

Water Right Number 910-1

1. Considered NOVEMBER 4, 1970
2. Name of Applicant DONALD HOLBMAIER
3. Post Office Address VALE S.D.
4. Amount of Water claimed 2.70
5. Source of Water supply BELLE FOURCHE RIVER
6. Water to be used for IRRIGATION

Acres to be irrigated 175

7. Water to be diverted and used in BUTTE & MEADE County
about 9 miles EAST of VALE

8. Proof of Publication
Received ☒ 10-23-70
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 910-1Map No. 759-1 Water Division No. 1 BELLE FOURCHE RIVER

(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant Ronald Halbwaier
 Postoffice address Vale, State South Dakota
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) both
3. Name of diversion work Halbwaier Pumping Project
4. Amount of water claimed (cubic feet per second) 2.70 2.5 MAXIMUM ALLOWABLE
5. Source of water supply Belle Fourche River
6. Location of point of diversion between a point 1155' N 90° E of NW Cor. Sec. 35, T8N, R7E, WM,
and a point 1715' S 39° 0' E of NW Cor. Sec. 2, T7N, R7E, WM.
 Two Points in District of _____ County _____
7. Annual period or periods during which water is to be used May 1st to November 1st
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 175
 List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Section 35, Township 8 North, Range 7 East, 5th.

NE 1/4 SW 1/4	13
SE 1/4 SW 1/4	39
NW 1/4 SE 1/4	5
SW 1/4 SE 1/4	40
SE 1/4 SE 1/4	34
Total	131

	No. Acres Irr.

Additional time required to complete _____

Section 2, Township 7 North, Range 7 East, 5th.

NW 1/4 NW 1/4	5
NE 1/4 NW 1/4	39
Total	44

GRAND TOTAL 175 Acres

B. Works proposed to transport water to place of use.

Pipe and ditch

C. Works proposed to apply water to beneficial use.

Pump and pipe

Estimated Total Cost \$ _____

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)STATE OF SOUTH DAKOTA)
) ss.
 County of Belle)I, Ronald Halbwaier the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed Ronald HalbwaierSubscribed and sworn to before me this 24 day of August 1970
Bernice L. Hawk
 Notary Public (or other qualified officer)
My Comm. Expires March '71

PLAT OF THE HALBMAIER PUMPING PROJECT

Located in Section 35, Township 8 North, Range 7 East, BHM, in Butte County, South Dakota and Section 2, Township 7 North, Range 7 East, BHM, in Deade County, South Dakota, drawn and prepared as a part of the Application for Permit to appropriate water of Donald Halbmaier, Vale, South Dakota, to supply water for irrigation of areas as shown on this plat.

