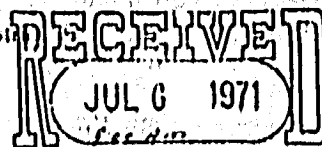


Water Right Number 947-1

1. Considered SEPT. 1,, 1971
2. Name of Applicant CECIL F. HENRIKS
3. Post Office Address STURGIS, S.D.
4. Amount of Water claimed 1.19
5. Source of Water supply LONE TREE DRAW (A DRY-DRAW)
6. Water to be used for IRRIGATION
Acres to be irrigated 43.00 - "VESTED" 40.00 AD = 83.00
7. Water to be diverted and used in MEADE County
about 20E 4S miles of STURGIS
8. Proof of Publication
Received B-23-71 ~~945~~
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:

No. 947-1Map No. 780-1 Water Division No. 1 BELLE FOURCHE RIVER District
(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 Geoff F. Henriks Sturgis, S.D.
Postoffice address Sturgis (Hersford Rt.), State S.D. 57788
If a corporation show date and place of incorporation Private project.
2. Method of accomplishing work (contract, employment of others, or by direct labor) Roth
3. Name of diversion work Lone Tree Irrigation project
4. Amount of water claimed (cubic feet per second) 1.19- 535.5 GPM.
5. Source of water supply Lone Tree Draw (a dry draw)
6. Location of point of diversion R. 85° W. 2300 ft from the E; 1/4 Cor. Sec 35, T. 5, R. 8 E-BM
7. Annual period or periods during which water is to be used Meade County, S. Dak. county
March 1st thru Sept. 40
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Stock water and irrigation
9. For irrigation use, Total number of acres to be irrigated _____
List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.
- | Land Description | No. Acres Irr. | Land Description | No. Acres Irr. |
|------------------|----------------|------------------|----------------|
| SW-NW- Sec. 28 | 4 ac | NW-NW Sec. 36 | 17 ac. |
| NE-NE Sec. 35 | 2 ac | NE-NW Sec. 36 | 2 ac |
| SW-NE Sec. 35 | 4 ac | SW-NW Sec. 36 | 18 ac |
| SE-NE Sec. 35 | 13 ac | SE-NW Sec. 36 | 3 ac |
- Vested right claimed 43 ac Addition to vested right 40 ac
10. Time required to complete construction of water supply system thru one years. Additional time required to complete application of water to the proposed beneficial use two years years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Sturgis Tribune, Sturgis, S.D.
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. Spreader dam (inplace) with additional dikes and ditchesB. Works proposed to transport water to place of use. Spreader dam with dikes and ditches for distribution of waterC. Works proposed to apply water to beneficial use.
Concrete headgate and flume in spreader dam.Estimated Total Cost \$ 2000.00Attachments: 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

County of MeadeI, Geoff F. Henriks 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 Geoff F. HenriksSubscribed and sworn to before me this 19th day of June, 1971CARI M. CORNELL
Notary Public (or other qualified officer)
My Commission expires April 15, 1975Cari M. Cornell
Notary Public (or other qualified officer)
(SEAL)
My Commission expires April 15, 1975.

PLAT OF
The Lone Tree Irrigation Project in Sections 35 and 36, T.3 N., R.3 E.,
in Meade County, South Dakota.

Scale 1" = 660 feet
3" = 1 mile.

