

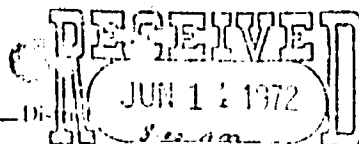
11-869-72
9-647-72

Water Right Number 1114-2

1. Considered JULY 12, 1972
2. Name of Applicant ARNOLD CATTLE COMPANY
3. Post Office Address NENZEL, NEBRASKA
4. Amount of Water claimed 1.29
5. Source of Water supply GROUND WATER
6. Water to be used for IRRIGATION
Acres to be irrigated 90.00
7. Water to be diverted and used in TODD County
about 20 W. 17 S. miles 1 of MISSION
8. Proof of Publication Received 1ST
Not Received _____
9. Application Approved _____
Subject to P. OF PUB.
Not Approved _____
Action Deferred _____

10. Remarks



Map No. 476-2Water Division No. 2 LITTLE WHITE RIVER

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

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA**APPLICATION FOR PERMIT**

To change a portion of the source of water, to change a portion of the lands to be irrigated and to add a point of diversion, to Water Right No. 475-2-See Attached Statement.

To Appropriate Water within the State of South Dakota

(NOTE-Draw a line through items not applicable)

1. Name of Applicant Arnold Cattle Company
 Post-office address Nenzel State Nebraska
 if a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Arnold Cattle Company Irrigation Project
4. Amount of water claimed (cubic feet per second) 1.29
5. Source of water supply ground water
6. Location of point of diversion 150 feet north and 150 east of the center of the SE $\frac{1}{4}$ of Section 25, T36N. R32W
- County Todd
7. Annual period or periods during which water is to be used April through October
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 90

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.	All in Land Description	No. Acres Irr.
NW $\frac{1}{4}$ SE $\frac{1}{4}$	20	Sec. 25, T36N, R32W	
NE $\frac{1}{4}$ SE $\frac{1}{4}$	31		
SE $\frac{1}{4}$ SE $\frac{1}{4}$	23		
SW $\frac{1}{4}$ SE $\frac{1}{4}$	16		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 years. Additional time required to complete application of water to the proposed beneficial use 1 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Todd County Tribune
12. Principal Features of the Proposed Water Supply System
- A. Works proposed to divert water from its natural source.
Well, 98 feet deep with 18 inch diameter casing
Turbine pump
Electric motor
- B. Works proposed to transport water to place of use.
Short length of aluminum main line
- C. Works proposed to apply water to beneficial use
Center pivot circular sprinkler system

Estimated Total Cost \$ 20,000.00

Attachment 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 Todd

I, Edward A. Arnold, 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 Edward A. ArnoldSubscribed and sworn to before me this 12 day of July, 1972_____
(Notary Public for other qualified officers)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1114.2

ARNOLD CATTLE COMPANY

NENZEL

(Applicant)

(Post Office Address)

NEBRASKA

With the following modifications:

The irrigation well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

Date of first receipt of application JUNE 14 19 72

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

Date of receipt of corrected application --- 19 ---

Approved JULY 12 19 72 Recorded in Book 12 Page 132

WATER RIGHT PERMIT NO. 1114.2

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1114-2 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 a senior claim right is MARCH 25 19 58
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 12 19 73
3. The whole of said work is to be completed on or before JULY 12 19 73
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 12 19 74
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 1.29 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 JULY 12 19 74; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 17TH day of JULY 19 72

WATER RESOURCES COMMISSION

By:

XOO Brimer
Chief Engineer Executive Officer

Certificate of Construction Issued JULY 28 19 72

Water License Issued JULY 28 19 72

Attached Statement by Arnold Cattle Company

Water Right No. 475-2 entitles Arnold Cattle Company to irrigate 593 acres of land by diversion of water from Spring Creek.

This water right proposes that the water right be severed from the following described 195 acres of land;

Section 4, T35N, R32W	Acres	Section 5, T35N, R32W	Acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$	7	NW $\frac{1}{4}$ SW $\frac{1}{4}$	25
NE $\frac{1}{4}$ SW $\frac{1}{4}$	12	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40
NW $\frac{1}{4}$ SE $\frac{1}{4}$	35	NW $\frac{1}{4}$ SE $\frac{1}{4}$	15
SW $\frac{1}{4}$ SE $\frac{1}{4}$	3	SW $\frac{1}{4}$ SW $\frac{1}{4}$	28
		SE $\frac{1}{4}$ SW $\frac{1}{4}$	23
		SW $\frac{1}{4}$ SE $\frac{1}{4}$	7

and that this water right be transferred to the following described 90 acres of land in Section 25, T36N, R32W.

	Acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$	20
NE $\frac{1}{4}$ SE $\frac{1}{4}$	31
SW $\frac{1}{4}$ SE $\frac{1}{4}$	23
SW $\frac{1}{4}$ SE $\frac{1}{4}$	16

This water right application further proposes that the source of water for the proposed 90 acres be changed from Spring Creek to ground water and that a new diversion point, being a point 150 feet north and 150 feet east of the center of the SE $\frac{1}{4}$ of Section 25, T36N, R32W, be added.

