

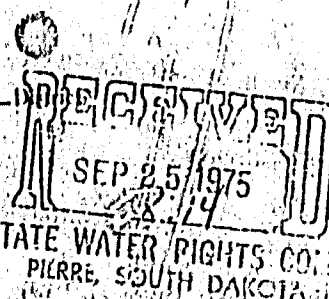
Permit No. 129-3 was issued to LOGAN THORNE
on NOVEMBER 12, 1975 for 1.14 c.f.s.
from SPRING FED DRAW
in GREGORY County.

Present owner (s) were (was) contacted and indicated this system,

WAS NOT BUILT -- TIME LIMIT UP --

EXTENDED one year 5/27/81 to 5-27-82

CANCELLED _____

Map No. 1094-2 Water Division No. 2 PONCA CREEK
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RIGHTS CO.
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE-D. av. a 1; 4 through items not applicable)

1. Name of Applicant Logan Thoen
Postoffice address Bonesteel 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) Contract
3. Name of diversion work Thoen #2
4. Amount of water claimed (cubic feet per second) 1.14 MAXIMUM ALLOWABLE
5. Source of water supply Dry Draw - Spring Fed and Runoff
6. Location of point of diversion SE 1/4 Sec. 18-95-69

County Gregory

7. Annual period or periods during which water is to be used June - September
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 80
List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Description	No. Acres Irr.	Description	No. Acres Irr.
W 1/2 Sec 18, T95N, R69W	80		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use _____ years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Bonesteel Enterprise
12. Principal Features of the Proposed Water Supply System.

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

Dam- Turbine Pump

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

Pipeline

C. Works proposed to apply water to beneficial use.

Towline

Estimated Total Cost \$ 30,000Attachments: 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 GregoryI, Logan Thoen 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 Logan Thoen
Subscribed and sworn to before me this 24 day of September 19 75
G. E. Ellibridge
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1293-2LOGAN THONE
(Applicant)BONESTEEL
(Post Office Address)SOUTH DAKOTA 57317
(State)

With the following modifications:

LOW FLOWS AS NEEDED FOR DOWNSTREAM DOMESTIC USE, INCLUDING LIVESTOCK WATERING, MUST BE BY-PASSED.

APPROVAL OF THIS PERMIT AUTHORIZES STORAGE OF 160 ACRE FEET OF WATER ANNUALLY.

Date of first receipt of application SEPTEMBER 25, 1975Date of return to applicant for correction, amendments or changes required SEPTEMBER 25, 1975Date of receipt of corrected application SEPTEMBER 24, 1975Approved NOVEMBER 12, 1975, Recorded in Book 14 Page 55WATER RIGHT PERMIT NO. 1293-2The Water Rights Commission hereby grants and issues this Water Right Permit No. 1293-2 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 SEPTEMBER 25, 1975
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 12, 1978
3. The whole of said work is to be completed on or before NOVEMBER 12, 1980 5-27-82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 12, 1980 5-27-82
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 1.14 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 NOVEMBER 12, 1980 and said water to be used during the following described annual period: JUNE - SEPTEMBER

extension granted: 5-27-81

Witness my hand this 14TH day of NOVEMBER, 1975.

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

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 _____, Depth _____

(2) Casing, Type _____ Diameter _____ Thickness _____
(wood, concrete, steel, etc)

(3) Perforated Screen.

Type _____, Diameter _____, Length _____

(4) Gravel Pack. Thickness _____, 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 _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

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

On same owner's property _____ rds. On property owned by others _____ 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.

Dam #3

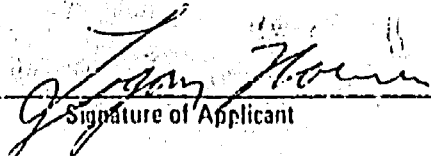
20' of fill

15' of water

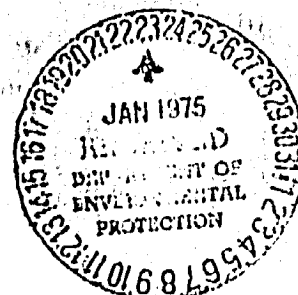
27 surface acres

160 AF.

Applicant owns all land concerned


Signature of Applicant

January 21, 1975



Mr. Logan Thoenes
Bonesteel, SD 57317

Dear Mr. Thoenes:

Enclosed please find the original copy of the report of analysis of the water sample submitted here about a week ago. This copy is yours to keep.

This water is of very good quality and there is no characteristic about it that would cause adverse effects when used for irrigation. The salt content is quite low considering all waters of this state and even all waters of the country. Likewise, the sodium proportion in the total salts is low so there is no hazard for sodium-caused dispersion of clays.

A copy of this letter and a copy of the analysis and your WI-1 form are being forwarded to the State Conservation Commission.

I am enclosing a copy of Extension Circular 654 for your use. The quality of your water is approximately plotted by an encircled red cross on the back cover.

Sincerely yours,

L. O. Fine
L. O. Fine
Water Quality Lab

LOF:111

Enclosures

CC: State Conservation Commission
Leroy Lamp, Gregory County Agent
Dorel Pahl

JAN 22 1975
DEPT. OF NATURAL
RESOURCE DEVELOPMENT

Conservation
Commission
Form WL #1

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE ONLY
Irrigation System: _____
Water Quality: _____
Soils Capability: _____
Approved: Alfred K. Pfeiffer
Disapproved: _____

NAME: Logan Thoene
ADDRESS: Bruesteel, So. Dak.
COUNTY: Gregory

LEGAL DESCRIPTION

1. WELL LOCATION: Spring NE 1/4 Sec 13-95-70
2. AREA TO BE IRRIGATED: SW 1/4 Sec 18-95-69 Approx 69 acres

TYPE OF IRRIGATION

3. GRAVITY _____ SPRINKLER (Indicate Type): Tow Line
4. CROPS TO BE IRRIGATED: Corn

LAND CAPABILITY FOR IRRIGATION

15. PERCENTAGE OF SLOPE: Part Average 8% and Part 1%
16. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: O'Neil and Tut Hill
Both Silty

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-017
8. SALINITY: EC = 295 micromhos/cm (low-Med)
9. SODIUM: Sodium Adsorption Ratio: 0.13 (low)
No residual carbonate

I do hereby certify that a chemical analysis of the ground water to be
acquired for irrigation from South Dakota State University and:

the land capability for irrigation information has been acquired from

Gregory Co. Soil Conservation Office

and:

that the legal description for the location of the well and land to be
irrigated is true and correct.