SURVEYOR'S CERTIFICATE

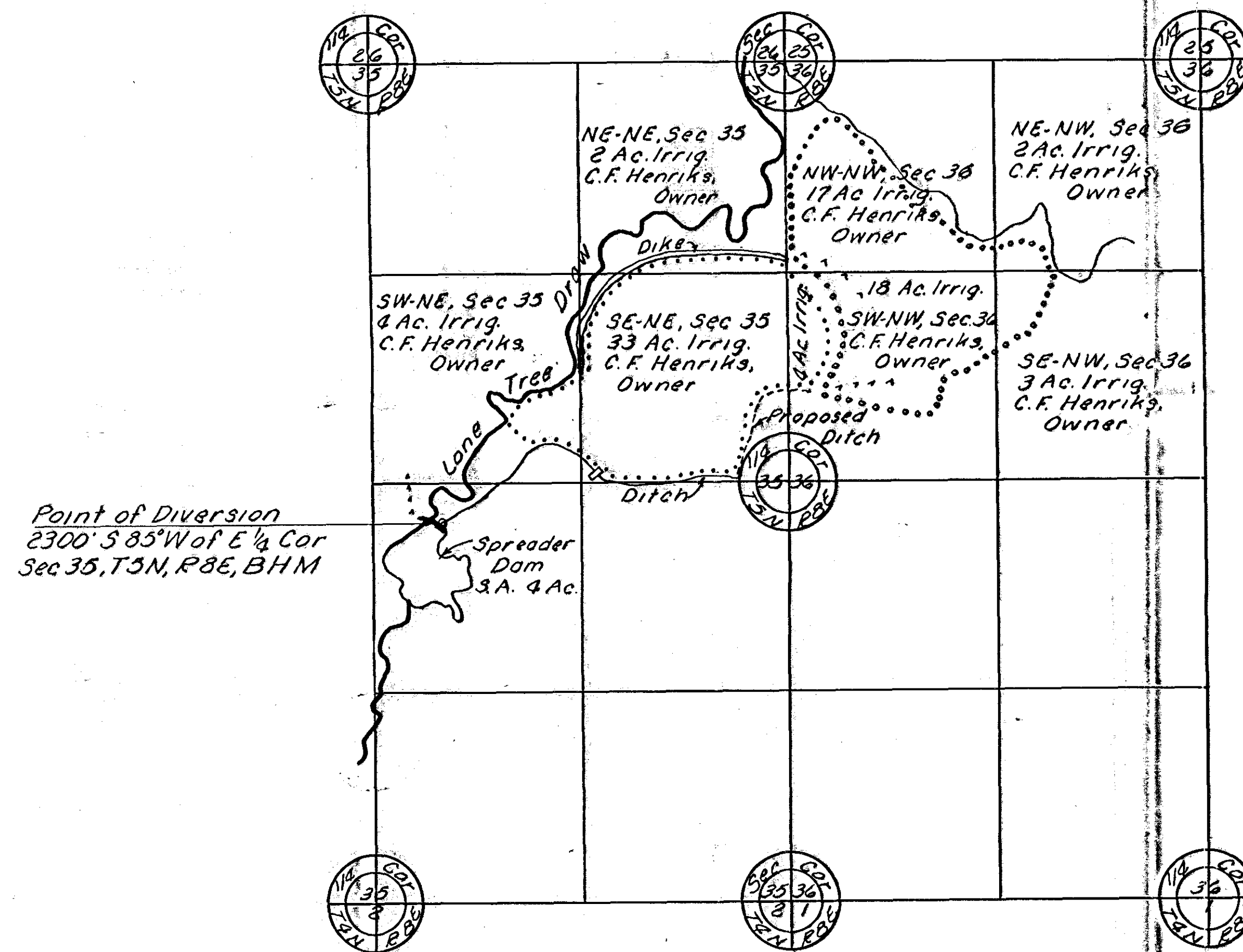
I, Carl M. Cornell, Licensed Surveyor in and for the State of South Dakota, do hereby certify that, at the request of Cecil F. Henriks of Sturgis, Meade County, South Dakota, I have made a survey of the tracts shown on this plat for the purpose of preparing the required map of the area indicated to be filed with his Application for Permit to appropriate water for irrigation purposes from Lone Tree Draw. I further certify that the various lines, their lengths and location with reference to the Government Land Corners shown, are correct to the best of my knowledge and belief.

Subscribed and sworn to at Buffalo, South Dakota this 21st day of June, 1971.

Carl M. Cornell
Carl M. Cornell, Licensed Surveyor
30.144 (SEAL)

Subscribed and sworn to before me this 21st day of June, 1971 at Buffalo, South Dakota

Stanley Schaefer
NOTARY PUBLIC. (SEAL)



N
Scale: 1" = 660'

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 947-1
CECIL E. HENRIKS HEREFORD RT., STURGIS
 (Applicant) (Post Office Address)
SOUTH DAKOTA With the following modifications:
 (State)

Date of first receipt of application JULY 6, 1971
 Date of return to applicant for correction, amendments or changes required , 19
 Date of receipt of corrected application , 19
 Approved SEPTEMBER 1, 1971, Recorded in Book 12 Page 26

WATER RIGHT PERMIT NO. 947-1

The Water Resources Commission hereby grants and issues this Water Right Permit No. 947-1 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 .58 FROM JULY 6, 1971
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before APRIL 1, 1972
3. The whole of said work is to be completed on or before SEPTEMBER 1, 1972
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 1, 1974
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 1.19 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 applied for irrigation on or before SEPTEMBER 1, 1974; said water to be used during the following described annual period: MARCH 1 THRU SEPTEMBER 30