SURVAYOR'S CERTIFICATE

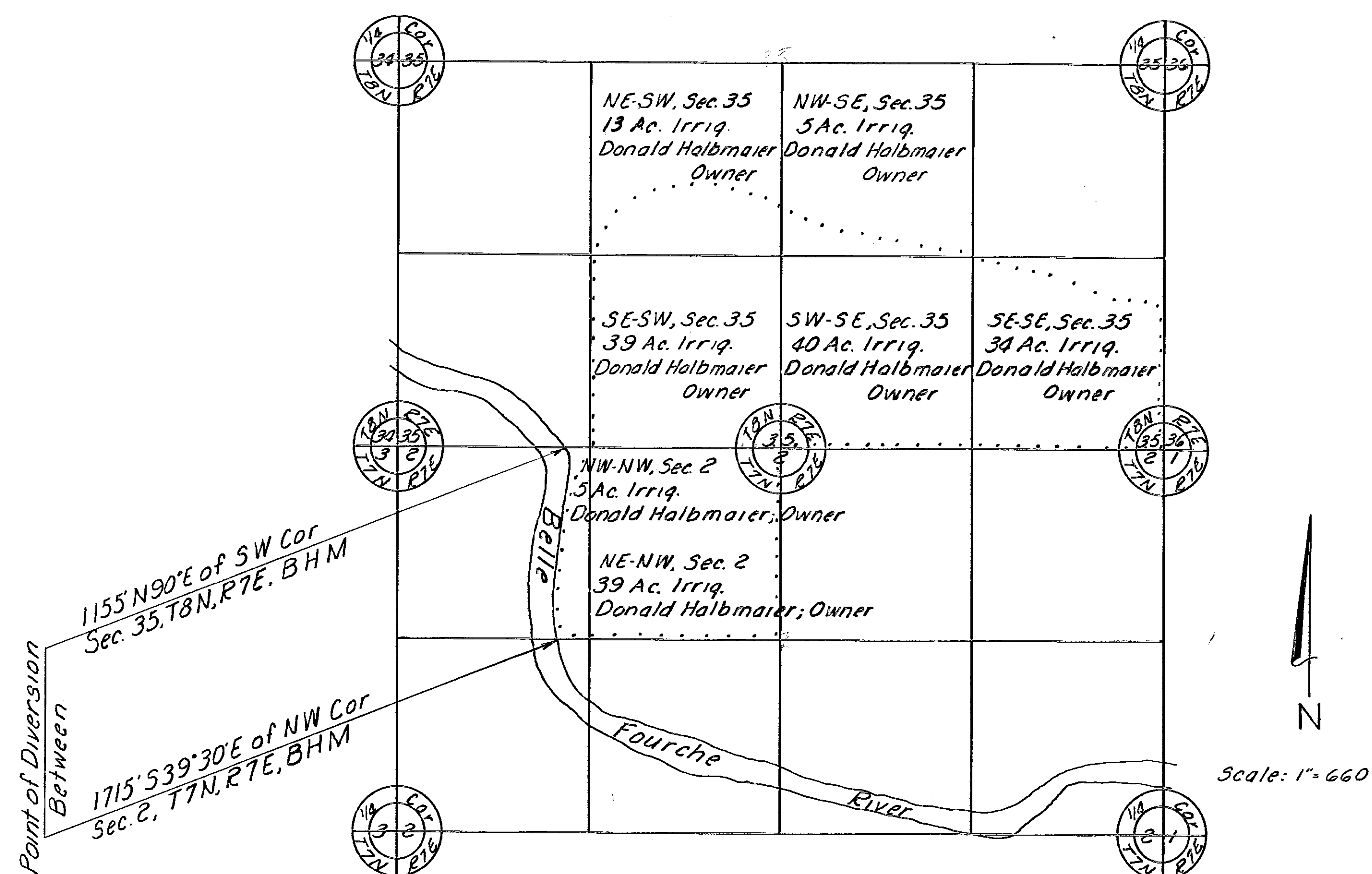
I, William C. Brengle, Registered Land Surveyor in and for the State of South Dakota, do hereby certify that at the request of Donald Halbmaier, I have made a survey and have prepared this plat as a part of his application for a Permit to appropriate water for irrigation. I further certify that the bearings and lengths 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.

William C. Brengle
William C. Brengle (SEAL)
Registered Land Surveyor, #1517

Subscribed and sworn to before me at Buffalo, South Dakota, this 20th day of August, 1970.

Florence Brengle
Florence Brengle (SEAL)
Notary Public

FLORENCE BRENGLE
NOTARY PUBLIC HARDING CO., S. DAK.
My Commission Expires Aug. 1, 1973



WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 910-1DONALD HALBMAIER
(Applicant)VALE
(Post Office Address)SOUTH DAKOTA
(State) With the following modifications:

DIVERSION OF WATER UNDER THIS PERMIT IS CONTINGENT UPON WATER SUPPLIES BEING FIRST AVAILABLE TO THE PRIOR WATER RIGHTS ON THE BELLE FOURCHE RIVER. FLOW RECORDS SHOW THAT THERE ARE OCCASIONAL YEARS WHEN THE FLOWS OF THE BELLE FOURCHE RIVER ARE DEFINITELY AND RECOGNIZABLY LOWER THAN USUAL DURING THE MONTHS OF JUNE, AUGUST AND SEPTEMBER. DIVERSIONS OF WATER ARE NOT TO BE MADE UNDER THIS PERMIT DURING SUCH LOW FLOW PERIODS.