Legan Zouma

✓ Subscribed and sworn before me this

13th day of July 19 75.

Melvin A. Stewart

Register of Deeds in
GREGORY COUNTY
SOUTH DAKOTA

(Title)

RECEIVED
JAN 24 1975

STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

REPORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57006

Submitted by: Loeun Thoene
 Address: Ponestaol, SD 57317

Date Rec'd January 14, 1975
 Sample No. 75-017
 Identification Spring
NE 1/4, Sec. 13, T 95N, R 70W

WATER ANALYSIS

Calcium (Ca)	39	ppm*	1.95	me/l**
Magnesium (Mg)	9	ppm	0.74	me/l
Sodium (Na)	11	ppm	0.50	me/l
Potassium (K)	2	ppm	0.06	me/l
Sulfate (SO ₄)	16	ppm	0.33	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	2	ppm	0.05	me/l
Bicarbonate (HCO ₃)	132	ppm	2.16	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methy) Orange	108	ppm (as CaCO ₃)		
Alkalinity (Penolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	295	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.43			
Sodium	15.33	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.60			
Others:				

*ppm=parts per million

***g.p.g.=grains per gallon

**me/l=milliequivalents per liter

COMMENTS: Total cations 3.26 me/l
 Total anions 2.54 me/l

By: Shirley Litten

Service Performed

Amount Due

Irrigation analysis

\$6.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-017

Amount Enclosed \$

Signed

Publish first publication, on or before October 30, 19 75NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 1, 19 75Notice is hereby given that Logan Thoenewhose post office address is Bonesteel, 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 use1.14 cubic feet of water per second of time from the a dry draw and springs through theThoene #2, the point of diversion of which is to be located in the _____SE 1/4 SW 1/4of Section 18, Twp. 95N, Range 69W. Said water to be used for the purposeof providing irrigation of a portion of the following described land:N 1/2 SW 1/4, Section 18, T95N, R69WThis application No. 1293-3 will be considered by the Water Resources Commission at their office at Pierre upon the 12th day of November, 19 75, at 2:30 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFI/bw

cc: Logan Thoene, Bonesteel, S.D. 57317

Affidavit of Publication

STATE OF SOUTH DAKOTA.
COUNTY OF GREGORY

D. R. Sabalka of said county, being first duly sworn, on oath says, that he is Publisher of the Bonesteel Enterprise a weekly newspaper printed and published in the City of Bonesteel in said County of Gregory and has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona-fied circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained

at said place of publication; that the *Notice*
intent to appropriate water

a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this affidavit, was published in said newspaper at least

once in each week *times* successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

<i>October 16</i>	19 <i>75</i>
<i>October 23</i>	19 <i>75</i>
	19.....;
	19.....;
	19.....;
	19.....;
	19.....;
	19.....;

that the full amount of the fee charged for the publication of said Notice inures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever and that the fees charged for the publication thereof are

\$9.95

Dean R. Sabalka

Subscribed and sworn to before me, this *31*
day of *October*, A. D. 19*75*
Betty M. Sabalka
Notary Public.

PUBLIC NOTICE

NOTICE INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501
October 1, 1975

Notice is hereby given that Logan Thorne whose post office address is Bonesteel, 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 1.14 cubic feet of water per second of time from a dry draw and springs through the phone #2, the point of diversion of which is to be located in the SE 1/4 SW 1/4 of Section 18, Twp. 95N, Range 69W. Said water to be used for the purpose of providing irrigation a portion of the following described land: W 1/2 SW 1/4, Section 18, T95N, R69W. This application No. 1293-3 will be considered by the Water Resources Commission at their office at Pierre upon the 12th day of November, 1975, at 2:30 P.M. All interested persons may appear and be heard.

WATER RESOURCES
COMMISSION
BY: BURTON F. JONES
WATER RIGHTS SPECIALIST

Pub.-O.-16-23.

Water Rights Division
605 773-3352

April 28, 1981

Logan Thoene
Donesteele
South Dakota 57317

Dear Mr. Thoene:

Mr. LeRoy McNaugh of this office contacted you about your Water Permit No. 1293-2 authorizing the diversion of 1.14 cubic feet per second of water from a dry draw to irrigate 80 acres.

You indicated you did not intend to complete the project at this time.

South Dakota Water Laws provide that the water diversion system is to be completed within a five year period after the water permit is approved. The expiration date of the five year period for Water Permit No. 1293-2 was November 12, 1980.

Therefore, cancellation of Water Permit No. 1293-2 will be considered by the Water Management Board at 9:00 am, on May 27, 1981 at Meeting Room #1, Kneip Building, Church & Illinois, Pierre SD.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8300

PIERRE,

June 22, 1981

RECEIVED OF Logan Thoene, Bonesteel, SD 57317

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 extension of time on WR# 1293-2		2.00
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL		2.00

WATER RIGHTS COMMISSION

By *(John Hatch)*
Chief Engineer, Executive Officer
JOHN HATCH / bt

Form 18.

No. 1293-2

APPLICATION FOR EXTENSION OF TIME



TO: Water Rights
Foss Building
Pierre, South Dakota 57501

Date June 19, 1981

Dear Sirs:

In Water Right Permit No. 1293-2 it is specified that the water diversion system is to be completed by November 12, 1980 and that the water is to be put to the limit of beneficial use by November 12, 1980.

I hereby request that the date for completing the diversion system be extended to May 27, 1982 and that the date for putting the water to the limit of beneficial use be extended to May 27, 1982.

The extension of time for the completion of these works is requested for the following reasons: We didn't realize that the time

was run out

Enclosed herewith is a fee of Two Dollars and Fifty Cents (\$2.50) to pay the cost of filing this request for extension of time.