Witness my hand this 3RD day of SEPTEMBER, 1971

WATER RESOURCES COMMISSION

By:

[Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 9, 1977

Water License Issued SEPTEMBER 9, 1977

WATER LICENSE NO. 947-1

(1) WHEREAS, On the 6th day of July A. D. 19 71Cecil F. Henricksmade Water Right Application No. 947-1 for a permit to use 1.19 cubic feet per second of the waters of Lone Tree DrawCounty of Heade, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 1st day of September A. D. 19 71Permit No. 947-1, with a date of priority of 1953was 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 1st day of September A. D. 19 72 and for the application to beneficial use of said water on or before the 1st day of September A. D. 19 74

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 .61 cubic feet per second of water for beneficial use and,

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

for irrigating the following land in T5N, R8E

Section 35 NE $\frac{1}{4}$ NE $\frac{1}{4}$ 2 acresSW $\frac{1}{4}$ NE $\frac{1}{4}$ 4 "SE $\frac{1}{4}$ NE $\frac{1}{4}$ 33 "Section 36 SW $\frac{1}{4}$ NE $\frac{1}{4}$ 4 "

TOTAL 43 acres

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

_____ of Sturgis
the holder _____ and owner _____ of said permit No. 947-1 water right, dating from 1953
_____ to use of 61 cubic feet per second of the waters
of Lone Tree Draw

in the County of Meade and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinafter mentioned, to be diverted at a point S65°W, 2300' from the E1/4 corner,
Section 35, T5N, R9E

and conveyed to and upon portions of Sections 35 & 36, T5N, R9E
described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 947-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 9th day of September A.D.
Nineteen Hundred and Seventy-seven

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Form 15.

Permit No. 947-1

Water Diversion No. 1 Belle Fourche River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Cecil F. Henricks

_____ the holder _____ of
Permit No. 947-1, issued upon Application No. 947-1, bearing date of priority of 1953 and
July 6, 1971 authorizing the diversion of 1.19 cu. ft. per second of the waters of _____
Lone Tree Draw County of Heade State of South Dakota at _____
a point S85°W, 2300' from the E½ corner, Section 35, T5N, R8E

_____, 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 up to 10.0 cu. ft. per second of water.

Date September 9, 1977

By: WATER RIGHTS COMMISSION
John Hatch
JOHN HATCH, Chief Engineer

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

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Deade) ss.

I, Teresa Rhoun hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Sturgis Tribune

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

City Sturgis of _____

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

Tribune July 28, 1971
August 4, 1971
August 11, 1971
August 18, 1971

Teresa Rhoun
(Signature)

Bookkeeper
(Title)

August 20, 1971
(Date Signed)

NOTICE OF INTENT TO APPROPRIATE WATER
Notice is hereby given that Cecil F. Henriks, whose post office address is Sturgis, 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, 19 cubic feet of water, per second of flow from Lone Tree Draw through the Lone Tree Irrigation Project, the point of diversion of which is to be located in the NW 1/4 of Section 35, Twp. 5N, Range 8E. Said water to be used for the purpose of providing irrigation on portions of the following described land: NW 1/4, Section 36, E 1/2 NE 1/4 and SE 1/4, NE 1/4, Section 35, T5N, R8E. This application No. 197-1 will be considered by the Water Resources Commission at their office at Pierre upon the 1st day of September, 1971, at 2:00 p.m. All interested persons may appear and be heard. WATER RESOURCE COMMISSION By: Burlon F. Jones Water Rights Specialist Trib. July 18, Aug. 4, 11, 18

RECEIVED
AUG 23 1971

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Form 6 - Notice of Intent to Appropriate Water

947-1

Publish first publication, on or before August 5, 19 71

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

July 22, 19 71

Notice is hereby given that Cecil F. Henriks

whose post office address is Sturgis, 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

1.19 cubic feet of water per second of time from the Lone Tree Draw through the

Lone Tree Irrigation Project, the point of diversion of which is to be located in the

NW 1/4 SE 1/4

of Section 35, Twp. 5N, Range 8E. Said water to be used for the purpose

Portions of
of providing irrigation on the following described land:

NW 1/4, Section 36, E 1/2 NE 1/4 and SE 1/4, NE 1/4, Section 35, T5N, R8E

This application No. 947-1 will be considered by the Water Resources Commission at their office at
Pierre upon the 1st day of September, 19 71, at 2:00 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: Cecil F. Henriks, Hereford Route, Sturgis, S.D. 57785

Permit No. 947-1Water Division 1 Belle Fourche River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57601

I have this day made a thorough examination of the water use system constructed by Cecil F. Henriks of Sturgis, S. Dak. holder of Permit No. 947-1, bearing date of priority of July 6, 1971 authorizing the diversion of 417 cu. ft. per second of the waters of Lone Tree Draw (a dry draw) for Irrigation purposes, in 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;

Spreader Dam (in place)

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

Diversion Ditch.

C. Works used to apply water to beneficial use.

Spreader ditch and dikesThe system is in the following condition: GoodThe point of diversion is located 2300 ft S 85° W of E 1/4 Corner
Section 35, T5N, R8E, B11M.The works are capable of diverting and conveying to the place of use 10 cfs.cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in T5N, R8E

<u>SW 1/4 NW 1/4 - Sec 36</u>	<u>= 4</u>	<u>Ac</u>
<u>NE 1/4 NE 1/4 - " 35</u>	<u>= 2</u>	<u>Ac</u>
<u>SW 1/4 NE 1/4 - " 35</u>	<u>= 4</u>	<u>Ac</u>
<u>SE 1/4 NE 1/4 - " 35</u>	<u>= 33</u>	<u>Ac</u>

comprising a total of 43 acres of land.Date May 14, 1976L. Roy J. McManis
(Signature)

Location No.

Water Division No. Water District

RECEIVED
JUL 6 1971STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Orall F. Hennike Keokuk County, So. Dak. Cattle rancher,Sturgis, Hereford Route, South Dakota 57705

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. Private enterprise

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. Original construction 1952 and 1953 No record of notices posted.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. One Tree Draw (A dry draw) Point of diversion -S. 35 N. 3500 ft. from the E. 1/4 cor. Sec. 35, T. 5 N., R. 8 E. - NW

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Spreader dam and stock reservoir. Length 250 ft. Height 10 ft.,Antop width 18 ft, slopes 3:1 and 4:1, Surface area 4 acres.(No storage of water for irrigation purposes)(Storage for stockwater only)Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.) Stockwater and irrigation;Ans. SW-NE - irrigated 4 acresNE-NE 1/4 " 2 "SE-NE " 1 "SE-NE " 33 "Total 40.

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. None

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 61/100 Sec Ft.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

No previous permit before purchase by present owner

Ans.

Ques. 10. State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Water used for irrigation of the tracts described above the
completion of original project in 1953 produced crops of alfalfa
and wheat grass hay.

(Sign) Cecil F. Desrosiers

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Buffalo, County of Harding.

State of South Dakota, on this 18th day of June, A. D. 1971

Mark J. Pfeiffer
Charles F. Mattawa

Witnesses

Carl M. Cornwell
Carl V. Cornwell
June 18, 1971

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water, or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

Mark J. Pfeiffer
Charles F. Mattawa

Location No.

PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE

PETITION OF HOLDER

Amount of Water c. f. s.

Source

County

Purpose

Place of Use

Date of recording

Received and filed



947-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3101

March 29, 1995

No. 947-1

Mary Ellen Cammack
HC 75, Box 278
Sturgis, SD 57785-8995

Dear Ms. Cammack:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 947-1. The water right is currently listed in the name of Cecil Henriks.

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-10.3 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 me.

Sincerely,

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

enclosure



947-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 19, 1995

SECOND NOTICE
Permit No. 947-1

Mary Ellen Cammack
HC 75, Box 278
Sturgis, SD 57785-8995

Dear Ms. Cammack:

On March 29, 1995, notice was sent to you concerning the transfer of Water Right No. 947-1 in the name of Cecil Henriks. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed is an additional form. Please sign, have notarized, and return the form to this office with the required filing fee of \$2.50. The water right can then be transferred to your name. If you are not the present owner of the land covered under this water rights, please notify this office. It is very important that ownership records be kept current. 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 Genny McMath, (605) 773-3352.