Edna M. Arnold
Signature

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

(1) Drill Hole, Diameter 36 inches, Depth 98 feet
(2) Casing, Type Concrete Diameter 18" I.D. Thickness _____
(wood, concrete, steel, etc)
(3) Perforated Screen,
Type Concrete, Diameter _____, Length _____
(4) Gravel Pack, Thickness 5 inches, Length of gravel pack _____

E. Dugout Information or Estimates.

(1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials _____
Mostly fine sand to bottom of well

Depth to top of water bearing material 4 feet

Depth to bottom of water bearing material 98 feet

Thickness of water bearing material 94 feet

Depth to water (ground surface to water level) 10 feet

(2) Distance to nearest existing household or livestock watering wells.

On same owner's property 170 rds. On property owned by others 240 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Edward M. B. Smith, Jr.
Signature of Applicant

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1114-2

(1) WHEREAS, On the 14th day of June A. D. 19 72
Arnold Cattle Company

made Water Right Application No. 1114-2 for a permit to use 1.29 cubic feet per second of the waters
of ground water

County of Todd State of South Dakota, for Irrigation
purposes; and

(2) WHEREAS, On the 17th day of July A. D. 19 72

Permit No. 1114-2, with a date of priority of March 25, 1958

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 12th day of July A. D. 19 72 and for the
application to beneficial use of said water on or before the 12th day of July 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 1.29 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 Section 25, T36N, R32W

<u>NW$\frac{1}{4}$ SE$\frac{1}{4}$</u>	<u>20 acres</u>
<u>NE$\frac{1}{4}$ SE$\frac{1}{4}$</u>	<u>31 acres</u>
<u>SE$\frac{1}{4}$ SE$\frac{1}{4}$</u>	<u>23 acres</u>
<u>SW$\frac{1}{4}$ SE$\frac{1}{4}$</u>	<u>16 acres</u>
<u>Total</u>	<u>90 acres</u>

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

Arnold Cattle Company

_____ of _____

Nenzel, Nebraska

the holder _____ and owner _____ of said permit No. 1114-2 a water right, dating from March 23, 1958

_____ to use of 1.29 cubic feet per second of the waters of ground water

in the County of Todd and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 150' North and 150' East of the Center of the SE $\frac{1}{4}$, Section 25, T26N, R32W

and conduct to and upon _____ portions of Section 25, T26N, R32W, more fully described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1114-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 29th day of July A. D.
Nineteen Hundred and Seventy-two

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer J.W. GRIMES

Form 15.

Permit No. 1114-2

Water Diversion No. 2 LITTLE WHITE RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Arnold Cattle Company

_____ the holder _____ of
Permit No. 1114-2, issued upon Application No. 1114-2, bearing date of priority of March 25, 1958
_____ authorizing the diversion of 1.29 cu. ft. per second of the waters of _____
ground water County of Todd State of South Dakota at _____
a point 150' North and 150' East of the Center of the SE $\frac{1}{4}$, Section 25,
T36N, R32W

_____, for irrigation

_____ purposes, has ^B 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 1.29 cu. ft. per second of water.

Date July 28, 1972

WATER RESOURCES COMMISSION

By:

J.V. GRIFFS, Executive Officer

Publish first publication, on or before June 15, 1972

**NOTICE
INTENT TO APPROPRIATE WATER**

**Pierre, South Dakota
June 12, 1972**

Notice is hereby given that Arnold Cattle Company whose post office address is Nenzel, Nebraska, has made an application in accordance with the provisions of the water law of South Dakota for a permit to change a portion of the lands to be irrigated, to change the source of water and to change the diversion point, and to appropriate for beneficial use 1.29 cubic feet of water per second of time from ground water through the Arnold Cattle Company Irrigation Project, the point of diversion of which is to be located in the NE 1/4 SE 1/4, of Section 25, T36N, R32W. Said water to be used for the purpose of providing irrigation on a portion of the following described land:

SE 1/4, Section 25, T36N, R32W.

This application No. 1114-2 will be considered by the Water Resources Commission at their office at Pierre upon the 12th day of July, 1972, at 2:00 P.M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

**BURTON F. JONES
Water Rights Specialist**

cc: Arnold Cattle Company, Nenzel, Nebraska 69219

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

No. 1114-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Todd) ss.

I, Judy Parker hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Todd County Tribune.

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

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

June 15, 1972

June 22, 1972

June 29, 1972

July 7, 1972

Judy Parker
(Signature)

Borkhous
(Title)

July 17, 1972
(Date Signed)

NOTICE

**INTENT TO
APPROPRIATE WATER**

Pierre, South Dakota
June 12, 1972

Notice is hereby given that Arnold Cattle Company whose post office address is Nenzel, Nebraska, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to change a portion of the lands to be irrigated, to change the source of water and to change the diversion point, and to appropriate for beneficial use 1.29 cubic feet of water per second of time from ground water through the Arnold Cattle Company Irrigation Project, the point of diversion of which is to be located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, T36N, R32W. Said water to be used for the purpose of providing irrigation on a portion of the following described land:

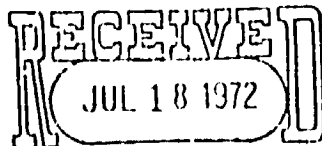
SE $\frac{1}{4}$, Section 25, T36N R32W.

