

Water Right Number 1106-2

1. Considered MAY 17, 1972
2. Name of Applicant ROBERT C. BAKEWELL, JR.
3. Post Office Address CUSTER S.D.
4. Amount of Water claimed 1.81
5. Source of Water supply STOCKADE-BEAVER CREEK
6. Water to be used for IRRIGATION

Acres to be irrigated 127

7. Water to be diverted and used in CUSTER County
about 12 N 12 W miles of EDGEMONT

8. Proof of Publication Received 5.8.72

Not Received _____

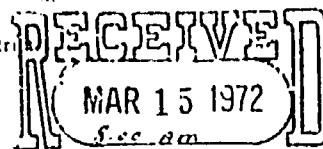
9. Application Approved _____

Subject to _____

Not Approved _____

Action Deferred _____

10. Remarks:

Map No. 939-2 Water Division No. 2 FALL 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 Robert C. Bakewell, Jr.
 Postoffice address 341 1/2 St. Custer 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) Employment of others
3. Name of diversion work Bakewell Diversion
4. Amount of water claimed (cubic feet per second) 1.81
5. Source of water supply Stockade Beaver Creek
6. Location of point of diversion SE 1/4 NW 1/4 Sec. 31, Township 6S, Range 1E
S37°E, 2123.2' FROM THE NW CORNER, SECTION 31, T6S, R1E
 County Custer
7. Annual period or periods during which water is to be used March 1 to November 1
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 127

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 1/4 NW 1/4 S31 T6S R1E	20	NW 1/4 NE 1/4 S31 T6S R1E	5
NE 1/4 NW 1/4 S31 T6S R1E	8	SW 1/4 NE 1/4 S31 T6S R1E	18
NW 1/4 SW 1/4 S31 T6S R1E	38	E 1/4 SE 1/4 S31 T6S R1E	28
NE 1/4 SW 1/4 S31 T6S R1E	10		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 2 years years. Additional time required to complete application of water to the proposed beneficial use 1 year years.
11. Name of newspaper for Notice of Intent to Appropriate Water publication Custer Weekly, Custer S.D.
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Centrifugal pump w/ 50 Hp electric motor

B. Works proposed to transport water to place of use

10" Aluminum pipe line and border ditches

C. Work proposed to apply water to beneficial use

Flooding from border ditches, within borders, and spreader ditches

Estimated Total Cost \$4,000.00

 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

County of Custer
Robert C. Bakewell, Jr. 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 Robert C. Bakewell, Jr.Subscribed and sworn to before me this 14th day of March 1972
Blair J. Jensen
 Notary Public (or other qualified officer)

1-9956

CONSERVATION PLAN MAP

Owner _____ Conservation District _____
Operator _____
County _____ State _____ Photo Nos. _____
Date prepared _____ Approx. Scale = 1 mile _____
PREPARED BY U.S. DEPARTMENT OF AGRICULTURE, SOIL CONSERVATION SERVICE

1
—N



Map No 939.2 (Appl No 1106-2)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1106-2
ROBERT C. BAKWELL, JR. 34 N. 6TH CUSTER,
 (Applicant) (Post Office Address)
SOUTH DAKOTA With the following modifications:
 (State)

LOW FLOWS AS NEEDED FOR DOWNSTREAM DOMESTIC USE,
 INCLUDING LIVESTOCK WATERING, AND PRIOR WATER RIGHTS
 MUST BE BY-PASSED

Date of first receipt of application MARCH 15 19 72
 Date of return to applicant for correction, amendments or changes required _____ 19 ____
 Date of receipt of corrected application _____ 19 ____
 Approved MAY 17 19 72 Recorded in Book 12 Page 95

WATER RIGHT PERMIT NO. 1106-2

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1106-2 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 MARCH 15 19 72
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 17 19 73
3. The whole of said work is to be completed on or before MAY 17 19 74
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 17 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 1.81 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 MAY 17 19 75; said water to be used during the following described annual period: MARCH 1 TO NOVEMBER 1

Witness my hand this 18TH day of MAY 19 72

WATER RESOURCES COMMISSION

By

[Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued DECEMBER 11 19 78

Water License Issued DECEMBER 11 19 78

WATER LICENSE NO. 1106-2

(1) WHEREAS, On the 15th day of March A. D. 19 72
Robert C. Bakewell, Jr. and Lois J. Bakewell

made Water Right Application No. 1106-2 for a permit to use 1.81 cubic feet per second of the waters of Stockade Beaver Creek

County of Custer State of South Dakota, for Irrigation

purposes; and
 (2) WHEREAS, On the 17th day of May A. D. 19 72
 Permit No. 1106-2 with a date of priority of March 1, 1911 and March 15, 1972

was 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 17th day of May A. D. 19 74 and for the application to beneficial use of said water on or before the 17th day of May A. D. 19 75

WHEREAS, on the 27th day of August, 1975 Permit No. 91-2 formerly in the name of E.A. Young was transferred to Robert C and Lois J. Bakewell, Jr., Custer, South Dakota