[Signature]
(Signed)

1293-2

Permit Number

APPROVED: 5-27-81

Board of Water Management

BY:

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - VERIFICATION OF RECORDS
THIS IS TO CERTIFY THAT THE MICROPHOTGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILATION LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A REPRODUCIBLE AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS. REDUCTION 35:1 ROL NO 17 3-25-81 [Signature]

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

June 22, 1981

Logan Thoene
Bonesteel, SD 57317

Dear Mr. Thoene:

This is to inform you that your request for extension of time dated
June 19, 1981 for Water Right No. 1293-2 has been
approved by the Board of Water Management as follows:

The date for completing construction of the water system has
been extended to May 27, 1982, and the date for
putting the water to the limit of beneficial use has been
extended to May 27, 1982.

Enclosed herewith is Receipt No. 4 8300 for \$2.50 fee for filing
of this Extension of Time.

Sincerely,

JOHN HATCH, Chief Engineer
Water Rights Division

JH/gy

encl

Equal Opportunity Employer

State of South Dakota
Water License No. 1293-2

(1) Logan Thoene
of RR #2, Box 40, Bonesteel SD 57317
made Application No. 1293-2, September 25, 1975 for a water permit to appropriate
1.14 cubic feet per second of water from dry draw - spring fed and runoff
Gregory 1.14 County, South Dakota for Irrigation purposes.
Permit No. 1293-2, with a priority date of September 25, 1975
was approved November 25, 1975 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before May 27, 1982 and for the application to beneficial use of said
water on or before May 27, 1982

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 0.78 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 1930'E and 400'N of the SW corner of
Section 18, T95N, R69W (CD) Dry Draw Dam approx. 10 Ac.-Ft

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY
THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLAVE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE
ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED
LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER
AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC
REPRODUCTIONS. REDUCTION 25 ROLL NO 8-6 DATE MICROFILMED 01-27-84
CAMERA OPERATOR Willie White

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in Section 18;

T95N, R69W

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres (CC)

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 27 " (CB)

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 2 " (CD)

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 1 " (CA)

TOTAL 70 acres

(4) Pursuant to §46-5-30.1 Logan Thoene

of RR #2, Box 40, Bonesteel SD 57317

the holder(s) and/or owner(s) of Water Permit No. 1293-2 is issued a license to appropriate water, the right to use

0.78 cubic feet per second of water from a dry draw - spring fed & runoff with a priority date

of September 25, 1975 from the location specified in (2) of this license. The water to be

conducted to and up on lands specified in (3) of this license for the purpose of Irrigation

This license is subject to any limitations or qualifications listed in Water Permit No. 1293-2 and subject to South Dakota State Law.

John H. Hatcher
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

November 3, 1983

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY
THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE
ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED
LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER
AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC
REPRODUCTIONS.
REDUCTION 25 ROLL NO. 9-6 DATE MICROFILMED 07-27-84
CAMERA OPERATOR John H. Hatcher

Permit No. 1293-2Water Division 2 Ponca Creek Water District
10150001REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Logan
Thoen of Bonesteel, SD holder
of Permit No. 1293-2, bearing date of priority of September 25, 19 75
authorizing the diversion of 1.14 cu. ft. per second of the waters of Dry Draw - Spring Fed & Runoff
for Irrigation purposes, in Gregory 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:

Berkley Centrifugal Pump
Model No. B2-1/27RL C
Imp. Dia. 8 1/6 inch
Capacity 300 gpm

Ronk Power Twin Elec. Motor
Model No. 410309
25 HP

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

1000 ft. 6 inch dia. Buried Steel pipe
900 ft. 6 inch dia. Aluminum pipe

C. Works used to apply water to beneficial use.

2 Rainbird lawlinesThe system is in the following condition: ExcellentThe point of diversion is located SE 1/4 SW 1/4 Sec 18-95-69Dry Draw Dam approx. 12 Ac.-ftThe works are capable of diverting and conveying to the place of use 0.78cu. 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:

<u>SW 1/4 SW 1/4</u>	<u>19-95-69</u>	<u>40 Acres</u>	<u>(CC)</u>
<u>NW 1/4 SW 1/4</u>	<u>"</u>	<u>27 "</u>	<u>(CB)</u>
<u>SE 1/4 SW 1/4</u>	<u>"</u>	<u>2 "</u>	<u>(CD)</u>
<u>NE 1/4 SW 1/4</u>	<u>"</u>	<u>1 "</u>	<u>(CA)</u>

comprising a total of 70 acres of land.

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY
THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE
ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED
LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER
AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC
REPRODUCTIONS. REDUCTION 25 ROLL NO 4-6 DATE MICROFILMED 01-27-84 CAMERA OPERATOR W. J. [Signature]

Date June 15, 1983

[Signature]
(Signature)

LICENSE FOR PERMIT NUMBER 1293-2

1. Legal location of wells: _____

dams & structures: SE 1/4 SW 1/4 Sec. 18-95-69

2. Well Information: Well Drilling Firm _____

No. of wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____
b) length _____ b) length _____
c) type _____ Static Water Level _____

Pump a) make Berkley Motor a) make Ronk Power Twin
b) model B2-1/2 TRL C b) model no. 410309
c) size 2 1/6 c) horsepower rating 2.5 Hp
d) capacity 300 GPM d) motor efficiency rating _____
e) turbine pump
no. of stages _____

3. Distribution lines:
a) size of lines _____
b) type _____
c) length _____

4. Dam information:
a) height to crest 12 ft.
b) height to spillway 7 ft.
c) crest width 30 ft.
d) crest length 200 ft.
e) spillway length _____
f) spillway width 200 ft.
g) approx. storage 1040 ft.
h) Distribution lines or canals:

1) size 6 inch
2) type 900 ft. Aluminum
3) length 1000 ft. buried steel

i) Outlet tubes:
1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

5. System Type: a) sizeroll:
1) length _____ feet
2) diameter of pipe _____
3) make, model & number of sprinklers _____
4) spacing of sprinklers _____
5) nozzle size _____

b) towline: 2 towlines
1) length 1040 feet
2) make, model & number of sprinklers Rainbird, Model No. 14600, 26 each
3) spacing of sprinklers 40 feet
4) nozzle size _____

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY
THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE
ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED
LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER
AND ON MICROFILM WHICH MET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC
REPRODUCTIONS.
REDUCTION 25 ROLL NO Q-6 DATE MICROFILMED 01-27-84 CAMERA OPERATOR Walter Thistle

5. System Type: c) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running _____
- 9) GPM _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES

NO

Check Items

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.
☒ YES ☐ NO
2. Special Qualifications to permit being abided by.
☒ YES ☐ NO
3. All Structures, wells and lands on map.
☒ YES ☐ NO

REMARKS:

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY
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LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER
AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC
REPRODUCTIONS. REDUCTION 25 ROLL NO 9-6 DATE MICROFILMED 01-27-84 CAMERA OPERATOR Mike M. M. M.