This application No. 1114-2 will be considered by the water Resources Commission at their office at Pierre upon the 12th day of July, 1972, at 2:00 p.m. All interested persons may appear and be heard.

Water Resources Commission
Burton F. Jones

Water Rights Specialist

Publ: June 15, 22, 29, July 7.



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Permit No. 1114-2Water Division 2 LITTLE WHITE RIVER Water District

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

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

I have this day made a thorough examination of the water use system constructed by Arnold Cattle Co.
of Nenzel, Nebraska holder

of Permit No. 1114-2, bearing date of priority of March 25, 19 58
authorizing the diversion of 1.29 cu. ft. per second of the waters of ground water
for irrigation purposes, in Toe 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:
Well 98 feet deep, cased with 18 inch diameter concrete casing
Western Land Roller pump - 5 inch
G.E. Electric motor - 50 H.P.

B. Works used to transport water to place of use,
Short section of pipe between well and center pivot of circular sprinkler system.

C. Works used to apply water to beneficial use.

"Valley" water drive circular sprinkler system

The system is in the following condition: Excellent

The point of diversion is located 150 feet north and 150 feet east of Center of SE $\frac{1}{4}$,
Section 25, T36N, R32W

The works are capable of diverting and conveying to the place of use 1.29
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 25, T36N, R32W

NW $\frac{1}{4}$ SE $\frac{1}{4}$	20 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$	31 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$	23 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$	16 acres

comprising a total of 90 acres of land.Date July 25, 1972

Donald Driscoll
(Signature)

DONALD DRISCOLL, Deputy Chief Engineer, W.R.C.

1097-2 & 1114-2

August 10, 1972

Mr. Webster Two Hawk, President
Rosebud Sioux Tribe
Rosebud Indian Reservation
Rosebud, South Dakota 57570

Dear Mr. Two Hawk:

Your letter of July 12, 1972 states; "PROTEST CONSIDERATION OF WATER RIGHT APPLICATION NO. 1097-2 and 1114-2 TO ARNOLD CATTLE COMPANY ON GROUNDS THAT IT WILL DAMAGE INDIAN WATER RIGHTS AND THAT S.D. WATER RESOURCES COMMISSION WITHOUT AUTHORITY TO ISSUE WATER RIGHTS ON THE ROSEBUD INDIAN RESERVATION"

Water Applications 1097-2 and 1114-2 were approved by the Water Resources Commission on July 13, 1972, both containing the following qualification:

"The irrigation well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells."

The Water Resources Commission is a state agency and as such operates under state law. Under state law the Water Resources Commission has an obligation to accept and approve water right applications where water is available. The Commission also has an obligation to protect existing water users. The action of the Commission in its approval of Water Right Applications 1097-2 and 1114-2 with qualification as noted complies with these requirements and such action under such circumstances is mandatory on the Commission.

Your expression of your viewpoint and your representation at the July 1972 meeting of the Water Resources Commission is appreciated.

Sincerely,

J. L. GRIMES

JWG/DD/bw

Form 20.

NOTICE OF TRANSFER OF WATER PERMIT

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

Date: _____

No. 1114



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

formerly owned by Arnold Corp & Ed Arnold
has been transferred to L & W Ranch, a partnership
together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. _____ as provided for in Section 61.0127 of the 1960
Supplement to the South Dakota Code of 1939.

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

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939..

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

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

Tom Peck, Corp
(Signed)

Subscribed and sworn to before me this 13th day of July

1977.

Mary Croxson
(Notary Public)



Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3161

Water Rights Division
605 773-3352

June 27, 1984

475-2
477-2
1097-2
1114-2

Reynolds Ranch Co.
Nenzel NE 69219

Dear Sirs:

This letter is in regard to Water Right Nos. 475-2, 477-2, 1097-2 and 1114-2 listed in the name of T & W Ranch Partnership. The Register of Deeds Office has indicated to us that you now own the lands covered under the above listed water rights.

Enclosed please find partially completed transfer forms. Please check over, date and sign before a notary. The forms should then be returned to this office with a \$2.50 filing fee for each one, total of \$10.00. Upon receipt of the transfer forms and filing fee, the water rights will then be transferred to Reynolds Ranch Co.

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.

Also enclosed are the 1983 Irrigation Questionnaires pertaining to Water Right Nos. 475-2, 477-2, 1097-2 and 1114-2. If you acquired the land before the 1983 irrigation season, please complete the forms and return them along with the transfer forms.

If you have any questions, please contact us. Your assistance in this matter will be appreciated.

Sincerely,

GENNY MCMATH
Natural Resources Analyst

GM:ks

encl.

Equal Opportunity Employer

NO. 1114-2

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 7-26-84

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

90 acres - SE 1/4 Section 25, T36N, R32W

formerly owned by T & W Ranch Partnership

has been transferred to Reynolds Ranch Co. Henzel NE 69219

(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1114-2 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.