WHEREAS, the applicable portions of Permit No. 91-2 have been incorporated into this Water License No. 1106-2 and Permit No. 91-2 has been placed in a cancelled status, and

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 1.81 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,

Land to be irrigated as follows all in Section 31-T6S-R1E;

Land under 91-2	Land under 1106-2
Priority March 1, 1911	Priority March 15, 1972
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 7.12 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$ 15.88 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.00 "	NE $\frac{1}{4}$ SE $\frac{1}{4}$ 3.60 "
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 14.40 "	NW $\frac{1}{4}$ SE $\frac{1}{4}$ 27.27 "
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 4.75 "	SW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.30 "
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 2.00 "	NW $\frac{1}{4}$ NE $\frac{1}{4}$ 9.00 "
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 7.70 "	SW $\frac{1}{4}$ NE $\frac{1}{4}$ 19.00 "
TOTAL 55.95 acres	SE $\frac{1}{4}$ NE $\frac{1}{4}$ 1.00 "
	NE $\frac{1}{4}$ SW $\frac{1}{4}$ 8.00 "
	TOTAL 85.05 acres

GRAND TOTAL 127.00 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 Robert C. Bakewell Jr and Lois J. Bakewell

of Custer, South Dakota

the holder s and owner s of said permit No. 1106-2 a water right, dating from March 1, 1911 and
March 15, 1972 to use of 1.81 cubic feet per second of the waters
of Stockade Beaver Creek

in the County of Custer and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at points in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31 and South 37 $^{\circ}$ East
from NW corner, Section 31 all in T6S, R1E

and conduct to and upon portions of land in Section 31, T6S, R1E more fully described on
the face of this license

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 1106-2 and subject to the laws of the State of South Dakota.

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

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 1106-2

Water Diversion No. 2 Fall River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Robert C. Bakewell Jr, and Lois J. Bakewell

_____ the holder 5 of
Permit No. 1106-2, issued upon Application No. 1106-2, bearing date of priority of March 15, 1972
and March 1, 1911 authorizing the diversion of 1.81 cu. ft. per second of the waters of _____
Stockade Beaver Creek County of Custer, State of South Dakota ~~88~~
points in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31 and South 37 $^{\circ}$ East from NW corner, Section 31 all in
T6S, R1E

_____ for Irrigation

_____ purposes, have va 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 7.1 cu. ft. per second of water.

Date December 11, 1978

By John Hatch
WATER RIGHTS COMMISSION
JOHN HATCH, Chief Engineer

1106-2

Publish first publication on or before April 20, 1972NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 22, 1972

Notice is hereby given that Robert C. Bakewell, Jr.
whose post office address is Custer, 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
1.81 cubic feet of water per second of time from the Stockade-Benver Creek through the
Bakewell Diversion, the point of diversion of which is to be located in the _____

SE 1/4 NW 1/4

of Section 31, Twp. 6S, Range 1E. Said water to be used for the purpose
of providing irrigation on the following described land:

SE 1/4 NW 1/4, NE 1/4 NW 1/4, N 1/2 SW 1/4, W 1/2 NW 1/4 and NW 1/4 SE 1/4, Section 31, T6S, R1E

This application No. 1106-2 will be considered by the Water Resources Commission at their office at
Pierre upon the 17th day of May, 1972, at 2:00 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

EURTOR F. JONES, Water Rights Specialist

cc: Robert C. Bakewell, Jr. 34 N. 6th, Custer, S.D. 57730

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Custer) ss.

I, Jay J. Evans hereby
certify that the annexed printed copy of Notice of Intent to Appropriately
Water was taken from the Custer Weekly

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 Custer

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

March 29, 1972

April 5, 1972

April 12, 1972

April 19, 1972

Jay J. Evans
(Signature)

Publisher
(Title)

April 28, 1972
(Date Signed)

Bernadine Evans

BERNADINE EVANS
NOTARY PUBLIC
CUSTER COUNTY, S. DAKOTA
My Commission Expires June 24, 1974

NOTICE
INTENT TO APPROPRIATE
WATER

Pierre, South Dakota 57501
March 22, 1972
Notice is hereby given that Herbert C. Bakewell, Jr., whose post office address is Custer, 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 1.81 cubic feet of water per second of time from Stockade - Beaver Creek through the Bakewell Diversion, the point of diversion of which is to be located in the 7.61/4 NW 1/4 of Section 31, Twp. 66, Range 16. Said water to be used for the purpose of providing irrigation on portions of the following described land:
SW 1/4 NW 1/4, NE 1/4 NW 1/4, NW 1/4 SW 1/4, W 1/2 NE 1/4 and NW 1/4 SE 1/4, Section 31, T66, R16
This application No. 1106-2 will be considered by the Water Resources Commission at their office at Pierre upon the 17th day of May, 1972, at 2:00 P.M. All interested persons may appear and be heard.

WATER RESOURCES
COMMISSION
By: BURTON F. JONES,
Water Rights Specialist
Publish March 29, April 6, 12 & 19

RECEIVED
MAY 8 1972

STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE

Post Office Custer, South Dakota 57730Date October 15, 1974

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

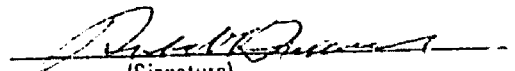
Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system, and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 1106-2.