Very truly yours,

RON DUVALL
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

enclosure

SENDER'S INFORMATION Complete items 1 and 2 for additional services. Print your name and address on the reverse of this form so that we can return this card to you. Attach this form to the front of the mailpiece, or on the back if space does not permit. Write "Return Receipt Requested" on the mailpiece below the article number. The Return Receipt is sent to whom the article was delivered and the address delivered.		(I also wish to receive the following services for an extra fee) ☐ Addressee's Address ☒ Restricted Delivery Consult postmaster for fee	
1. Article Addressed to: 947-1		2. Article Number: 318 052 706	
3. Service Type: ☒ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise		4. Date of Delivery: 12/1/91	
5. Addressee's Address (Only if requested and fee is paid):		6. Addressee's Address (Only if requested and fee is paid):	
7. Signature: <i>X Benck</i>		8. Signature: <i>X Benck</i>	
9. Date: December 1991		10. Date: December 1991	
PS Form 381		DOMESTIC RETURN RECEIPT	



August 29, 1995

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

THIRD NOTICE
Water Right No. 17-1

Mary Ellen Cammack
HC 75, Box 278
Sturgis, SD 57785-8995

Dear Ms. Cammack:

On March 29, 1995, and June 19, 1995, notices were sent to you concerning the transfer of Water Right No. 947-1 in the name of Cecil Henriks. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed is an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The water right can then be transferred to your name. If you are not the present owner of the land covered under this water right, please notify this office. It is very important that ownership records be kept current. 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 be filed with this office within ninety days.

Failure to keep records current can mean a delay in receiving a notice or even no receipt of a notice that pertains to the water right. In some cases, a notice from this office includes an order which could result in up to one year suspension of a permit or other penalty if not complied with.

The Statutes provide that a permit for irrigation remains appurtenant to the land. If there is an ownership change; however, no such assignment (transfer) shall be binding except upon the parties thereto, unless filed for record in this office.

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

Very truly yours,

RON DUVALL
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

enclosure

L

SENDER Complete (a) 1 or 2 for additional service. Complete (b) 3 and 4a & b. Print your name and address on the reverse of this form so that we can return the card to you. Attach this form to the front of the mailpiece, or on the back if space does not permit. When Return Receipt is required, attach the Receipt to the front of the mailpiece. The Return Receipt is a receipt to whom the article was delivered.		Also wish to receive the following services for an extra fee: ☐ Addressee's Address ☐ Registered Delivery ☐ Certified Mail ☐ Return Receipt for Merchandise	
3. Article Addressed to: Harry E. Ilen Cammack Box 75, Box 273 Sturtevant, SD 57785-8995		4. Article Number: 318 052 71	
5. Signature (Addressee): <i>Harry E. Ilen Cammack</i>		6. Signature (Sender): <i>Harry E. Ilen Cammack</i>	
7. Date of Delivery: 8/3/71		8. Addressee's Address: Only if requested (fee is paid)	
PS Form 3811, December 1971 • U.S. GPO: 1971-323-402		DOMESTIC RETURN RECEIPT	

Thank you for using Return Receipt Service



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 27, 2024

VR 947-1

TO: Raymond Kieffer; 23927 Hart Ranch Rd W, Rapid City SD 57702
Mary Ellen Cammack; 14720 Home Pl, Sturgis SD 57785

FROM: Amanda Dewell
SD Water Rights Program
523 E Capitol Ave, Pierre SD 57501

SUBJECT: Vested Water Right No. 947-1

Vested Water Right No. 947-1 was validated on July 10, 2022, and authorizes the diversion of 0.61 cubic feet of water per second (cfs) from Loan Tree Draw for the irrigation of 43 acres within the NE 1/3 Section 35 & NW 1/4 Section 36; all in T5N-R8E, Meade County.

An on-site inspection conducted in March 2002 found that Mr. Keieffer owned 39 acres located in the NE 1/4 Section 35, T5N-R8E, and Ms. Cammack owned the other 4 acres located in the SW 1/4 NW 1/4 Section 36, T5N-R8E. "Transfer of Ownership" forms and the appropriate fees were received from Mr. Kieffer and Ms. Cammack on May 6, 2002, and May 15, 2002, respectively.

The Vested Water Right was to be split and issued to each party in accordance with the ownership transfers. Unfortunately, the paperwork for the divided Vested Right was just recently located.

In checking the ownership of the above-described properties, it appears that you are still the owners. Please confirm that you still hold ownership of the properties authorized in Vested Water Right No. 947-1 and whether the self-spreading system is still operational.

Upon your confirmation, our office will proceed with issuance of split Vested Right Nos. 947A-1 & 947B-1.