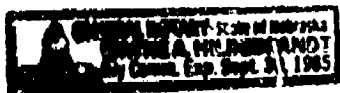
A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Todd) ss.

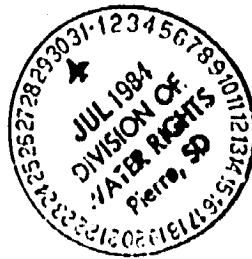
I, Reynolds Ranch Company being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Don B. Reynolds Jr. Pres.
(Signed)

Subscribed and sworn to before me this 26th Day of July, 1984.



Raymond A. Henderson
(Notary Public)



RECEIPT

Division of Water Rights

No 4 9721

South Dakota Department of Water and Natural Resources

Pierre, July 30, 1934

RECEIVED OF Reynolds Ranch Co., Menard, NE 69219

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 1114-2 _____	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By

Chief Engineer

JOHN HATCH (ms)

No. 475-2
477-2
1097-2
1114-2

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 Phone (605) 773-3352

August 1, 1984

Reynolds Ranch Co.
Nenzel, Nebraska 69219

Dear Sir:

4-9724, 4-9723

Enclosed is receipt Nos 4-9722, 4-9721 in the amount of \$2.50 each which you paid for transfer of Water Right Nos 475-2, 477-2, 1097-2 & 1114-2.

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

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

1114-2

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

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

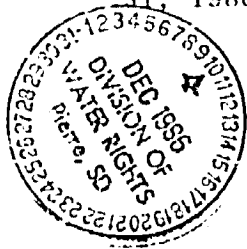
December 3, 1986

Reynolds Ranch Co.
PO Box 26
Nenzel NE 69219

Dear Sir:

The 1986 Irrigation Water Use Questionnaires as returned by you were not completed.

Actual irrigation water use for 1986 needs to be reported on the questionnaires. Except for the "Water Used" column, all other information needs to be provided. Please complete the enclosed questionnaires as accurately as possible and return by December 31, 1986.



Very truly yours,

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

JH:ks

enclosures

*We have given all the information
we have. I have no idea how many
days used or how much pumped.*

*We just turn them on when the
crop needs it! Have only 2 sprinklers left.
KLR*

Equal Opportunity Employer

Water Rights Division - DWR
Conversation or File Documentation

File No. 475-2

477-2

1097-2

1114-2

NAME OF PERSON OR FILE: Reynolds Ranch Company

ADDRESS: COUNTY Todd

DATE: January 15, 1988 TELEPHONE

RE: irrigation questionnaires for 1984

COMMENTS:

The 1984 irrigation questionnaires for Reynolds Ranch Company were found in some old files and apparently were not microfilmed with the rest of the 1984 questionnaires. Since the questionnaires can no longer be filmed on the end of the microfilm roll for 1984, this documentation is being placed in the permit files to reflect that the questionnaires were returned for Reynolds Ranch Company in 1984.

All four of the questionnaires were marked "no irrigation".

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.

4/82

NAME:

Senay McNaught

1114-2

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

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

October 8, 1987

NOTICE TO SUBMIT IRRIGATION QUESTIONNAIRE

475-2
REYNOLDS RANCH COMPANY
PO BOX 26
MENZEL
NE 69219

TD/WH

0

The 1987 Irrigation Water Use Questionnaire(s) and a postage paid return envelope are enclosed. Water Management Board Rules or water permit qualifications require the Irrigation Questionnaire(s) to be submitted each year. Please complete the enclosed questionnaire(s) as accurately as possible and return by November 30, 1987.

If you have multiple permits, you may receive more than one questionnaire. If you are unable to complete the questionnaire for each water permit or water right, complete one and return all questionnaires. Make any necessary corrections to your mailing address. If you no longer own the land irrigated under a water permit or water right include the new owner's name and mailing address on the bottom of the questionnaire(s).

Actual irrigation water use from an aquifer or stream helps the Board determine if additional water permits can be approved. Returning the questionnaire also establishes a record of water use, and provides excellent documentation of South Dakota's rights and claims to water when dealing with downstream States.

If you have any questions, or need assistance in completing the form, please contact us.



For the Water Management Board,

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



enclosure *ins* —

*We have 2 center pivot sprinkler systems.
I don't know which of these sheets apply to them.
The systems are Valley Electrics. One is 60
acres, the other is 150 acres. The 60 is in corn, the
150 is in alfalfa. I have no idea how much water when
water was used. They were not water needed.
All in Riverdale.*

SOUTH DAKOTA
Department of
Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

October 22, 1987

Don B. Reynolds, Jr.
Reynolds Ranch Company
P.O. Box 26
Nenzel, Nebraska 69219

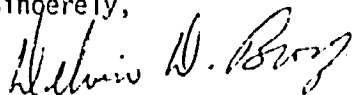
Dear Mr. Reynolds:

I am returning your 1987 Irrigation Water Use Questionnaires. As stated in the October 8th letter, Water Management Board Rules or water permit qualifications require questionnaires to be submitted each year.

The questionnaires will have to be completed and returned. The statements in your letter do not provide the data that is required. Copies of your permits were sent to you last year. From these copies you should be able to determine which permits apply to which systems.

if you have any questions, please contact me.