Water Right Permit No. 1106-2 states that the diversion system is to be constructed by May 17, 19 74 and that the water is to be put to beneficial use by May 17, 19 75.

The diversion system was completed on March, 19 73. Applying the water to beneficial use was completed on June, 19 74.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.


(Signature)

RECEIVED
OCT 16 1974
STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

Permit No. 1106-2Water Division 2 Fall 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 57501

I have this day made a thorough examination of the water use system constructed by Robert C. Bakewell, Jr. of 34. N 6th, Custer, S. Dak. holder of Permit No. 1106-2, bearing date of priority of March 1.5, 1972 authorizing the diversion of 1-81 cu. ft. per second of the waters of Stockade Beaver Creek for Irrigation purposes, in Custer 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: West Pump: Motor GE, Model # 5K326AK 222, Ser # BG 206 4435, 50 HP, 1760 RPM.
Pump: - Deering-Crane, Ser # 96050101, 10 1/2" dia. 2000 gpm at 1750 RPM. 25 HP.
Pumping 2000 gpm.
East Pump: Motor 25 HP GE, Model # 5K32244X A11302, Ser # DCJ412472, 1165 RPM.
Pump: Berkeley Model BSG PBM, Ser # 016104, pumping 1200 gpm.

- B. Works used to transport water to place of use,
50 ft. 8" dia. Aluminum Pipe.
9500 ft of Supply ditches

- C. Works used to apply water to beneficial use.
Borders and Flooding

The system is in the following condition: Good.

The point of diversion is located West Pump: S 37° E from the NW Corner Sec. 31, T6S, R1E.
East Pump: Applies to Permit # 91-2. See Permit # 91-2 which is licensed.

The works are capable of diverting and conveying to the place of use 7.1, Both Permits
 cu. ft. per second of water which is to be used for Irrigation

Water has been put to beneficial use to the maximum extent as follows: All in Section 31, T6S, R1E
NE 1/4 NW 1/4 - 23 Ac., SE 1/4 NW 1/4 - 6 Ac., NW 1/4 NE 1/4 - 9 Ac., SW 1/4 NE 1/4 - 19 Ac.,
SE 1/4 NE 1/4 - 1 Ac., NE 1/4 SW 1/4 - 8 Ac., NW 1/4 SE 1/4 - 32 Ac., NE 1/4 SE 1/4 - 19 Ac.
SW 1/4 SE 1/4 - 7 Ac., SE 1/4 SE 1/4 - 2 Ac.

comprising a total of 127 acres of land.

Note: The acreage covered by this permit also covers that area under Permit No. 91-2 which is licensed. This license will up date the area actually irrigated by the two permits.

2nd Permit 91-2 = 119.50 acres = 160 cfs
 1106-2 = 85.05 ac. = 1.21 cfs

127 = 1.21

Date November 27, 1978
Leroy J. Monaghan
 (Signature)

RECEIPT

WATER RIGHTS COMMISSION

No 4 7214

State of South Dakota

PIERRE, January 14, 19 80

RECEIVED OF John W Hdaes, Holmestead Ranch, RR #2, Traer. IA 50675

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

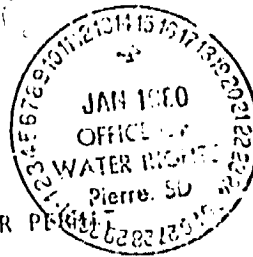
Fee for Application for Permit to Appropriate Water No. (examination processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing transfer of water right No. 1106-2	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 Hatch*
Chief Engineer, Executive Officer

JOHN HATCH

(BY)

NO. 1106-2

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: January 8, 1960

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

(SEE ATTACHED SHEET)

formerly owned by Robert C. Bakewell, Jr., Luster, SD

has been transferred to John W. Holmes, Traer, IA 50675

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

Water Right Permit No. 1106-2 as provided for in SDCL 46-5-32 and 46-5-33.

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

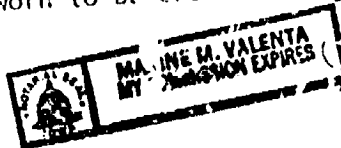
A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

IOWA
STATE OF ~~XXXXXX~~)
County of TAMA) ss.

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

John W. Holmes
(Signed)

Subscribed and sworn to before me this 8th Day of January, 1960



MA. JANE M. VALENTA
(Notary Public)

January 29, 1980

Robert C. Bakewell, Jr.
802 Fair Circle
Palm Springs, CA 92262

Dear Mr. Bakewell:

This letter is in regard to your recent letter in which you were concerned with water right No. 1106-2 being transferred to John W. Holmes of Traer, Iowa.

You indicated in an earlier letter (December 3, 1979) that the land under this water right was being purchased by Mr. Holmes under contract for deed, and that further correspondence be sent to him. Therefore, the assumption was made that the transfer was to be completed. Mr. Holmes was contacted, he signed a transfer form, had it notarized and paid the filing fees, the transfer was then filed in the water right.