No. 1293-2

South Dakota
Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

August 18, 1983

NOTICE

Logan Thoene
Bonesteel,
South Dakota 57317

Dear Mr. Thoene:

The inspection of your water use system and inspection of the extent application of water to beneficial use, as developed under your Water Right No. 1293-2 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

Section 58 of House Bill 1001 as passed by the 1983 Legislature effective March 3, 1983 states that a permit holder may not divert water until this \$50.00 license fee has been paid.

Sincerely,

KAREN SCHLAAK
Administrative Aide

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.

WNR-814 3/83
Request for W/L fee (\$50)

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY
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ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED
LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF 7/2 ABOVE RECORDS WAS IN A MANNER
AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC
REPRODUCTIONS. REDUCTION 25 ROLL NO Q-6 DATE MICROFILMED 01-27-84
Karen Schlack
KAREN OPERATOR

October 21, 1983

SECOND NOTICE

Permit No. 1293-2

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Logan Thoenes
Rt 2, Box 40
Bonesteel, South Dakota 57317

Dear Mr. Thoenes:

August 18, 1983 you were notified the final inspection fee of \$50.00 is due before Water License No. 1293-2 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

John Harch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

SKD:WR

CO2102KS.WR

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY
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ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED
LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER
AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC
REPRODUCTIONS. REDUCTION 25 ROLL NO. 9-6 DATE MICROFILMED 01-27-84 CAMERA OPERATOR Mike McCall

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

REPRODUCTION NO. 25 ROLL NO. 9-6 DATE MICROFILMED 01-27-84 CAMERA OPERATOR W. J. M. M. M.

1243-3

PS Form 3811, Dec. 1980

● SENDER: Complete Items 1, 2, 3, and 4. Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☒ Show to whom and date delivered
☐ Show to whom, date, and address of delivery..
☐ RESTRICTED DELIVERY
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

2. ARTICLE ADDRESSED TO:
Loyan Thorne
Box 4
Brookings, SD 57317

3. TYPE OF SERVICE: ☐ REGISTERED ☐ INSURED ☐ CERTIFIED ☐ COD ☐ EXPRESS MAIL

ARTICLE NUMBER
P404 786 702

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE ☒ Addressee ☐ Authorized agent
Loyan Thorne

4. DATE OF DELIVERY
10-21-83

5. ADDRESSEE'S ADDRESS (Only if required)

6. UNABLE TO DELIVER BECAUSE:

7. RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

8. POSTMARK

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY

THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS.

REDUCTION 25 ROLL NO 4-6 DATE MICROFILMED 01-27-84 CAMERA OPERATOR Walter Mitchell

RECEIPT

Division of Water Rights

No 4 9386

South Dakota Department of Water and Natural Resources

Pierre, November 1, 1983

RECEIVED OF Thoene Land & Cattle, Logan Thoene, RR#2, Box 40, Bonestrel, SD 57317

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. <u>1297-2</u>	50	00
Fee for Filing Transfer Form _____		
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	50 00

By John Hatch
Chief Engineer JOHN HATCH (ms)

No. 1293-2

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

November 3, 1983

Logan Thene
RR #2, Box 40
Bonesteel SD 57317

Dear Mr. Thene:

Enclosed herewith is, Water License No. 1293-2. This is the final water right document completing your process of obtaining a water right.

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

Very truly yours,

John Hatch

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ks

Enclosures

WNR-817 3/83
Transmittal of Water License

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY
THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE
ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED
LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER
AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC
REPRODUCTIONS. REDUCTION 25 ROLL NO 8-6 DATE MICROFILMED 01-27-84 OPERATOR W. J. McNeill

 **Department of
Water & Natural Resources**

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

February 8, 1989

LOGAN THOENE
RR #2, BOX 40
BONESTEEL, SD 57317

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) 1293-2, 1320-2. 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, 1-90 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). 1293-2, 1320-2 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



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

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

February 24, 1989

1293-2
1320-2

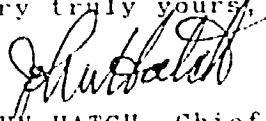
Logan Thoene
RR #2 Box 40
Bonesteel, SD 57317

Dear Mr. Thoene:

I am writing to acknowledge receipt of your 1988 irrigation questionnaires for Water Permit Nos. 1293-2 and 1320-2. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaires 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

1293-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: LOGAN THOENE
RR #2, BOX 40
BONESTEEL SD 57317

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer.
Water Rights Division

RE: Violation of Requirement to Submit 1992 Irrigation Questionnaire

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 1293-2 & 1320-2. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 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 9:30 am, March 3, 1993, 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) 1293-2 & 1320-2 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. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, your name will be deleted from the Board agenda.

Is your RETURN ADDRESS completed on the reverse side?

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 will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

LOGAN THOENE
KR #2, BOX 40
BONESTEEL SD 57317

5. Signature (Addressee)

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

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

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

PS Form 3811, December 1991 U.S.G.P.O.: 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



1293-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 11, 1993

1293-2
1320-2

Logan Thoene
4308 S Marion Road
Sioux Falls, SD 57106

Dear Mr. Thoene:

I am writing to acknowledge receipt your 1992 irrigation questionnaires for Water Right 1293-2 and 1320-2. You may disregard the January 29, 1993, Notice of Violation of the Requirement to Submit the 1992 Irrigation Questionnaire.