Date of first receipt of application SEPTEMBER 1, 19 70

Date of return to applicant for correction, amendments or changes required _____, 19 _____

Date of receipt of corrected application _____, 19 _____

Approved NOVEMBER 4, 19 70, Recorded in Book 11, Page 192WATER RIGHT PERMIT NO. 910-1

The Water Resources Commission hereby grants and issues this Water Right Permit No. 910-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is SEPTEMBER 1, 19 70
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 4, 19 72
3. The whole of said work is to be completed on or before NOVEMBER 4, 19 73
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 4, 19 75
5. The water appropriated shall be used for the purpose of IRRIGATION

6. 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.

7. The amount of the appropriation herein granted shall not exceed 2.5 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and 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 used for irrigation on or before NOVEMBER 4, 19 75; said water to be used during the following described annual period: MAY 1 TO NOVEMBER 1

Witness my hand this 6TH day of NOVEMBER, 19 70

WATER RESOURCES COMMISSION

By:

Robert B. ...
Chief Engineer, Executive OfficerCertificate of Construction Issued SEPTEMBER 11, 19 72Water License Issued SEPTEMBER 11, 19 72



910-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 910A-1, NW Ranches, LLC**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 910A-1, NW Ranches, LLC, c/o Bill Van Camp, PO Box 66, Pierre SD 57501-0066

The Chief Engineer is recommending APPROVAL of Application No. 910A-1 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is in the public interest.

Water Permit No. 910A-1 authorizes a change of diversion point such that Water Right Nos. 910-1 and 1122-1 & Water permit Nos. 1821-1 and 1889-1 will utilize the same pump station and unifies the annual period of use to May 1 – October 15. The priority dates for each water right will be retained and the conditions assigned to each water right are still applicable in addition to the following qualifications.

1. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.
2. Diversion under this permit shall be in accordance with any written order issued by the Chief Engineer.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
June 4, 2010

NOTE: The Belle Fourche River may not be a reliable source of water, especially during periods of drought. As the permit holder you will need to limit your withdrawals so downstream prior rights are not impaired. The permit may be subject to periodic shut-off orders issued by the Chief Engineer.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 910-1

(1) WHEREAS, On the 1st day of September A. D. 19 70Dorald Halbauermade Water Right Application No. 910-1 for a permit to use 2.5 cubic feet per second of the waters of the Belle Fourche RiverCounty of Butte and Meade State of South Dakota, for irrigation

purpose; and

(2) WHEREAS, On the 6th day of November A. D. 19 70Permit No. 910-1 with a date of priority of September 1, 1970was issued to said applicant for the diversion of said water and provided for the completion of construction of the water supply system therein described on or before the 4th day of November A. D. 19 73 and for the application to beneficial use of said water on or before the 4th day of November A. D. 19 75

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 2.5 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

for irrigating the following described land:

<u>T7N, R7E, Section 2</u>	<u>NW$\frac{1}{4}$ NW$\frac{1}{4}$ DB</u>	<u>5 acres</u>
	<u>NE$\frac{1}{4}$ NW$\frac{1}{4}$ B/A</u>	<u>39 acres</u>
<u>T8N, R7E, Section 35</u>	<u>NE$\frac{1}{4}$ SW$\frac{1}{4}$ C/A</u>	<u>13 acres</u>
	<u>SE$\frac{1}{4}$ SW$\frac{1}{4}$ C/D</u>	<u>39 acres</u>
	<u>NW$\frac{1}{4}$ SE$\frac{1}{4}$ DB</u>	<u>3 acres</u>
	<u>SW$\frac{1}{4}$ SE$\frac{1}{4}$ DC</u>	<u>40 acres</u>
	<u>SE$\frac{1}{4}$ SE$\frac{1}{4}$ D/D</u>	<u>34 acres</u>
<u>Total,</u>		<u>175 Acres</u>

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Donald Halbmöier

_____ of Vale, S.D.
the holder _____ and owner _____ of said permit No. 910-1 a water right, dating from September 1, 1970
_____ to use of 2.5 cubic feet per second of the waters
of the Belle Fourche River
in the County of Butte and Meade and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point North 90° East, 1155 feet from the SW Corner,
Section 35, T8N, R7E

and conduct to and upon portions of Section 2, T7N, R7E, and Section 35, T8N, R7E, more
fully described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 910-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
th 11th day of September A. D.
Nineteen Hundred and Seventy-two