Since the title to the property has not yet changed hands, and is still owned by you, a copy of this letter and a copy of your letter of January 23, 1980 will be filed with the water right to reflect that the permit is still in your name. As soon as the title is passed on to Mr. Holmes, please notify this office.

Sincerely,

GENNY YOUNG
Staff Assistant

gy

802 Fair Circle
Palm Springs, CA 92262
February 5, 1980



Department of Water and Natural Resources
State of South Dakota
Water Rights, Water Management Division
Joe Foss Building
Pierre, South Dakota 57501

Attention: Cenny Young
Staff Assistant

Re: Robert C. Bakewell, Jr.
Water Right No. 1106-2

Dear Madam:

Your letter of January 29, 1980, concerning the above has been received, and I must say that I was astounded by the idea that the transfer of this right could be accomplished without my joining in the transfer, particularly in that your office had been in contact with Mr. Haug of Bakewell and Haug, Attorneys at Law, relative to an assignment of this right to be held in escrow until the transfer was made, which will be roughly ten (10) years from now.

Also, I should call to your attention the fact that my letter of December 3, 1979, though stating that Mr. Holmes was buying the property on a Contract for Deed merely advised that Mr. Holmes would be doing the irrigating next year and subsequently, rather than that future correspondence should be sent to him.

In that in theory, at least, Mr. Holmes may never complete his purchase of the property, it would appear to me that your record should be changed to cancel the water right granted Mr. Holmes and put the water right back in my name, and then we would go ahead and execute an assignment to be held in escrow with other instruments in the transaction. I question that Mr. Holmes has yet recorded his water right, and if so, this will work.

I am sending Mr. Haug a copy of this letter and yours of January 29, 1980, in order that he may assist you in getting this straightened out, but I will appreciate it if you will keep me advised as to what is done.

Very truly yours,

Robert C. Bakewell, Jr.
Robert C. Bakewell, Jr.

RCH/ljb
cc: Todd D. Paade
Bakewell & Haug
34 North 6th Street
Custer, S. Dak. 57730

P. O. Box 552
(605) 673-2212

March: 4, 1980

Re: Robert C. Bakewell, Jr.
Permit No. 1106-2

I ask that you please forward to these offices an Assignment of Water Rights Permit for purposes of execution and placing in escrow under a sale of real property by use of a Contract for Deed. I understand that you do have a standard form which I would prefer to use if possible.

Thank you for your assistance.

With kindest regards,

Sincerely

FODD D. HAUGE

TDH : df



March 5, 1980

Todd D Hauge
Bakewell & Hauge
Law Offices
34 N 6th
Custer, SD 57730

RE: Robert C Bakewell, Jr.
Water Right No. 1106-2

Dear Mr. Hauge:

This letter is in regard to your recent letter requesting forms for assignment of water rights. This office does not have a standard form for assignment of Water Rights, only a form for transfer of water rights. The transfer form deals with the property under new ownership after the deed has been passed. In this case, the water right is under contract for deed and no title has been passed.

If your office desires to draw up an Assignment to place in the Water Right, this will be satisfactory. State Statutes require that we charge a \$2.50 filing fee for all items filed in the water right. At such time as the land legally passes hands, a transfer can be executed.

Please advise this office as to your intentions on this matter.

Sincerely,

GENNY YOUNG
Staff Assistant

gy

Robert C. Bakewell, Jr.

802 Fair Circle

Pain Springs, California 92262

Telephone (619) 25-7875

August 17, 1986



State of South Dakota
Department of Water and Natural Resources
Water Rights Commission
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Gentlemen:

Will you please supply me with the necessary forms to report use of water under my Water Right Permit No. 1106-2.

John W. Holmes and Marjory L. Holmes have defaulted on the Contract for Deed and this Water Right Permit should now be in the name of Robert C. Bakewell, Jr., and Lois J. Bakewell, husband and wife.

I will appreciate your prompt response to this request.

Very truly yours,

Robert C. Bakewell, Jr.

Robert C. Bakewell, Jr.

RCB/ljb

P.S. Please advise if you have a form to be filed with your office to show the return of this Water Right Permit No. 1106-2 to Robert C. Bakewell, Jr., and Lois J. Bakewell, and if so, please supply me with a copy of same. If not, I would appreciate it if you would advise as to what you need to terminate the right of John W. Holmes and Marjory L. Holmes, other than this letter.

RCB

Water Rights Division - DWR
Conversation or File Documentation

File No. 1106-2

NAME OF PERSON OR FILE: Robert C Bakewell, Jr

ADDRESS: 802 Fair Circle, Palm Springs, CA 92262

COUNTY

DATE: September 2, 1986

TELEPHONE 619-325-7875

RE: transfer of water right

COMMENTS:

Mr. Bakewell had sent a letter to our office indicating that John and Marjory

Holmes had defaulted on the contract for deed and he wished the water right to

be transferred back to his name. I called and spoke with Mrs. Bakewell and

explained that the water right was already listed in her husband's name. A

transfer had been filed from Mr. Bakewell to Mr. Holmes a few years ago, but

was declared invalid. Due to a misunderstanding on my part, I thought the

water right should be transferred but found out that the lands did not actually

switch hands until the contract had been paid. Mrs. Bakewell stated she had

remembered when all that took place.