The questionnaires were received prior to the Water Management Board meeting, and your name was deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352



1293-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 11, 1993

1293-2
1320-2

Mike Baldwin
RR #1 Box 17
Bonesteel, SD 57317

Dear Mr. Baldwin:

I am contacting you in regard to irrigation done under Water Right Nos. 1293-2 and 1320-2. Logan Thoene has notified our office that future irrigation questionnaires should be directed to you, Tom Marts and Donivan Lambley.

I spoke with Mrs. Baldwin earlier today and she indicated that you irrigate the land described in these water rights for Mr. Thoene. I am enclosing copies of the 1991 and 1992 questionnaires as completed by Mr. Thoene.

Our office mails out irrigation questionnaires in October. I will make a notation in the file to send the 1993 form directly to you. This does not change the ownership of these water rights; it merely changes the mailing address for questionnaires.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352

enclosures



1293-2

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

January 9, 1998

NOTICE**TO: MIKE BALDWIN, RENTER, RR 1 BOX 17, BONESTEEL, SD 57317 9749****FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program****SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)**

Our records indicate that the 1997 Irrigation Questionnaire has not been submitted for Permit No(s) 1293-2 & 1320-2. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, February 25, 1998, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1293-2 & 1320-2 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 on/or before February 20, 1998, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return 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 will show to whom the article was delivered and the date delivered.

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

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

Consult postmaster for fee.

3. Article Addressed to:

129.7-2

MIKE BALDWIN, RENTER
RR 1 BOX 17
BO. ESTEEL SD 57317 9749

4a. Article Number

Z 179 157169

4b. Service Type

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

7. Date of Delivery

1/10/97

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)

X Mary Baldwin

PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.



1293-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 1998

1293-2
1320-2

Mike Baldwin
RR 1 Box 17
Bonesteel, SD 57317-9749

Dear Mr. Baldwin:

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. 1293-2 and 1320-2.

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



1293-2
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: MIKE BALDWIN, RENTER, RR 1 BOX 17, BONESTEEL, SD 57317 9749

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 has not been submitted for Permit No(s) 1293-2 & 1320-2. 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 be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1293-2 & 1320-2 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 on/or before February 28, 2000, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

c: LOGAN THOENE, 4308 S MARION RD, SIOUX FALLS, SD 57106

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.



1293-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2000

1293-2
1320-2

Mike Baldwin
RR 1 Box 17
Bonesteel, SD 57317-9749

Dear Mr. Baldwin:

I am writing to acknowledge receipt of the 1999 inigation questionnaires for Logan Thoenc. Questionnaires were completed for you based on our January 18th telephone conversation.

You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Right No. 1293-2 and 1320-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Mike, thank you for calling and if you have any questions, please contact me.

Sincerely,

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

c: Logan Thoenc



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 17, 2000

No. 1293-2 and 1320-2

Tom Lillibridge
Box 168
Bonesteel SD 57317

Dear Mr. Lillibridge:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 1293-2 and 1320-2. The water rights are currently listed in the name of Logan Thoene.

The transfer forms should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 each (total \$5.00).

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,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

NOTICE OF TRANSFER OF OWNERSHIP



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

No. 1293-2

Date: 11-2-00

I/We request that Water Right No. 1293-2

formerly owned by: Logan Thoene

be transferred to: (name & address) Tom Lillibridge

Box 168, Bonesteel, SD 57317

Telephone No. 605-654-2874

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

70 acres located in the SW 1/4 Section 18-T95N-R69W

I/We understand that the validity of Water Right No. 1293-2 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 with the Water Rights Program, as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)

County of Gregory)

I/We Tom Lillibridge 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.

Tom Lillibridge
(Signed)

Subscribed and sworn to before me this 2nd day of November ~~XXX~~ 2000.

Jody Young
(Notary Public) 12-2-2004

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

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 416677

Pierre, November 7, 2000

RECEIVED OF Tom Lillibridge, Box 168, Bonesteel SD 57317

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

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

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

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

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

Fee for Filing Transfer Form Water Right No. 1293-2

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

By

Chief Engineer

Shirley S. Dele

KS



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 14, 2000

Tom Lillibridge
PO Box 168
Bonesteel SD 57317

Dear Mr. Lillibridge:

The Water Rights Program is in receipt of the Transfers of Ownership filed for Water Right Nos. 1293-2 and 1320-2. These two water rights previously held in the name of Logan Thoene are now held in your name. Enclosed are the receipts for the filing fee submitted for the transfer of each water right. You will receive an irrigation questionnaire form each fall to be completed stating the acreage, diversion rates and periods irrigated in the previous irrigation season.

During our phone conversation you indicated that the existing water rights do not include the irrigation of approximately 38.8 acres located in the SE $\frac{1}{4}$ Section 24, T95N, R70W. This pivot is supplied with water from the dam maintained by diversions from Ponca Creek. My review of the existing water rights does not show that a water right was ever held for any acreage located in the SE $\frac{1}{4}$ Section 24, T95N, R70W. However, the enclosed aerial photo appears to show where the pivot is located. Is that a correct representation of the pivot location?

A new water right permit will need to be obtained for these acres in the SE $\frac{1}{4}$ of Section 24. Enclosed is a partially completed application form. The diversion rate in gallons per minute from the dam to supply this pivot will need to be included on the application. You will need to check it over for accuracy and if correct sign it in the presence of a notary public and submit the appropriate filing fee of \$200 (\$150 application fee & \$50 licensing fee).

Since you need to apply for this additional acreage, I raised the question of whether there are any other permitting changes that need to be made to ensure your permits accurately reflect what is in the field. I noticed when I reviewed the file that Water Right No. 1320-2 was issued for 3.71 cfs. I believe this quantity was based on the ability to divert water from the dam to the various pivots. However it is apparent from past inspection reports that the diversion rate from Ponca Creek to the dam is 80 cubic feet of water per second (3,600 gpm). This is something I will take care of when we public notice your new application. I will also correct the error on Water Right No. 1320-2 where it lists the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25 twice on the water right (one of them should be the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25).

Finally, it would be helpful if you can provide the pump capacity from the dam to each of the pivots. Nothing in the existing files specifically states these diversion rates.

I realize this may be somewhat confusing. Please do not hesitate to contact me if you have any questions when completing the application.