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer J.W. GRINES

Permit No. 910-1Water Diversion No. 1 BELLE FOURCHE RIVER Water DistrictLC
10120202

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Donald Halbmaier

_____ the holder _____ of
 Permit No. 910-1, issued upon Application No. 910-1, bearing date of priority of September 1,
1970 authorizing the diversion of 2.5 cu. ft. per second of the waters of _____
the Belle Fourche River County of Butte and Meade, State of South Dakota at _____
a point North 90° East, 1155 feet from the SW Corner, Section 35, T8N, R7E
 _____, for irrigation

_____ purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
 completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
 condition for diverting and conveying to the place of intended use 3.3 cu. ft. per second of water.

Date September 11, 1972

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 910-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Butte) ss.

I, Laurence Weyler hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the The Daily Belle Fourche Post

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 Belle Fourche of _____

County of Butte and State of South Dakota;
that the said notice was published in said newspaper on the following
four dates:

Sept. 29, 1970

Oct. 6, 1970

Oct. 13, 1970

Oct. 20, 1970

Laurence Weyler
(Signature)

Publisher

(Title)

Oct. 20, 1970

(Date Signed)

THE DAILY POST

Tuesday, October 20, 1970
Belle Fourche, S. D.

Public Notice

No. 910-1

**NOTICE
INTENT TO APPROPRIATE
WATER**

Pierre, South Dakota 57501
September 17, 1970
Notice is hereby given that
Donald Halbmaier, whose post
office address is Vale, South
Dakota, has made an applica-
tion in accordance with the pro-
visions of the water laws of
South Dakota for a permit to
appropriate for beneficial use
2.7 cubic feet of water per sec-
ond of time from the Belle
Fourche River thru the Halb-
maier Pumping Project, the point
of diversion of which is to be
located between two points in the
NE 1/4 NW 1/4 of Section 2,
Twp. 7N, Range 7E. Said water
to be used for the purpose of
providing irrigation on por-
tions of the following described
land: E 1/2 SW 1/4 NW 1/4
SE 1/4 3 1/2 SE 1/4 Section
35, T7N, R7E and N 1/2 NW 1/4
Section 2, T8N, R7E.
This application No. 910-1 will
be considered by the Water Re-
sources Commission at their of-
fice at Pierre upon the 4th day
of November, 1970, at 2:00 P.M.
All interested persons may ap-
pear and be heard.

**WATER RESOURCES
COMMISSION**

By: Burton F. Jones
Water Rights Specialist

(9)29(10)6-13-20

RECEIVED
OCT 23 1970

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

910-1

Publish first publication, on or before October 8, 19 70

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 17, 19 70

Notice is hereby given that Donald Halbmier

whose post office address is Vale, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use

2.7 cubic feet of water per second or time from the Belle Fourche River through the

Halbmier Pumping Project, the point of diversion of which is to be located in the

between two points in the NE $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 2, Twp. 7N, Range 7E. Said water to be used for the purpose of providing irrigation of portions of the following described land:

SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 2, T7N, R7E and N $\frac{1}{2}$ NW $\frac{1}{4}$, Section 35, T8N, R7E

This application No. 910-1 will be considered by the Water Resources Commission at their office at Pierre upon the 4th day of November, 19 70, at 2:00 P. M. All interested persons may appear and be heard

WATER RESOURCES COMMISSION

By:

BURTON P. JONES, Water Rights Specialist

cc: Donald Halbmier, Vale, S.D.

Permit No 910-1Water Division: 1 BELLE FOURCHE RIVER Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by DONALD HALBMAIER of VALE holder of Permit No. 910-1, bearing date of priority of SEPTEMBER 1, 1970 authorizing the diversion of 2.5 cu. ft. per second of the waters of BELLE FOURCHE RIVER for IRRIGATION purposes, in BUTTE & MEADE County.