I told Mrs. Bakewell that although the water right was listed under Mr. Bakewell's

name, it had never legally been transferred to both their names and if she wanted

her name to appear on the water right, they would have to file a transfer notice.

She stated this was fine and we could go ahead and mail them the appropriate forms.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME:

Senny McMath

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

No. 1106-2

September 8, 1986

Robert C. Bakewell, Jr & Lois Bakewell
802 Fair Circle
Palm Springs, CA 92262

Dear Mr. & Mrs. Bakewell:

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

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

Please advise if you have any questions.

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Ecn.

DWNR-820A-8/83

Robert C. Bakewell, Jr.
802 Fair Circle
Palm Springs, California 92262
Telephone (619) 325-7875
October 30, 1986



Department of Water and Natural Resources
State of South Dakota
Division of Water Rights
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Attention: Maxine Stirling
Staff Assistant

Re: Notice of Transfer of Water Permit
License No. 1106-2

Dear Ms. Stirling:

Please find enclosed herewith the executed Notice of Transfer of Water Permit pertaining to the above indicated Water License No. 1106-2, along with my check in the amount of \$2.50.

Will you please see that this transfer is accomplished.

Very truly yours,


Robert C. Bakewell, Jr.

RCB/ljb
Encls.



NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: October 27, 1986

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

127 Acres - portions of land in Section 31, T6S, R1E described in Water

License No. 1106-2

formerly owned by Robert C. Bakewell Jr.

has been transferred to Robert C. Bakewell, Jr. and Lois Bakewell, 802 Fair Circle (viator-)
 (please include complete mailing address) Palm Springs CA 92262
 together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1106-2 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
) ss.
 County of Custer)

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

Robert C. Bakewell, Jr.
 (Signed)

Subscribed and sworn to before me this 27th Day of October, 1986.

1/1/92

[Signature]
 (Notary Public)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410611

Pierre, November 3, 1986

RECEIVED OF Robert C. Bakewell, Jr., 802 Fair Circle, Palm Springs, CA 92232

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____

Fee for Filing Transfer Form 1106-2 _____

Fee for Filing Extension Request _____

Fee for Certified Copy of _____

Fee for Print Copy of Map _____

Fee for Certifying _____

Fee for _____
(Any Other Work Provided by Law)

Total

2 50

2 50

By

Chief Engineer

JOHN HATDEN

Department of Water & Natural Resources

Joe Foss Building

Water Rights Division

Pierre, South Dakota 57501

Phone (605) 773-3352

November 21, 1986

Robert C. Bakewell Jr. & Lois Bakewell
802 Fair Circle
Palm Springs, California 92262

Dear Mr. & Mrs. Bakewell:

Enclosed is receipt No. 410611 in the amount of \$ 2.50 which
paid for transfer of Water Right No. 1106-2.

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

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

Department of Water & Natural Resources

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

February 8, 1989

CLARK ANDIS, LEASOR
BOX 560
BLACK HAWK, SD 57718

NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 1106-2. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of hearing to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LeCrosse, Rapid City SD.

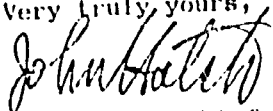
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s). 1106-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is received in this office before the March 1st hearing date, your name will be deleted from the agenda for the hearings.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

cc: Robert De'ewell
802 Fair Circle
Palm Springs CA 92262



SOUTH DAKOTA Department of
Water & Natural Resources

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

February 23, 1989

1106-2

Clark Andis
PO Box 560
Black Hawk, SD 57718

Dear Mr. Andis:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 1106-2. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaire your name has been deleted from the March Water Management Board meeting agenda.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

cc: Robert Bakewell, 802 Fair Circle, Palm Springs, CA 92262

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

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

March 23, 1990

1106-2

NOTICE

TO: Robert/Lois Bakewell
802 FAIR CIRCLE
PALM SPRINGS, CA 92262

FROM: *for* *Delvin D. Brosz*
JOHN HATCH, CHIEF ENGINEER
Water Rights Division
(605)773-3352

SUBJECT: Low Water Levels in Angostura Reservoir

The water level in Angostura Reservoir on March 6, 1990 was at 3171.1 feet above mean sea level (msl). This is approximately 16 feet below the full elevation of 3187.2 msl. The present estimates are that the Angostura Irrigation District will be able to deliver less than 50% of full service water to project lands during the 1990 irrigation season. We are contacting you to advise you of the actions we have taken due to the low water situation in Angostura Reservoir. Junior Water Right owners above Angostura have been ordered not to use water until Angostura fills.

Since your Water Right No. 1106-2 has a priority date that is senior to the April 11, 1941 priority for Angostura Irrigation Water Right No. 579-2, your permit is not directly affected by the Junior Priority Order. However, I am requesting that all Senior Water Right holders comply with any qualifications and limitations as stated on their water right. With the existing low runoff conditions, we expect to monitor all water rights above Angostura Reservoir.