Sincerely,

Eric Gronlund
Water Rights Program
(605) 773-3352

enclosures

Water Rights Program - File Documentation

NAME: Tom Lillibridge

ADDRESS: Bonesteel SD

DATE: 12-11-00 COUNTY: GY TELEPHONE: 605 654-2874

RE: Eric's letter dated 11-14-2000

COMMENTS:

Tom Lillibridge indicated that Rex Pfaff, RR 2 Box 40, Bonesteel SD 57317 should be listed as the operator of these permits and the irrigation questionnaire be sent to him in the future.

Regarding our letter dated 11-14-2000, Mr. Lillibridge stated he did not have the pump capacities and other information requested yet. He stated he was in the process of buying the equipment. He would submit the water permit application when he knows the information.



Karen Schlaak
Environmental Scientist



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 21, 2004

1293-2

Tom Lillibridge
PO Box 168
Bonesteel SD 57317

Dear Mr. Lillibridge:

I am contacting you in regard to Water Right No. 1293-2 currently listed in your name. The water right authorizes diversion of water from a spring fed draw to irrigate 70 acres. Enclosed is a copy for your review.

On last year's irrigation questionnaire, Mr. Pfaff indicated the system had been removed and was no longer in use. Is this still the case and is it your intent to discontinue irrigation on the SW ¼ Section 18, T95N, R69W?

Please contact us concerning your intent towards Water Right No. 1293-2.

Thank you in advance for your help.

Sincerely,

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

enclosures

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Tom Lillibridge, PO Box 168, Bonesteel SD 57317

DATE: July 26, 2004

RE: Water Right No. 1293-2

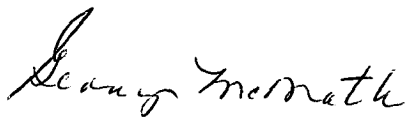
COMMENTS:

On July 23rd, Tom Lillibridge called regarding a letter I sent to him asking information about the status of irrigation on the SW ¼ Section 18, T95N, R69W.

He indicated that in the past couple years, his dam has not had enough water in it to irrigate with. The irrigation system has been sold however if he could get in there and clean out the dam so it held enough water to use, he may try and irrigate again. He wasn't sure at this point if he was going to do that or not.

I discussed with him the need to irrigate in order to maintain the water right. I also explained legal excuses for not irrigating. Up until the past 2-3 years, he has irrigated fairly steady.

We decided to leave the water right alone for now and he could keep us informed through the annual irrigation questionnaire about his plans. The land under his other water right (1320-2) is still being irrigated.