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

The Water Use System consists of,

A. Works used to divert the water:

CORNELL 6NIN2 8'x10" PUMP POWERED BY
100 H.P. GE ELECTRIC MOTOR

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

1 MILE 10" GATED PIPE

C. Works used to apply water to beneficial use.

GATED PIPE TO LEVELLED LAND

The system is in the following condition: NEW

The point of diversion is located N 90° E, 1155' from the SW
CORNER, SECTION 35, T 8 N, R 7 E

The works are capable of diverting and conveying to the place of use 3.3cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: T 8 N R 7 E

<u>T 7 N, R 7 E</u>	<u>NE¹SW¹</u>	<u>13 AC.</u>
<u>SECTION 2 NW¹NW¹ 5 AC</u>	<u>NW¹SE¹</u>	<u>5 AC</u>
<u>NE¹NW¹ 39 AC.</u>	<u>SE¹SW¹</u>	<u>39 AC</u>
	<u>SE¹SE¹</u>	<u>34 AC</u>
	<u>SW¹SE¹</u>	<u>40 AC</u>

comprising a total of 175 acres of land.

AUGUST 31, 1972

Day SEPTEMBER

Arthur J. Franzen
(Signature)

WATER RIGHT SPECIALIST
WATER RESOURCES COMMISSION

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

June 10, 1981

Donald Halbmaier
Valo, SD 57788

Mr. Halbmaier:

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.

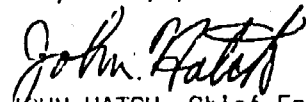
Permits for which fees have not been paid by July 1, 1981 shall be refused the right to divert water for the remainder of the year. The fees paid will be used to defray the costs of providing water master services within the water use control area. The following is a tabulation of your assessment.

<u>Permit No.</u>	<u>Diversion Rate</u>	<u>Acreage</u>	<u>Fee</u>
910-1	2.50	175.0	\$73.75
TOTAL			\$73.75

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/JH/gy

Equal Opportunity Employer

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8333

June 25, 19 81

PIERRE

Donald and W.M. Habbmaier, Rt.1, Box 23, Vale, SD 57788

RECEIVED OF

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

Fee for certified copy of

Fee for Print copy of map

Fee for Certifying

water master services on WR# 910-1

73 75

Fee for (any other work as provided by law)

TOTAL

73 75

WATER RIGHTS COMMISSION

By

Chief Engineer, Executive Officer

JOHN HATCH / LP

DATE MICROFILMED

CAMERA OPERATOR

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	Diversion Rate	Acreage	Receipts (total fee)	Amount Returned
789-1	Louis Budmayr	0.90	95.50	\$ 34.00	\$ 30.16
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
417-1	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	324.79	131.00	115.96
1210-1	Charles & Dorothy Shaykett	1.80	128.39	52.00	46.03
1132-1	Ezra Pauley	4.00	285.00	111.25	98.48
1204-1	Art Heitz, 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	85.03
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	100.00	74.75	65.17
421-1	Lee Dutton	2.50	100.00	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	80.00	70.81
722-1	Edith Anderson & Tom Bowen	2.80	100	79.00	69.93
1148-1	Homestake Mining	13.50	940.00	377.00	333.71
430-1	Gerald Wetz	1.65	116.00	49.00	43.37
432-1	Roy Casteal	4.30	307.00	126.75	112.20
414-1	Mary Ann Schummer	3.40	255.00	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	462.00	\$ 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 Hoffmann	3.11	220.00	95.00	84.09
403-1	James A Mickelson	3.10	218.00	94.50	83.65
469-1	Raymond Garness	1.30	91.00	42.75	37.84
1216-1	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	.36	43.00	20.75	---
296-1	Robert Helmer	2.50	179.00	74.75	---
308-1	Lewis Bertolotto	.34	45.00	21.25	---
282-1	James Jeffrey	1.65	73.70	38.50	---
1182-1	George Leach	1.60	108.00	47.00	---
223-1	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	18.25	---
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	193.00	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	---

Do not use this space.

STATE OF SOUTH DAKOTA

DIRECT VOUCHER

AGENCY VOUCHER No.	DATE
11/1	11/10/81

PAYEE . Donald Halbmaier
Vale, SD 57788

DEPT. . DWRP, Water Rights Division
Foss Bldg.
Pierre, SD 57501

STAPLE
HERE

AGENCY .

ADDRESS .