I want to thank all Water Right Holders above Angostura for the cooperation that we have received up to this time. If you have any questions, please contact Del Brosz (605 773-3352).

MRS. ROBERT C. BAKEWELL, JR.

802 FAIR CIRCLE
PALM SPRINGS, CALIFORNIA 92262
(619) 325-7875

April 19, 1991



South Dakota Department of Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 5750-3181

1106-2

Gentlemen:

Will you please send me the necessary forms and information to transfer Water Right No. 1106-2, presently in the names of Robert C. Bakewell, Jr., and Lois Bakewell, 802 Fair Circle, Palm Springs, CA 92262.

Also, advise as to the cost of transferring same so that I may enclose my check with the Transfer

Sincerely,

Lois J. Bakewell
Lois J. Bakewell

Encl



DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 23, 1991

1106-2

Lois J Bakewell
602 Fair Circle
Palm Springs, CA 92262

Dear Mrs. Bakewell:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 1106-2.

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 46-5-30.3 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 me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

No. 1106-2

TO: Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, SD 57501-3181

Date: 5-2-91



I/We request that Water Permit/Right No. 1106-2

formerly owned by: Robert C Bakewell, Jr and Lois J Bakewell, 802 Fair Circle, Palm Springs, CA

be transferred to: (name & address) Lois J. Bakewell, 802 Fair Circle, Palm Springs, CA 92262 (telephone No. X(619)325-7875)

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

SE 1/4, E 1/4 NW 1/4, W 1/4 NE 1/4, SE 1/4 NE 1/4, NE 1/4 SW 1/4 Section 31, T6S, R1E (127 acres)

I/We understand that the validity of Water Permit/Right No. 1106-2 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 at the Division of Water Rights, 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 Custer)

I/We Lois J. Bakewell 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.

Lois J. Bakewell
(Signed)

Subscribed and sworn to before me this 2nd day of May, 1991.

[Signature]
(Notary Public)
my commission expires: 4/1/92

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 water 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.

Mrs. ROBERT C. BAKEWELL, JR.

802 FAIR CIRCLE

PALM SPRINGS, CALIFORNIA 92262

(619) 325-7975

May 3, 1991



Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, South Dakota 5750-3181

Attention: Genny McMath
Natural Resources Analyst

Re: Water Right #1106-2
Lois J. Bakewell

Dear Ms. McMath:

Please find enclosed herewith Notice of Transfer of Ownership of the above indicated water right, along with my check in the amount of \$2.50 for filing of same. When it has been filed, will you please advise.

A stamped, self-addressed envelope is enclosed for your convenience.

Sincerely,

Lois J. Bakewell
Lois J. Bakewell

Encls.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, May 7, 1991

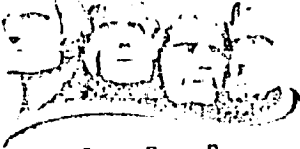
RECEIVED OF Lois J. Bakewell, 302 Fair Cir., Palm Springs, CA 92262

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	2	50
Fee for Filing Transfer Form _____ Water Right No. 1106-2		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	2	50

By [Signature]
Chief Engineer

South Dakota



GREAT FACES. GREAT PLACES.

June 26, 1991

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

No. 1106-2

Lois J. Bakewell
802 Fair Circle
Palm Springs, CA 92262

Dear Ms. Bakewell:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 1106-2.

Our records now show you as the owner of Water Right No. 1106-2.

Sincerely,

Cheryl F. Frost

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

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

CLARK ANGIS, LEASOR
BOX 560
BLACK HAWK SD 57719

NOTICE

RE: Violation of Requirement to Submit 1991 Irrigation Questionnaire

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 1106-2. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:15 am, March 4, 1992, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1106-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office before the March 4th hearing date, your name will be deleted from the Board agenda.

Very truly yours,

Ron Davall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

cc: Lois Bakewell, 802 Fair Circle, Palm Springs, CA 92262



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

March 2, 1992

1106-2

Clark Andis
% Ruth Laughtland
4117 W Main
Rapid City, SD 57702

Dear Mr. Andis:

I am writing to acknowledge receipt of your 1991 irrigation questionnaire for Water Right No. 1106-2. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaire was received prior to the Water Management Board meeting and your name was deleted from the agenda.

If you have any questions, please contact me at (605) 773-3352.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Natural Resources Analyst
Water Rights Division

cc: Lois Bakewell, 802 Fair Circle, Palm Springs, CA 92262

SENDER:

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

3. Article Addressed to:

CLARK ANDIS, LEASOR
BOX 560
BLACK HAWK, SD 57718

5. Signature (Addressee)

Clark Andis

6. Signature (Agent)

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

P906 557 629

4b. Service Type

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

7. Date of Delivery

1-31-92

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

SENDER:

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

3. Article Addressed to:

Lois Bakewell
102 Fair Circle
Palm Springs, CA 92262

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

P906 557 845

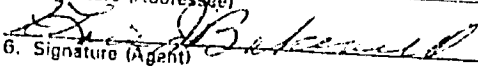
4b. Service Type

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

7. Date of Delivery

2-3-92

5. Signature (Addressee)



6. Signature (Agent)

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



1106-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-1101

December 30, 1992

No. 1106-2

Andersen Ranch Partnership
P.O. Box 252
Edgemont, SD 57735

Dear Sirs:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 1106-2. The water right is currently listed in the name of Lois J. Bakewell.