Sincerely,



Delvin D. Brosz, P.E.
Hydrologist

DDB:mz
Enc.



Could you give us the legal description for each questionnaire. We could probably give you an estimate. You sent four forms, we have only two systems.

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

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

November 23, 1987

Don B Reynolds, Jr.
Reynolds Ranch Co
PO Box 26
Nenzel, NE 69219

Dear Mr. Reynolds:

Enclosed is your 1987 Irrigation Water Use Questionnaires. I have typed the legal description of the land covered under each water right underneath the label in the upper left part of each questionnaire.

You indicated in your November 19, 1987 response to us that you only have two systems. I have returned all four questionnaires to you. Please indicate on the questionnaires which systems you no longer have.

Complete the questionnaires as accurately as possible and return them to our office by December 15, 1987. If you need assistance in completing the forms, please contact me.

Sincerely,

Genny McNath

GENNY MCNATH
Natural Resources Analyst

enclosures



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3101

December 21, 1987

Don B. Reynolds, Jr.
Reynolds Ranch Company
P.O. Box 26
Nenzel, Nebraska 69219

Dear Mr. Reynolds:

As stated in my letter of October 22, 1987, Water Management Board Rules require irrigation questionnaires to be submitted each year for your irrigation water rights.

Since you are unable to provide the required 1987 data, the questionnaires will be filed as such. You will need to make sure to keep the necessary records during the 1988 irrigation season and all future seasons so as to be able to complete the questionnaires. In the future, if the required data is not provided on the questionnaires your water right will be scheduled for a hearing before the Water Management Board. The Board may amend the water rights or suspend them.

You did indicate that some of the Water Rights were no longer being used. South Dakota Water Rights Laws state that a water right that has not been used for three years and water was available is no longer valid. If some of the Water Rights are no longer being used please let me know and I will schedule an inspection of your Water Rights.

Sincerely,

Delvin D. Brosz, P.E.
Hydrologist

DDB:ms

 **Department of
Water & Natural Resources**

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

February 14, 1989

475-2
477-2
1097-2
1114-2

John Pitkin
Box 92
Nenzel, NE 69219

Dear Mr. Pitkin:

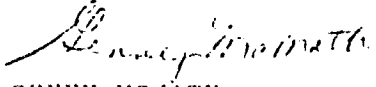
In followup to our telephone conversation, enclosed are partially completed "Notice of Transfer" forms for use in filing ownership changes on Water Right Nos. 475-2, 477-2, 1097-2 and 1114-2. The water rights are currently listed in the name of Reynolds Ranch Company.

The forms should be completed and signed by the new owner in the presence of a notary public. Upon completion of the forms, return them to our office with a required filing fee of \$2.50 each (total of \$10.00).

South Dakota Water Law 4C-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact us.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



 **Department of
Water & Natural Resources**

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

February 8, 1989

DON B. REYNOLDS
REYNOLDS RANCH CO
PO BOX 26
NENZEL, NE 69219

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). 475-2, 1114-2, 1097-2, 477-2. 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 LaCrosse, Rapid City SD.

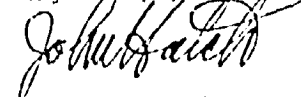
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s). 475-2, 1114-2, 1097-2, 477-2 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



 **Department of
Water & Natural Resources**

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

March 7, 1989

475-2
477-2
1097-2
1114-2

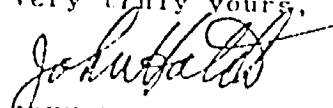
Allan Day
% John Pitkin
Box 92
Nenzel, NE 69219

Dear Mr. Day:

I am writing to acknowledge receipt of the 1988 irrigation questionnaires for Water Permit Nos. 475-2, 477-2, 1097-2 and 1114-2. The above permits are currently listed under the name of Reynolds Ranch Company. Since the questionnaires were received prior to the March Water Management Board meeting they were deleted from the agenda pertaining to the hearing.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

NO. 1114-2

NOTICE OF TRANSFER OF WATER PERMIT

Date: March 13, 1989

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

90 acres - SE 1/4 Section 25, T36N, R32W

formerly owned by Reynolds Ranch Co

has been transferred to Rex Ranch Box 92 Nenzel, NE 69219

(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1114-2 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)
County of Todd) ss.

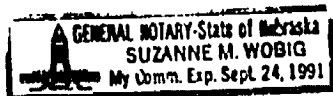
I, John Pitkin being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Rex Ranch

John Pitkin

(Signed)

Subscribed and sworn to before me this 13th Day of March, 19 89



Suzanne M. Wobig
(Notary Public)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

A11024

Pierre, March 20, 1939

RECEIVED OF Rex Ranch (John Pitkin), Box 92, Nenzel, NE 69210

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right Permit No. 1114-2</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fees for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch/mra
Chief Engineer John Hatch/mra

 **Department of
Water & Natural Resources**

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

May 2, 1989

475-2

477-2

1097-2

1114-2

John Pitkin
Rex Ranch
Box 92
Nenzel, NE 69219

Dear Mr. Pitkin:

Enclosed are Receipt Nos. 411694, 411695, 411696, and 411697 in the amount of \$2.50 each which you paid for transfer of Water Right Nos. 1114-2, 1097-2, 477-2, and 475-2.