Agency	Fund	Sub Fund	Prog. Act.	Obj. Sub. Obj.	Agency Coding	Amount	Contract No.
200301	699	01	0000	0801		65 28	1
							2
							3
							4
							5
							6
							7
							8
							9
							10
TOTAL						65 28	

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			
			91041 Donald Halbmaier		65. 28	
TOTAL					65.28	

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.

Claimant Signature

Date

11-5-81

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.

DIVISION APPROVAL

DATE

11-5-81

APPROVAL SIGNATURE

DATE

11-5-81

**OVERSIZE
DOCUMENT IS
SUPPLEMENTARY
TO MICROFILM FILE**

910-1

April 2, 1986

Department of Water and Natural Resources
Joe Rose Building
523 East Capitol Street
Pierre, South Dakota 57501-3181



Dear Sir,

I am writing in regard to your letter we received dated March 31, 1986, concerning the violation of requirement to submit a 1985 irrigation questionnaire.

I am very concerned about the possibility that my water permit may be forfeited. Water permits number 910-1.

You must hear the old excuse "we never received such questionnaire that was mailed November 13, 1985", many times. My wife and I have discussed whether or not we did receive the questionnaire and we can't remember receiving one. All mail received with your return address is handled with utmost importance by us because we know it always important.

I would appreciate it very much if you would mail another questionnaire to me to be returned by May 14, 1986. This water permit is very important to my ranch operation.

Thank you.

Sincerely,

Donald D. Halbmaier

Donald Halbmaier
Lt 1 Box 33
Vale, South Dakota

57788

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete item* 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return it as 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:

910-1

DONALD HALBMAIER
RT 1 BOX 33
VALE SD 57788 9716

4a. Article Number

P 378 081 353

4b. Service Type

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

7. Date of Delivery:

2-6-81

5. Received By: (Print Name)

6. Signature (Addressee or Agent)

X-Kelene Halbmaier

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

Domestic Return Receipt

Thank you for using Return Receipt Service.

Fold at line over top of envelope to



February 4, 1997

910-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: DONALD HALBMAIER, RT 1 BOX 33, VALE, SD 57788 9716

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

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 910-1. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 2:30 pm, March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 910-1 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, 1997, 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1997

910-1

Doug Halbmaier
RR 1 Box 33AA
Vale, SD 57788

Dear Mr. Halbmaier:

Enclosed, as we discussed, is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change on Water Right No. 910-1. The water right is currently listed in the name of Donald Halbmaier.

Please review the form for accuracy and make any necessary corrections. You will need to complete the top portion of the form and then sign it in the presence of a notary public. Upon completion, please return the form to our office with a required filing fee of \$2.50.

Thank you for contacting me regarding this matter. 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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 19, 1997

910-1

Doug Halbmaier
RR 1 Box 33A
Vale, SD 57788

Dear Mr. Halbmaier:

I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaire.

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

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 910-1

Date: 2-13-97

I/We request that Water Right No. 910-1

formerly owned by: Donald Halbmaier

be transferred to: (name & address) Doug HALBMAIER

RR : Box 33AA, Vale, SD 57788

Telephone No. (605) 456-2575

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

175 acres - N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 2, T7N, R7E; E $\frac{1}{2}$ SW, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, T8N, R7E

I/We understand that the validity of Water Right No. 910-1 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 Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Meade)

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

Doug Halbmaier
(Signed)

Subscribed and sworn to before me this 13th day of February, 1997.

Denise Cooley
(Notary Public)

Denise Cooley
Notary Public
My Commission Expires October 3, 2003

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

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

RECEIPT

415253

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, SD

February 24, 19 97

RECEIVED OF Don Halbmaier, FR 1, box 334A, Vale, SD 57788

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 910-1</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By

Don Halbmaier
Chief Engineer



910-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 21, 1997

No. 910-1

Doug Halbmaier
RR 1, Box 33AA
Vale, SD 57788

Dear Mr. Halbmaier:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 910-1.

Our records now show you as the owner of Water Right No. 910-1.

Sincerely,

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

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

enclosure

910-1

RECEIVED

AUG - 3 2009

WATER RIGHTS
PROGRAM

LAW OFFICES
OLINGER, LOVALD, McCAHREN & REIMERS, P.C.

