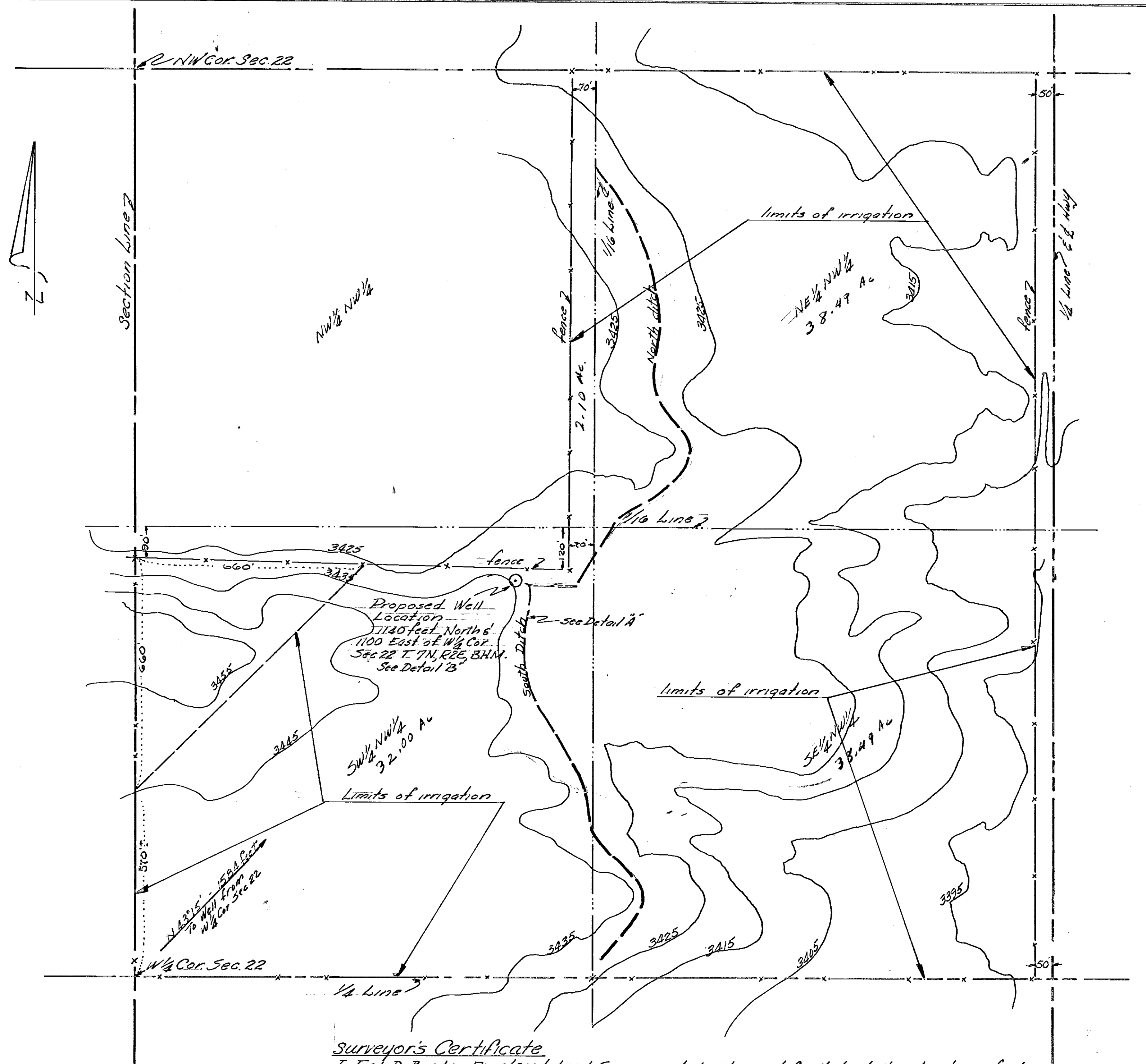
*Each diversion must have a headgate or measuring device.



Elevation sketch of Probable Formations to be drilled and drawing of Proposed Well Construction (no scale)



Typical Ditch Section Detail A 1"=1'



Surveyor's Certificate

I, Fred D. Brady, Registered Land Surveyor, do hereby certify that at the direction of the Spearfish Valley Ranch, Inc., I have surveyed & plotted the proposed irrigation project #4 as shown hereon. All bearings and distances are as shown. *Fred D. Brady - Reg. Land Surveyor*

Acknowledgement of Surveyor

Be it remembered that on this 11th day of March, 1968, before me, the undersigned, a notary public, personally appeared Fred D. Brady, known to me to be the person described, in and who executed the foregoing Certificate. My Commission Expires: Aug 15, 1975. *Alta Shoup* Notary Public

Lands to be irrigated:

Sec 22, T 7N, R 2E, B 1M.
2.10 acres in NW 1/4 NW 1/4
38.49 acres in NE 1/4 NW 1/4
32.00 acres in SW 1/4 NW 1/4
38.49 acres in SE 1/4 SE 1/4
111.03 Total acres

Note: All lands to be irrigated west of the South ditch must be irrigated by sprinkler - all other lands may be irrigated by either sprinkler or gravity flow. First 350 feet of North ditch to be lined because of relatively steep slope.