Water Rights Division -DENR
Conversation or File Documentation

NAME OF PERSON OR FILE: Cecil F. Henriks

ADDRESS: Sturgis SD

COUNTY: Meade

DATE: March 28, 2002

TELEPHONE: XXXXXXX

RE: Inspection of Vested Right Claim No. 947-1

On August 29, 2001, I talked to Raymond Kieffer and inspected Vested Right Claim No. 947-1. This project still exists as originally claimed and licensed. The new or additional 40 acres in the NW 1/4 of Section 36 were not developed. The project irrigates the following land:

NE 1/4	NE 1/4 Sec. 35-T5N-R8E--	2 acres	SW 1/4	NW 1/4 Sec. 36-T5N-R8E--	4 acres
SW 1/4	NE 1/4	" "	--	4	
SE 1/4	NE 1/4	" "	--	33	

I talked to Mary Ellen Cammack on September 6, 2001. She now owns the 4 acres that are irrigated in the SW 1/4 NW 1/4 of Section 36-T5N-R8E. Mr. Kieffer now owns the 39 acres that are irrigated in the NE 1/4 of Section 35-T5N-R8E. Vested Right Claim No. 947-~~1~~ should be split and transferred to them.

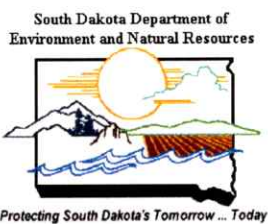
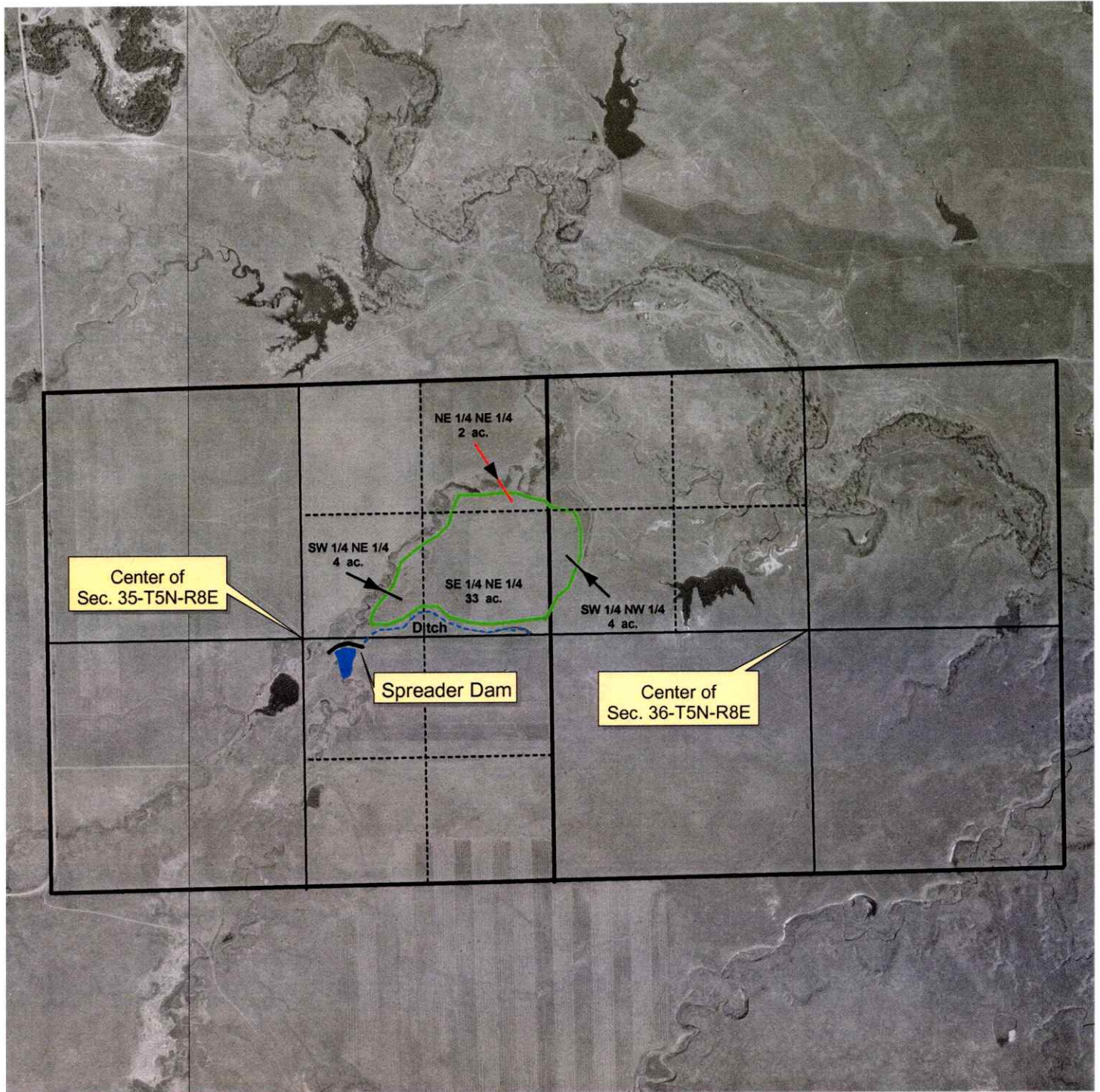
Raymond Kieffer
20405 Hay Draw Road
New Underwood, SD 57761