Genny McMath
Environmental Scientist

65.2

27.0

40.0

Irrigated Land

18

46.5

43.5

95.49

37.1

133-L

44.0

38.9

44

133-6

71.4

16.4

pt. of diversion

65.2

27.0

40.0

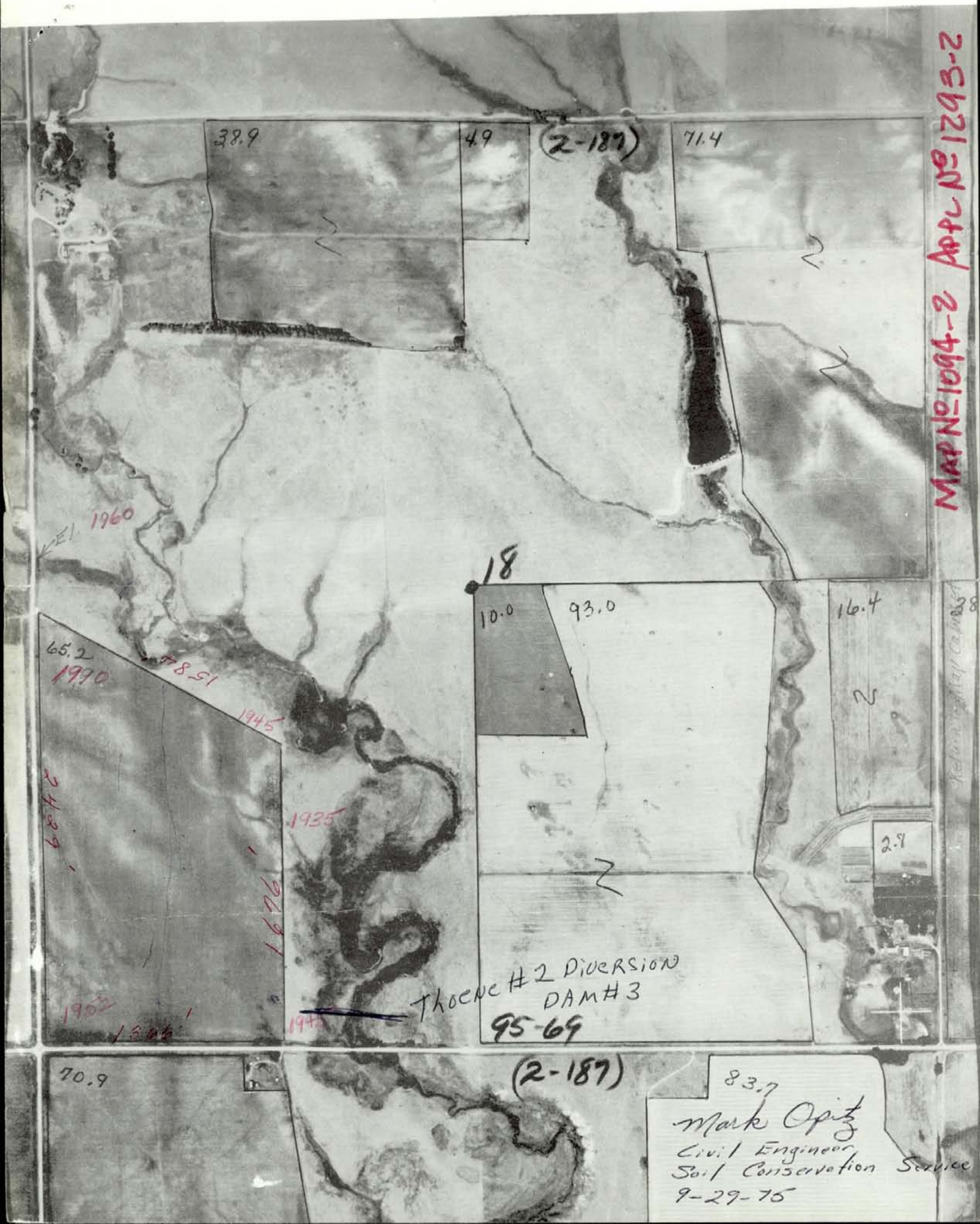
Irrigated Land

pt. of ~~*~~
diversion

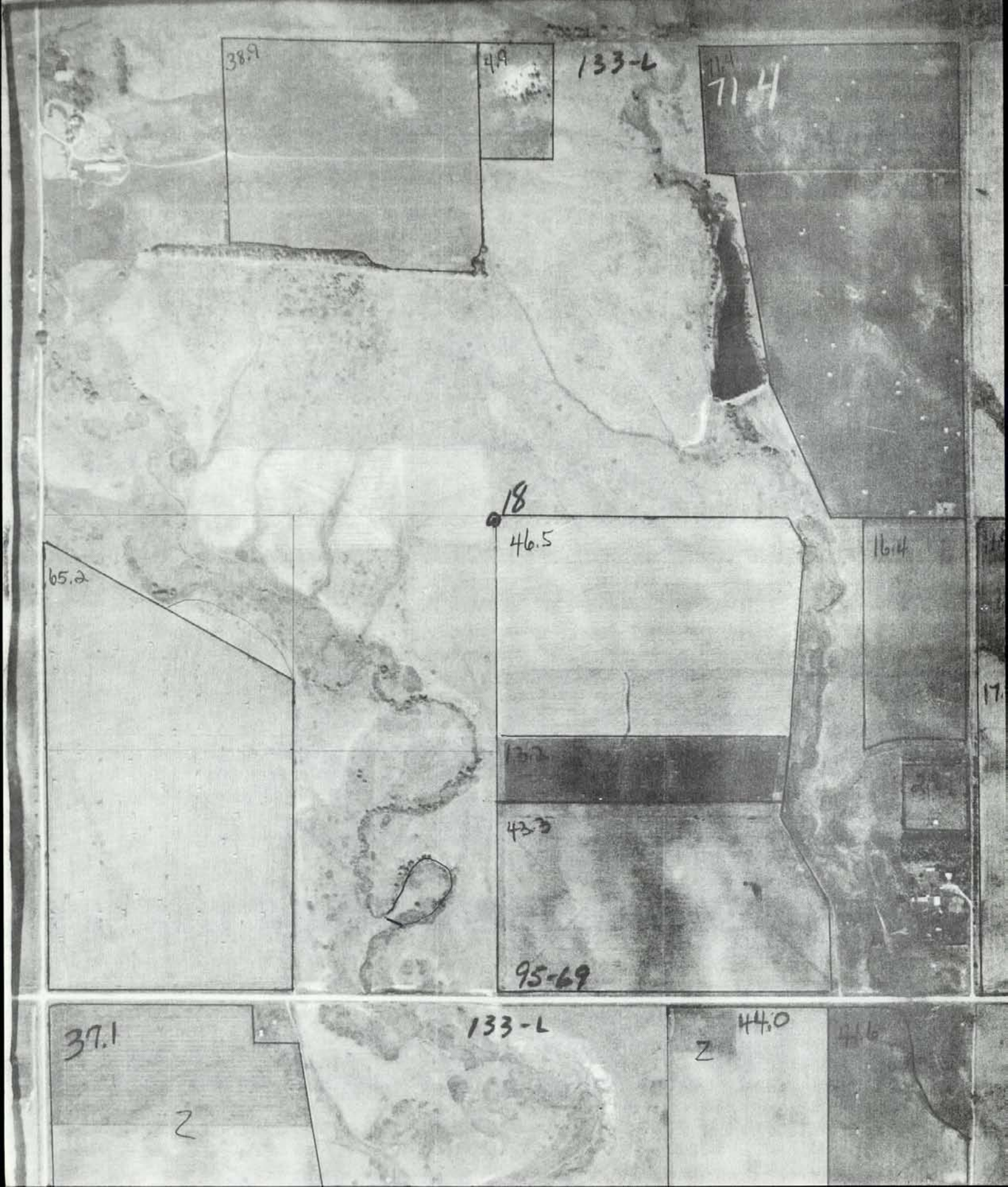
37.1 133-L 44.0
Z
~~map #1293-2~~
w/r #1293-2

MAP No 1094-2 App No 1293-2

Return to May Cabnet 8



NOT TO SCALE



WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Tom Lillibridge, PO Box 168, Bonesteel SD 57317 0168

DATE: January 31, 2013

TELEPHONE: 605 775-2641 (work)

RE: Water Right No. 1293-2

COMMENTS:

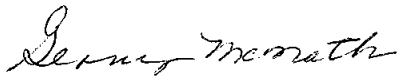
Mr. Lillibridge marked on his 2012 irrigation questionnaire that the use of water had been "abandoned" and "no water available"

I reviewed past irrigation questionnaires and found that he last irrigated in 2000. In 2001 he reported the system was time consuming to operate; in 2002 he reported the system was in poor condition and labor intensive; and in 2003 he reported the system had been removed.

I called Mr. Lillibridge to find out his intent towards the water right. He confirmed the system was no longer in place and the land was no longer being irrigated.

The source of water for the water right is a dry draw dam. The inspection done by Tim Schaal indicates the storage capability is around 10 acre feet of water. Mr. Lillibridge indicated the little dam is still there and used for livestock watering. He guessed the storage was still around 10 acre feet.

I discussed cancellation of the irrigation component of the water right allowing continued authorization for the small dam for livestock water. He agreed and said he had no problem with that as long as he would be able to use water for livestock purposes.



Genny McMath
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

February 1, 2013

NOTICE OF CANCELLATION

TO: Tom Lillibridge, PO Box 168, Bonesteel SD 57317 0168

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

SUBJECT: Cancellation of the irrigation component of Water Right No. 1293-2

Water Right No. 1293-2 authorizes diversion of water from a dry draw dam to irrigate 70 acres in the SW ¼ Section 18, T95N, R69W. On January 31st, Genny McMath with our program spoke with you about the water right. During the phone conversation you confirmed the irrigation system had been removed and the land was not being irrigated. The 10 acre-feet dam still exists and is used for livestock watering. Based on this information, the Chief Engineer of the Water Rights Program is recommending cancellation of the irrigation component of Water Right No. 1293-2 due to abandonment and/or forfeiture.