Spearfish Valley Ranch, Inc.
Spearfish - South Dakota

Well & Irrigation Project #4
Lawrence County

Brady Engineering
Consulting Engineers
Spearfish, South Dakota

Drawn By: F.D.B.
Checked By:

Scale: 1"=200'
except as noted
Date: Mar 11, 1968
Sheet 1 of 1

Remarks by State Water Resources Commission:

THIS WELL MUST BE VALUED AND THE FLOW REDUCED TO A MINIMUM WHEN NOT BEING USED. THIS WELL APPEARS TO BE IN AN ARTESIAN BASIN HAVING LIMITED SUPPLIES, AND RESTRICTIONS AS TO FLOWS ^{OR} TIME OF FLOW MAY BE MADE BY THE COMMISSION TO PROTECT PRIOR WATER RIGHTS. IF AT ANY TIME THIS PERMIT IS CANCELLED OR THE WELL ABANDONED, THE WELL MUST BE PLUGGED TO THE SATISFACTION OF THE COMMISSION.

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, JULY 29, 1969

This is to certify that the foregoing application was received by the Commission at 2:00 o'clock
P.m. upon the 13TH day of MARCH, 1968

State Water Resources Commission

By:

Durston
for Chief Engineer, Executive Officer

Number of permit 834-1

Date of first receipt of application MARCH 13, 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: MARCH 13, 1968

Approved MAY 22, 1968, Recorded in Book 11 Page 24

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 _____

MAY 22, 1970

2nd. The whole of said work is to be completed on or before MAY 22, 1972

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

MAY 22, 1974

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 1.58 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 MAY 10, 1974; said water to be used during the following described annual period:

MAY 11 THRU OCTOBER

Witness my hand this 29TH day of JULY, 1969.

State Water Resources Commission

By:

Johnson
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

by H. H. H. H.

515-1

McElvin E Delzer - Roger Delzer - operator.

Well # 2. Depth ~~7200 ft~~ 1218 ft

6-25-81.

Pumping 380 gpm.

GE Motor, 40 HP. 3545 RPM., Model 5K286 JH 1140A.

Cornell Pump Model 4YB40-2, Ser # 18624-7 3/8

Valley C.P. Model 2071. Ser # 13206.

5" Alum pipe to CP.

676-1

Well # 1 Licensed

6-25-81

Depth ~~1150 ft~~ 960 ft 500 gpm.

Motor GE - 50 HP. 3545 RPM, Model 5K324 XAM 101

Ser # A GJ 11 3347

Pump - Cornell Model 5WB50-2 Ser # 10554-7 3/8

Uses Tow lines or side rolls.

Pump to run Side roll = Motor, GE 30 HP 3570 RPM
Model 5K234 XAM 101; Ser # ADJ 110449.

Pump Cornell, Model 3YB30-2.

to Irrigate
area. West of
Spanish creek.
4-2-81. Under
old permit

This well furnishes water for the houses

This permit licensed for Irrigation, Suburban housing, recreation

839-1

Well # 4 Depth Est. 1250 ft.

Pumping 750 gpm.

Motor GE Model 5K326 YK 157, Ser # BK 6093003.

60 HP, 3570 RPM., Pump. Cornell Model 4YB60-2

Ser # 16857 2 3/8. Valley CP Covers 132 ac.

6" P.V.C. pipe from Well to CP.

853-1
6-25-81

Dam - Licensed March 26, 1970
Storage Capacity 44.6 Ac. Ft.

959-1
6-25-81

Well #3 - Artesian Flow - has shut-off valve
Depth 950' deep. 150 gpm - Well runs into
the storage dam.

Pump at dam - US Elec. 100 H.P. 1775 RPM.

FD# R 9981-00-814 R 2097785

Pump - Crane Dewatering - Ser # 75591 - 1750 RPM. Fig 4700
Valley C.P. Model 2071 - Ser # 12193. 140 Ac. (132" end gun).
8" A.C. Pipe from pump to C.P. Pumps 700 gpm

995-1
6-25-81

Well #5 - Minnelusa. Est 1100 ft

Pumps. 450 gpm. Pump in shop at time of Insp.
Valley C.P. Covers 100 Ac.