Mary Ellen Cammack
HC 75, Box 278
Sturgis, SD 57785



Timothy G. Schaal, P.E.
Natural Resources Engineer Specialist
Water Rights Program

Vested Right Claim No. 947-1



Timothy G. Schaal
Timothy G. Schaal, P.E. 3/28/02
Natural Resources Engineer Specialist
Water Rights Program



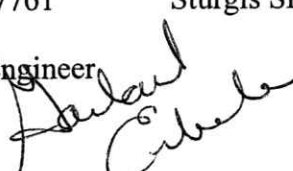
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 30, 2002

NOTICE

TO: Raymond Kieffer Mary Ellen Cammack
20405 Hay Draw Road 14720 Home Place
New Underwood SD 57761 Sturgis SD 57785

FROM: Garland Erbele, Chief Engineer
Water Rights Program
605 773-3352 

SUBJECT: Hearing to Consider Validation of Recognized Vested Right Claim No. 947-1

Vested Right Claim No. 947-1 authorizes 0.61 cubic feet of water per second (cfs) from Lone Tree Draw to irrigate 43 acres located in portions of the NE ¼ Section 35 and NW ¼ Section 36; all in T5N-R8E. It is our understanding that Mr. Kieffer's owns 39 acres while Ms. Cammack owns the remaining 4 acres authorized for irrigation.

A Notice of Intent to validate Claim No. 947-1 was published on June 22 and 29, 1988 in the Meade County Times-Tribune. The Water Rights Program postponed validation of No. 947-1 for purposes of completing an on-site investigation of the claim. The investigation of Claim No. 947-1 was completed on August 29, 2001, by Tim Schaal, staff engineer. The investigation found this claim still exists as originally claimed and licensed. The water right will be split to reflect the separate ownership after validation.

The Water Management Board will consider validation of Claim No. 947-1 at 10:00 am, July 10, 2002, in the Floyd Matthews Training Center, Joe Foss Building, 523 E Capitol, Pierre SD. The agenda time is an estimate. The actual time of the hearing may be later than 10:00 am due to prior agenda items.

Pursuant to the findings of the on-site investigation, validation of Claim No. 947-1 is recommended for a diversion rate of 0.61 cfs from Lone Tree Draw to irrigate 43 acres. Following the hearing, the Board is authorized to 1) validate the claim as recommended for 43 acres and 0.61 cfs, 2) validate the claim based on evidence presented at the public hearing, or 3) defer validation of the claim. Applicable provisions of the published notice of intent to validate Claim No. 947-1 will still apply at this hearing. A copy of the June 22, 1988, publication is available upon request.

This hearing may be an adversarial proceeding. You have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by June 28, 2002 at the above Water Rights Program address to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

c:Diane Best, Assistant Attorney General

CERTIFICATION

I hereby certify that on May 30, 2002 , I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated May 30, 2002 regarding Hearing to Consider Validation of Recognized Vested Right Claim No. 947-1 addressed as stated below:

Raymond Kieffer	Mary Ellen Cammack
20405 Hay Draw Rd.	14720 Home Place
New Underwood, SD 57761	Sturgis, SD 57785

A copy of the above described Notice was sent Inter-office to:

Diane Best, Assistant Attorney General, Capitol Building


Eric Gronlund
Natural Resource Engineer
Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 31st day of May, 2002.


Karen Schlaak
Notary Public
My Commission expires April 1, 2007