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 46-5-30.3 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 me.

Sincerely,

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

enclosure

(662-5500)

1-20-93: Keith Andersen called the office - he
is renting the land and does not own it.
Lease ownership as is, but send your
questionnaire to Andersen Ranch Partnership.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

November 8, 1995

1106-2

Todd Hauge
PO Box 552
Custer, SD 57730

Dear Mr. Hauge:

Enclosed, as you requested, is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change with Water Right No. 1106-2. The water right is currently listed in the name of Lois J Bakewell.

Please review the form for accuracy and make any necessary corrections. The form should be signed in the presence of a notary public by the "new owner". Once completed, please return the form to our office with a required filing fee of \$2.50.

If you have any questions concerning the transfer form, please contact me.

Sincerely,

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

enclosure

Fax: (605) 673-3376

Timothy J. Vander Heide

(1951-1991)

November 27, 1995

Chief Engineer
Water Rights Program, DENR
523 East Capitol
Pierre, South Dakota 57501-3181

RE: Water Right No. 1106-2

Dear Sir/Madam:

Enclosed please find the original executed Notice Of Transfer Of Ownership of the above-referenced Water Right. I ask that the same please be filed in your office as evidence of this change of ownership. I have also enclosed my check in the amount of \$2.50 for filing fee purposes.

It would be most appreciated if you would please write and confirm the receipt of the enclosed Notice and the transfer of ownership of the stated Water Right.

Sincerely,

TODD D. HAUGE

T'DH:dl

Enc.

cc: Lois J. Bakewell

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1105-2

Date: November 20, 1995



I/We request that Water Right No. 1106-2

formerly owned by: Lois J Bakewell

be transferred to: (name & address) Lois J. Bakewell, Trustee of the Lois J. Bakewell Trust,
802 Fair Circle, Palm Springs, CA, 92262 Telephone No. (619) 325-7875

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

SE¼, E¼NW¼, W¼NE¼, SE¼NE¼, NE¼SW¼ Section 31, T6S, R1E - 127 acres

I/We understand that the validity of Water Right No. 1106-2 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 at the Division of Water Rights, 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 CALIFORNIA)

County of RIVERSIDE)

I/We Lois J. Bakewell 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.

Lois J. Bakewell
Lois J. Bakewell

Subscribed and sworn to before me this 20th day of November, 19 95.



Carol Lee Cusumano
(Notary Public)

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

414686

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ November 28, 1995

RECEIVED OF Bakewell-Hauge & Vander Heide, P.O. Box 552, Custer, SD 57730-0552

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. _____		\$ 50
Fee for Filing Transfer Form _____ Water Right No. 1106-2		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	\$ 50

By

Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

January 2, 1996

No. 1106-2

Todd D. Hauge
Bakewell, Hauge & Vander Heide
Attorneys at Law
P.O. Box 552
Custer, SD 57730-0552

Dear Mr. Hauge:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 1106-2.

Our records now show Lois J. Bakewell, Trustee of the Lois J. Bakewell Trust, as the owner of Water Right No. 1106-2.

Sincerely,

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

enclosure

c: Lois J. Bakewell, 802 Fair Circle, Palm Springs, CA 92262

MRS. LOIS J. BAKEWELL
16730 East Inca Avenue
FOUNTAIN HILLS, ARIZONA 85268-4524
Telephone: (480) 836-4275
FAX NUMBER: 480-836-4275
e-mail: ljbakewell@AOL.com



May 18, 2001

CHIEF ENGINEER
WATER RIGHTS PROGRAM, DENR
523 E. Capitol
Pierre, South Dakota 57501-3181

Re: Water Right #1106-2

Dear Sir:

This is to advise that the above water right, owned by the Lois J. Bakewell Trust. Lois J. Bakewell, Trustee, 802 Fair Circle Palm Springs, California 92262, should now show the address for the trust as:

Lois J. Bakewell Trust
Lois J. Bakewell, Trustee
16730 East Inca Avenue
Fountain Hills, AZ 85268-4524

Will you please change your records to reflect the new address. If there is a form to make this change or a charge for this service, please advise.

Keith Andersen, Edgemont, South Dakota, is still leasing the property covered by this water right.

Sincerely,

Lois J. Bakewell
Lois J. Bakewell



June 3, 1999

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

1106-2

Keith Andersen
PO Box 252
Edgemont, SD 57735-0252

Dear Mr. Andersen:

Thank you for your phone call of June 2nd regarding water use as it relates to Water Right No. 1106-2.

Enclosed is a copy of the water right and copies of irrigation questionnaires you filed from 1992 through 1998. Prior to 1992, the questionnaires were mailed to Clark Andis (1986-1992). Prior to 1986 they were mailed to John Holmes. A brief review of questionnaires from 1983 through 1998 found the forms have always been returned in a timely manner.