1004-1
6-25-81

Well #6 - Depth ~~1200 ft~~ 1260 ft

Artesian Pressure 110 PSI. 800 gpm - With Shut-off
Valve. No pump necessary.
Valley C.P. - Covers 132 Acres.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Lawrence } ss.

Christine Parish being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____

Queen City Mail 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 Spearfish County of Lawrence and State of South Dakota; that the said notice was published in said newspaper on the following dates: April 18 & 25, May 2 & 9.

Appropriation of Water

6 pt. type; 12-pica line; rate-43.2¢

in each and every issue of the full number thereof, the first publication being made on the 18th day of April 1966 and the last publication on the 9th day of May 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 Mike Heinbaugh the printer X and publisher X of the said newspaper.

Christine Parish

Subscribed and sworn to before me this 9th day of May A. D. 1968.

Burton F. Jones

Notary Public Lawrence County, S. D.

My Commission Expires July 20, 1974

(First publication on or before April 25, 1968)

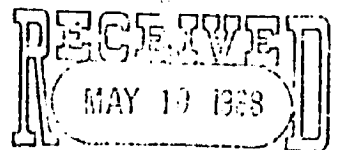
APPROPRIATION OF WATER

Office of State Water Resources Commission,
 Pierre, S. Dak., April 12, 1968
 Notice is hereby given that the Spearfish Valley Ranch, Inc., whose postoffice address is Spearfish, 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 1.58 cubic feet of water per second of time from artesian ground water through the Valley Ranch Well No. 4, the point of diversion of which is to be located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 21, Twp. 7N, Range 2E. Said water to be used for the purpose of providing irrigation on a portion of the following described land: NW $\frac{1}{4}$, Section 21, T7N, R2E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 22nd day of May, 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: BURTON F. JONES
 Water Rights Specialist
 (510 - 41, A 18-25, M 2-9)



STATE WATER RESOURCES COMMISSION
 PIERRE, SOUTH DAKOTA

on or before
(First Publication) April 25, 1968

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., April 12, 1968

Notice is hereby given that the Spearfish Valley Ranch, Inc. whose postoffice address is Spearfish 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 1.58 cubic feet of water per second of time from the artesian ground water through the Valley Ranch Well #4, the point of diversion of which is to be located on the bank of said stream in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 21, Twp. 7N Range 2E. Said water to be used for the purpose of providing a portion of the following described land:

NW $\frac{1}{4}$, Section 21, T7N, R2E

and for purposes

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 22nd day of May, 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

cc: **Melvin E. Delzer, Pres.**
Spearfish Valley Ranch, Inc.
Spearfish, S.D.

By:

BURTON F. JONES
Chief Engineer, Executive Officer

BURTON F. JONES
Water Rights Specialist

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

№ 4 6479

PIERRE, July 10, 1973

RECEIVED OF Gloria Delzer, 4013 Falls Drive, Rapid City, SD 57701
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 License No. _____		
Fee for issuing Location Certificate-Dry Draw, No. _____		
Fee for filing transfer of Water Right No. 839-1 _____	2	50
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By John Hatcher
Chief Engineer, Executive Officer

JOHN HATCHER

gy

Form 20.

No. 839-1

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
Foss Building
Pierre, South Dakota 57501

Date: June 27, 1978

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

NW 1/4, Section 21, 7N, 2E

formerly owned by Spearfish Valley Ranch Inc.

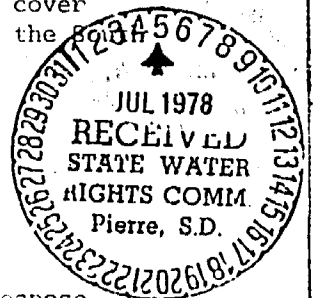
has been transferred to Melvin E. Delzer

together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 839-1 as provided for in Section 61.0127 of the 1960
Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water
Permit" in its appropriate file at the Office of Water Rights Commission 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 Section 61.0159 of the 1960 Supplement to the South
Dakota Code of 1939..

STATE OF SOUTH DAKOTA)
) SS.
County of Pennington)



I, Melvin E. Delzer being first duly sworn on my oath despose
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.

Melvin E. Delzer
(Signed)

Subscribed and sworn to before me this 28 day of June

19 78

Elmer M. Prosser
(Notary Public)



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

839-1

June 9, 1984

Melvin E Delzer
2040 W Main
Rapid City SD 57701

Dear Mr. Delzer:

Enclosed herewith is Water License No. 1276-1. This is the final water right document completing your process of obtaining a water right.

The priority dates listed in Water License No. 1276-1 are based upon the lands and not on the wells. The applicable portions of Water Right Nos. 513-1, 676-1, 853-1 and Water Permit Nos. 839-1, 959-1, 995-1 and 1004-1 have been incorporated into this Water License.

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

et.c1.