Our records do not reflect you as the owner of this Water Right.

Sincerely,

Marie R. Arthur

MARIE R. ARTHUR
Secretary
Water Rights Division
(605) 773-3352

enclosure



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

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

February 9, 1990

JOHN PITKIN - REX RANCH
BOX 92
NENZEL, NE 69219

NOTICE

RE: Violation of Requirement to Submit 1989 Irrigation Questionnaire

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 475-2, 1097-2, 1114-2, 477-2. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted 1989 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Jefferson-Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

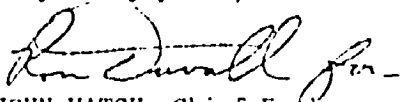
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 475-2, 1097-2, 1114-2, 477-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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 received in this office before the March 7th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,



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

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

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

February 23, 1990

475-2
477-2
1097-2
1114-2

John Pitkin
Rex Ranch
Box 92
Nenzel ND 69219

Dear Mr. Pitkin:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit Nos. 475-2, 477-2, 1097-2 and 1114-2. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

Ron Duvall
RON DUVALL
Natural Resources Engineer
Water Rights Division



1114-2

DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 1, 1991

JOHN PITKIN - REX RANCH
BOX 92
NENZEL NE 69219

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 475-2, 477-2, 1097-2, 1114-2. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre 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(s), the Water Management Board can:

1. Amend Permit No(s) 475-2, 477-2, 1097-2, 1114-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

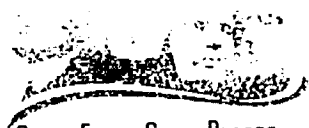
The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided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

If the questionnaire(s) is received in this office before the February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,

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

South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 21, 1991

1114-2

475-2
477-2
1097-2
(1114-2)

John Pitkin
Rex Ranch
Box 92
Nenzel, NE 69219

Dear Mr. Pitkin:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires for Water Right Nos. 475-2, 477-2, 1097-2 and 1114-2. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaires, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division

1. **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional services requested.

1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge)	2. ☐ Restricted Delivery (Extra charge)
3. Article Addressed to: JOHN PITKIN - REX RANCH BOX 92 NENZEL NE 69219	4. Article Number P694 057 476
	Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise
5. Signature - Addressee X <i>John Pitkin</i> <i>Rex Ranch</i>	Always obtain signature of addressee or agent and DATE DELIVERED.
6. Signature - Agent X	8. Addressee's Address (ONLY if requested and fee paid)
7. Date of Delivery 2-21-91	

PS Form 3811, Apr. 1989

U.S.G.P.O. 1983-218-815

DOMESTIC RETURN RECEIPT

1114-2



January 27, 1992

JOHN PITKIN - REX RANCH
BOX 92
NENZEL NE 69219

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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) 475-2, 477-2, 1097-2 & 1114-2. 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) 475-2, 477-2, 1097-2 & 1114-2 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 Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352



1114-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 9, 1992

NOTICE OF AMENDMENT TO WATER PERMIT(S)

TO: JOHN PITKIN - REX RANCH
BOX 92
NENZEL, NE 69219

FROM: Ron Duvall, Natural Resources Engineer IV
Water Rights Division
(605) 773-3352 *R. Duvall*

SUBJECT: Amendment to Water Permit No(s). 475-2, 477-2,
1097-2 & 1114-2

Pursuant to the provisions of the Notice dated January 27, 1992, and following the hearing March 4, 1992, the Water Management Board has amended Water Permit No(s). 475-2, 477-2, 1097-2 & 1114-2 to add the following qualification:

"This permit is subject to the Irrigation Water Use Questionnaire being submitted each year."

The addition of this qualification to your Permit means that failure to submit future irrigation questionnaires could result in suspension of the water permit and no use of water for up to one year for the first violation.



1114-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JOHN PITKIN - REX RANCH
BOX 92
NENZEL NE 69219

NOTICE

RE: Violation of Water Permit No(s) 475-2 & 1114-2

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 475-2 & 1114-2. The request for the Questionnaire was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 475-2 & 1114-2 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Ave, Lead, 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 475-2 & 1114-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before April 1, 1994, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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

1114-2



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

March 9, 1994

NOTICE

TO: JOHN PITKIN - REX RANCH
BOX 92
NENZEL, NE 69219

FROM: Ron Duvall, Natural Resources Engineer IV
For John Hatch, Chief Engineer,
Water Rights Division
(605) 773-3352

SUBJECT: April 6, 1994 Water Management Board Meeting --
Irrigation Questionnaire Violation(s)
RE: 475-2 & 1114-2,

On February 16, 1994, a notice was sent to you concerning submission of the 1993 irrigation questionnaire(s). The time and location of the April 6th hearing have been changed.

The hearing is now scheduled as follows:

9:30 a.m., April 6, 1994, in the Conference Room of
the Floyd Matthew Training Center, Joe Foss Building,
523 E Capitol, Pierre, SD.