117 EAST CAPITOL
P.O. BOX 66

PIERRE, SOUTH DAKOTA 57501-0066

www.olingerlaw.net

RONALD D. OLINGER
LEE C. "KIT" McCAHREN
WADE A. REIMERS
WILLIAM M. VAN CAMP

JOHN S. LOVALD - Of Counsel

July 31, 2009

TELEPHONE: 605-224-8851
FAX: 605-224-8269
TOLL FREE: 877-225-5548

Chief Engineer
Water Rights Program
DENR
523 E Capitol
Pierre SD 57501

Re: Water Permits #1852-1 and 910-1

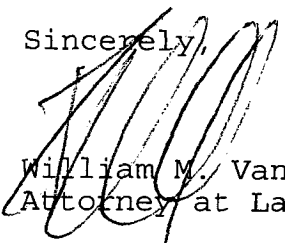
Dear Sir:

Attached please find Notice of Transfer of Ownership for the two
aforementioned water rights. Douglas and Rolene Halbmaier and
Halbmainer Farms, Inc. have sold their property and assigned their
interests in those water rights to my client, NW Ranches, LLC.

Also enclosed please find a check for \$100.00 to cover the filing
fee as required by SDCL 46-2-13.

If you need anything else to effectuate these transfers, please
advise.

Thank you for your help in this matter.

Sincerely,


William M. Van Camp
Attorney at Law

WVC:lrd

enclosure: check \$100.00

cc: client

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 8/3, 20 09

RECEIVED OF Olinger Lovald McCahren & Reimers (NW Ranches) PO Box 66 Pierre SD 57501

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>910-1</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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 04107

By

Lovald McCahren
Chief Engineer

RECEIVED

AUG - 3 2009

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

Water Right/Permit No. 910-1

Date: July 29, 2009

I/We request that Water Right/Permit No. 910-1 formerly owned by:

Douglas L. Halbmaier/Halbmaier Farms Inc

be transferred to:

New Owner Name: NW Ranches LLC

Address: PO Box 66 117 E Capitol

City, State, Zip Pierre SD 57501

Telephone No. (605) 224-8851

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

Township 7 North, Range 7 East
Section 2: N1/2NW1/4 and

Township 8 North, Range 7 East
Section 35: E1/2SW, W1/2SE1/4, SE1/4SE1/4
Butte and Meade Counties, South Dakota

☒ I understand that the validity of Water Right/Permit No. 910-1 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 included to cover the filing fee as required by SDCL 46-2-13.

I, NW Ranches LLC, the new owner, certify that the above information is true and correct.

NW Ranches LLC by: Neal Wouless
(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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 3, 2009

William M Van Camp
Attorney at Law
OLINGER, LOVALD, MCCAHERN & REIMERS PC
PO Box 66
Pierre SD 57501-0066

RE: Water Right No. 910-1 and Water Permit No. 1852-1, NW Ranches LLC

Dear Mr. Van Camp:

I am writing in regard to the ownership changes filed on the above mentioned water right and water permit. Nos. 910-1 and 1852-1 formerly held Doug (*or Douglas*) Halbmaier are now listed in the name of NW Ranches LLC.

Enclosed are your Receipt Nos. 04187 and 04188 in the amount of \$50.00 each.

I noted on the transfer form for 1852-1 the legal description for irrigated acres included land in Section 34, T8N, R7E. The only acreage authorized for irrigation under that Water Permit is the NE ¼ Section 33. I am assuming the land referenced in Section 34 was included with the purchase of the property however I wanted to make you aware that it is not included in the permit.

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

enclosures



910-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

OCT 13 2017

910A-1

William Van Camp, Attorney
NW Ranches LLC
PO Box 66
Pierre SD 57501

Dear Mr. Van Camp:

Enclosed is Water License No. 910A-1. This is the final water right document completing the process of obtaining a Water Right. Included with the license is a map prepared by the staff engineer who conducted the field investigation.

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

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: Upon licensing, the applicable portions of Water Permit/Right Nos. 910-1, 1122-1, 1821-1 and 1889-1 were incorporated into No. 910A-1.