The criteria for maintaining a water right includes placing water to beneficial use at least once every three years if water is available. I reviewed the information submitted on the annual irrigation questionnaires dating back to 1983. With the exception of 1985 and 1987, water has been continually applied to beneficial use.

I hope I have addressed your concerns. If you have any further questions, please get in touch with me.

Sincerely,

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

encl

1106-2

CAMPBELL LAW OFFICE
2630 JACKSON BOULEVARD, SUITE 201
RAPID CITY, SD 57702-3467

PHONE (605) 348-7763

FAX (605) 348-9721

EMAIL ken@taxcrew.com

July 14, 2006

KENNETH G. CAMPBELL
Attorney at Law

CYNDI GOETZE
Office Manager

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

Dear Sir:

Enclosed please find a Notice of Transfer of Ownership from the Lois J. Bakewell Trust to the Bakewell-Andis Ranch, LLP, a South Dakota Limited Liability Partnership along with my check in the amount of \$2.50 to cover the filing fee.

Thank you in advance for your assistance in this matter.

Sincerely yours,



Kenneth G. Campbell


Enclosures

401:water-rights.let

RECEIVED

JUL 17 2006

**WATER RIGHTS
PROGRAM**

SD EForm - 0495 V1 NOTICE OF TRANSFER OF OWNERSHIP

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

Water Right/Permit No. 1106.2

Date: June 27, 2006

I/We request that Water Right/Permit No. 1106.2 formerly owned by:

LOIS J. BAKEWELL TRUST

be transferred to:

New Owner Name: BAKEWELL-ANDIS RANCH, LLP

Address: 16730 EAST INCA AVENUE

City, State, Zip FOUNTAIN HILLS AZ 85268-4524 Telephone No. (480) 836-4275

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

127 ACRES IN CUSTER COUNTY, SD
SE1/4, E1/2NW1/4, W1/2NE1/4, SE1/4NE1/4, NE1/4SW1/4, of Section 31
Township Six (6) South, Range 1 East BHM, Custer County, South
Dakota.

☒ I understand that the validity of Water Right/Permit No. 1106.2 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 Two Dollars and Fifty Cents (\$2.50) is included to cover the filing fee as required by SDCL 46-2-13.

I, BAKEWELL-ANDIS RANCH, LLP, the new owner, certify that the above information is true and correct.

X Bakewell-Andis Ranch, LLP
(Signed by new owner)
Lois J. Bakewell, Partner

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date July 17, 20 06

RECEIVED OF Kenneth G Campbell, 2630 Jackson Blvd Suite 201, Rapid City SD 57702

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	2.50	
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>1106-2</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. _____	2.50	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

02511-

By

Darland Ebel
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 18, 2006

1106-2

Lois J Bakewell, Partner
Bakewell-Andis Ranch LLP
16730 E Inca Avenue
Fountain Hills AZ 85268-4524

Dear Ms. Bakewell:

I am writing to acknowledge receipt of the ownership change filed for Water Right No. 1106-2. The transfer has been completed. The water right, formerly listed in the name of Lois J Bakewell Trust is now listed in the name of Bakewell-Andis Ranch LLP.

The receipt for the filing fee is being forwarded to Campbell Law Office with a copy of this letter.

If I can answer any questions for you, please contact me.

Sincerely,

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

c: Kenneth G Campbell, Campbell Law Office w/Receipt No. 02511

RECEIVED

FEB 26 2008

WATER RIGHTS
PROGRAM

MRS. LOIS J. BAKEWELL
16730 East Inca Avenue
FOUNTAIN HILLS, AZ 85268-4524
TELEPHONE: 480-836-4275
CELL PHONE: 480-628-7875
FAX: 480-836-4275

February 23, 2008

DEPARTMENT OF WATER & NATURAL RESOURCES-WATER RIGHTS DIVISION
JOE FOSS BUILDING
523 East Capitol
Pierre, South Dakota 57501-3181

ATTENTION: CHIEF ENGINEER

Dear Sir:

Re: Water Right No. 1106-2
Lois J. Bakewell

Will you please supply me with the form for the
"Notice of Transfer of Ownership" for the above water
right. Also, will you please advise as to the cost of same
and any other fees there might be.

My former address was:

Lois J. Bakewell
802 Fair Circle
Palm Springs, CA 92262

Please note my new address, which is:

Lois J. Bakewell
16730 East Inca Avenue
Fountain Hills, AZ 85268-4524

A stamped, self-addressed envelope is enclosed
for your reply.

Thank you for your prompt attention to this
request.

Sincerely,

Lois J. Bakewell
Lois J. Bakewell

Encl.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 26, 2008

1106-2

Lois J Bakewell
16730 East Inca Ave
Fountain Hills AZ 85268-4524

Dear Ms. Bakewell:

I am writing to acknowledge receipt of your letter concerning the pending ownership change of Water Right No. 1106-2.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. The form will need to be completed and signed by the new owner. Once the form is completed, please return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

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