All other provisions of the February 16th notice still apply. If the questionnaire(s) are received in this office prior to April 1, 1994, your name will be deleted from the agenda.

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

CERTIFICATION

I hereby certify that on March 9, 1994, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 9, 1994, regarding April 6, 1994, Water Management Board Meeting -- Irrigation Questionnaire Violation(s) on the following Water Rights/Permits and addresses as stated below:

- 2709-3: Alex A./Ann L. Falk, 1301 N. 4th St., Aberdeen, SD 57401.
 2763-3 & 4281-3: Alfred LaCroix, Jr., RR 1, Box 350, Jefferson, SD 57038.
 5238-3 & 2520-3: B. Delcris Jensen, RR 2, Box 107, Beresford, SD 57004-9578.
 2534-3: Barry Imsland, RR 2, Box 26, Conde, SD 57434.
 1677A-3: Burnett Quam, RR 1, Box 222, Elk Point, SD 57025.
 1814-3: Caroline & Garry S. Kerkvliet, RFD 2, Box 145, Castlewood, SD 57223.
 4773-3 & 1880-3: City of Brookings, Theodore Kryger, F.O., P.O. Box 270, Brookings, SD 57006-0270.
 180-3 & 291-3: Craig Flyger, RR 1, Box 22, Parker, SD 57053.
 1076-2, 1236-2 & 2167-2: Dale Heese, HCR 88, Box 36, Millboro, SD 57580-7417.
 1488-2: Dan Donelan, HCR 33, Box 23, Mission Ridge, SD 57532.
 417-1A & 417-1B: Darrell C. Anderson, 1700 Kings Rd., Rapid City, SD 57702.
 540-2: Darrell E. Heldman, Box 402, Edgemont, SD 57735.
 1503-2: Dave Hemmingson, HCR 3, Box 11, Philip, SD 57567.
 792-1: David L. & Mary Lou Mollman, HC 63, Box 62, Ludlow, SD 57755.
 4093-3: Dell Rapids Golf & Rec Assoc, Mike Solem, Box 165, Dell Rapids, SD 57022.
 2394-3 & 2395-3: Dennis Jones, RR 1, Box 55, Bath, SD 57427.
 1275-2: Donald Kaiser, HCR 89, Box 303, Hermosa, SD 57744.
 1556-3: Ed & Dale Fawcett, Inc., Box 3D, Ree Heights, SD 57371.
 1555-3: Ed & Dale Fawcett, Inc., HCR 64, Box 155, Miller, SD 57362.
 2622-3: Evelyn Bernard, RR 1, Box 35, Jefferson, SD 57038.
 526-2: Fred & Dan McFarland, P.O. Box 2110, Rapid City, SD 57709.
 1390A-1: Fred W. Carlson, 716 10th Ave., Belle Fourche, SD 57717.
 3026-3: G. Waldner, Hillcrest Colony, Box 17, Garden City, SD 57236.
 1291-3 & 2474-3: Gary Hanson, Operator, RR 2, Box 224, Elk Point, SD 57025.
 407-2, 408-2 & 409-2: Gerrit DeJong, HCR 81, Box 50, Kennebec, SD 57544-9503.
 4209-3: Harold Nelson & Son, RR 2, Box 156, Yankton, SD 57078.
 5315-3: Hillcrest Golf/Country Club, T. Cihak, President, 2206 Mulberry, Yankton, SD 57078.
 2595-3 & 4379-3: James B. Zell, Rt 1, Box 350, Cavour, SD 57324.
 4687-3A & 4687-3B: James L. Sutton, Box 33, Onida, SD 57564.
 5203-3: Jeffery O. & Sally J. Nelson, RR 2, Box 2080, Brandon, SD 57005-9606.
 475-2 & 1114-2: John Pitkin, Rex Ranch, Box 92, Nenzel, SD 69219.
 961-3, 1050-3, 1120-3 & 1223-3: Kevin Dettler, HC 71, Box 29, Doland, SD 57436.

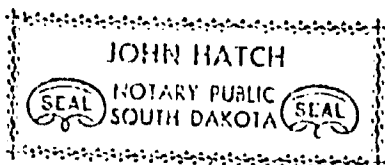
4524-3 & 4524-3A: Leon Lengkeek, 1605 Buffalo TR, Brookings, SD 57000.
 4443-3: Lonnie H. Nelson, RR 2, Box 156, Yankton, SD 57078.
 5010-3: Loren & Joyce Forrest, RR 1, Box 213, Laverne, MN 56156.
 156-3, 157-3, 164-3 & 1878-3: Marene Flyger, Box 362, Hurley, SD 57036.
 2242-3: Mark Quam, RR 2, Box 456, Elk Point, SD 57025.
 1523-2 & 1525-2: May & Sons, Inc., HC 53, Box 21, Interior, SD 57750.
 3550-3: Melvin A. Schmidt, Rt 2, Box 127, Parker, SD 57053.
 1714-2 & 2063-2, 400-2 & 401-2: Melvin E. Brassfield, Box 24, Caputa, SD 57725.
 3353-3: Michael A. Koslowski, RR 1, Box 44, Waubay, SD 57273.
 4910A-3: Michael L. Kreber, RR 1, Box 89, Tabor, SD 57063.
 2120-2: Mick Zink, HC 88, Box 51, Wewela, SD 57578.
 5205-3: Oahe Shores Golf Association, Dennis Moser, P.O. Box 174, Pollock, SD 57648.
 1684-3 & 2742-3: Paul Daly, P.O. Box 379, Ft. Thompson, SD 57339-0379.
 5736-3: Robert Streeter, 2645 Country VW, Monroe, WI 53566.
 235-3: Russell Doolittle, RR 1, Box 53, Wolsey, SD 57384.
 1264-3A: Steffen Brothers, Inc., HCR 37, Box 132, Pierre, SD 57501-9514.
 424-1: Steve Smeenk, Rt 1, Box 134, Newell, SD 57760.
 399-2: Thomas & Robin Jagow, HC 56, Box 39, Buffalo Gap, SD 57722.
 5225-3: Town of Pollock, Lila Renner, F.O., P.O. Box 57, Pollock, SD 57648-0057.
 925-1: Warren N. Golliher, RR 1, Box 237D, Spearfish, SD 57783.
 897-2: Wilbert & Judith Ohlmann, HCR 69, Box 663, Midland, SD 57552.
 1402A-2: William & James O'Kief, HC 68, Box 32, Wood Lake, NE 69221.
 4646A-3: William A. Stoddard, 821 S. Walts Ave., Sioux Falls, SD 57104.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

Sworn to, before me, this 10th day of March, 1994.



John Hatch
(Notary Public

JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001



1114-2

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

April 7, 1994

NOTICE OF ONE YEAR SUSPENSION OF WATER RIGHTS

TO: John Pitkin, Rex Ranch, Box 92, Nenzel, NE 69219

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

SUBJECT: One Year Suspension of Water Right Nos. 475-2 and 1114-2

Pursuant to the provisions of the notice dated February 16, 1994, and following the hearing of April 6, 1994, the Water Management Board has ordered:

That Water Right Nos. 475-2 and 1114-2 be suspended until December 31, 1994. Suspension of the water rights does not excuse the water right holder from the requirement to submit the 1993 Irrigation Questionnaires.

Suspension of a water right or permit means water may not be pumped during the 1994 irrigation season. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

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



1114-2-

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

February 25, 1997

475-2

1114-2

John Pitkin
Rex Ranch
Box 92
Nenzel, NE 69219

Dear Mr. Pitkin:

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

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you and if you have any questions, please contact me.

Sincerely,

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

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



1114-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 25, 1997

475-2

1114-2

John Pitkin
Rex Ranch
Box 92
Nenzel, NE 69219

Dear Mr. Pitkin:

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

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you and if you have any questions, please contact me.

Sincerely,

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

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



1114-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 23, 1998

475-2
1114-2

John Pitkin
Rex Ranch
Box 92
Nenzel, NE 69219

Dear Mr. Pitkin:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit Nos. 475-2 and 1114-2.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



11/4-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2000

NOTICE

TO: REX RANCH, JOHN PITKIN, BOX 92, NENZEL, NE 69219

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

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 475-2 & 1114-2. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 475-2 & 1114-2 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 1:30 pm, March 1, 2000 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 475-2 & 1114-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 2000, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



March 2, 2000

1114-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE OF THREE YEAR SUSPENSION OF WATER RIGHTS

TO: John Pitkin, Rex Ranch, HC 74 Box 45, Nenzel, NE 69219

FROM: Garland Erbele, Chief Engineer
Water Rights Program *Garland Erbele*

SUBJECT: Three Year Suspension of Water Right Nos. 475-2 & 1114-2

Pursuant to the provisions of the notice dated January 14, 2000, and following the hearing of March 1, 2000, the Water Management Board has ordered:

That Water Right Nos. 475-2 and 1114-2 be suspended until December 31, 2002, for failure to submit the 1999 irrigation questionnaires.

Suspension means water may not be pumped during the 2000, 2001 or 2002 irrigation seasons. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

If you wish to petition the Water Management Board to rescind the suspensions, you will need to submit the 1999 irrigation questionnaires and a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 3, 2000, in Pierre, SD. The letter should include your reasons for not completing the 1999 irrigation questionnaires.

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

File No. 475-2

1114-2

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: John Pitkin - Rex Ranch, PO Box 125, Cody, NE 69211

DATE: August 5, 2003

RE: status of Water Right Nos. 475-2 and 1114-2

COMMENTS:

Nos. 475-2 and 1114-2 were suspended for the 2000, 2001 and 2002 irrigation seasons due to violations of the irrigation questionnaire qualification. Prior to mailing the 2003 irrigation questionnaires, I called the Todd County Director of Equalization and also the Register of Deeds Offices to find out if Mr. Pitkin still owned the land.

I was told that the land was held in trust by the United States Government for the Rosebud Sioux Tribe.

RECOMMENDED ACTION:

Remove Nos. 475-2 and 1114-2 from the yearly irrigation questionnaire database.



Genny McMath
Environmental Scientist