The Water Management Board will consider cancellation of the irrigation component of Water Right No. 1293-2 at 8:30 a.m., March 7, 2013 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD (*the agenda time is an estimate and the actual time of hearing may be later*).

The recommendation of the Chief Engineer is not final or binding upon the Board. The Board is authorized to 1) cancel, 2) cancel portions of, 3) delay action on, or 4) take no action on Water Right No. 1293-2 based upon facts presented at the public hearing. Our records show you to be the owner of property covered by this water right. If you wish to oppose the cancellation and if you intend to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, you must file a written petition with the Chief Engineer by February 25, 2013. The petition may be informal, but it must include a statement describing the reasons for your opposition to the cancellation, and your signature and mailing address or your legal counsel if legal counsel is obtained.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-1 thru 46-1-10, 46-1-14 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-5-36, 46-5-37, 46-5-37.1; 46-2A-1 thru 46-2A-7; and Board Rules ARSD 74:02:01:36 thru 74:02:01:41. These are contested cases pursuant to procedures contained in SDCL 1-26.

This hearing is an adversarial proceeding. Any party 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 State Supreme Court as provided by law.

The time of the hearing will be automatically extended for at least twenty days upon your written request to the Chief Engineer after a petition has been filed to oppose the cancellation. If an extension is requested, the hearing on the cancellation will be continued until the next regular Board Meeting. Any request for extension must be filed with the Chief Engineer by February 25, 2013.

Prior to February 25, 2013, contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) if assistance is needed with the following: 1) further information on the proposed cancellation; 2) to assure access to the meeting room for the handicapped; or 3) to obtain an interpreter for the hearing impaired.

According to SDCL 1-26-18.3, parties to a contested case may use the Office of Hearing Examiners to conduct a hearing if either a property right is being terminated or the dollar amount in controversy exceeds \$2,500.00. If you choose to use the Office of Hearing Examiners rather than the hearing procedure described above, then you need to notify the Chief Engineer (Water Rights Program, 523 E. Capitol Avenue, Pierre SD) by February 11, 2013.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

RECOMMENDATION OF CHIEF ENGINEER

FOR WATER RIGHT NO. 1293-2, TOM LILLIBRIDGE

Pursuant to SDCL 46-2A-2 and 46-5-37.1, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Right No. 1293-2.

The Chief Engineer is recommending cancellation of the irrigation component of the above water right due to abandonment and/or forfeiture. Records on file with the Water Rights Program indicate the irrigation system was removed in 2003. The 2012 irrigation questionnaire submitted by the water right holder indicated irrigation use had been abandoned. During a January 31, 2013 telephone conversation with Genny McMath, Mr. Lillibridge confirmed the land was no longer irrigated and there was no intent to irrigate. The storage dam is still in place and used for livestock water.

RON DUVAL, Natural Resources Engineer
for Garland Erbele, Chief Engineer
February 1, 2013

Note:

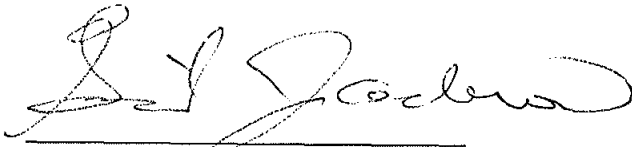
Cancellation consideration is for the irrigation component of the water right only. Once the Board takes action to cancel the irrigation portion, the water license will be reissued to allow for continued use of water from the storage dam for livestock watering purposes.

CERTIFICATION

I hereby certify that on February 1, 2013, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated February 1, 2013 regarding cancellations addressed as stated below:

Water Right No. 1293-2 Tom Lillibridge, PO Box 168, Bonesteel SD 57317

Water Permit No. 6399-3 Keith & Kip Krull, 31848 207th St., Harrold SD 57536

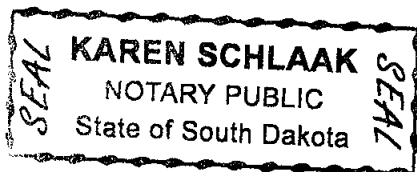


Gail Jacobson
Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 1st day of February, 2013.


Karen Schlaak
Notary Public
My Commission expires April 1, 2013





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 12, 2013

1293-2

NOTICE

Tom Lillibridge
PO Box 168
Bonesteel SD 57317 0168

Dear Mr. Lillibridge:

This will notify you that the Water Management Board cancelled the irrigation component of your Water Right No. 1293-2 on March 7, 2013. This action was taken under the conditions outlined in our notice to you dated February 1, 2013.

With cancellation of the irrigation component of the water right, the water license will now be reissued to allow continued use of the storage dam for domestic livestock watering purposes. The reissued license will be forwarded to you under separate cover within the next couple weeks.

If you have any questions concerning the Board action, please contact Genny McMath, with our program, at (605) 773-3352.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program

CERTIFICATION

I hereby certify that on March 12, 2013, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated March 12, 2013 regarding cancellations addressed as stated below:

Water Right No. 4035-3: Donald Evenson, 2044 Harbor Ridge Rd, Brookings SD 57006

Water Permit No. 1891-1: Debbie Brown, Finance Officer, City of Faith, PO Box 368, Faith SD 57626

Water Permit No. 6846-3: Mark Thoma, Manager, Environmental Services, Otter Tail Power Co, PO Box 496, Fergus Falls MN 56537

Water Permit No. 7057-3: Gerhard TerDenge, Mill Valley LLC, 15161 476th Ave., Milbank SD 57252

Water Permit No. 2124-2: Justin Vande Weerd, 46659 205th St., Bruce SD 57220

Water Permit No. 6471-3 Gary Marshall, Marshall Brothers, 19032 388th Ave., Hitchcock SD 57348

Water Permit No. 73-3: Jackie Pazour Living Trust, Ted & Jackie Pazour, 40061 171st St., Frankfort SD 57440

Water Right No. 1293-2: Tom Lillibridge, PO Box 168, Bonesteel SD 57317

Water Permit No. 6399-3 Keith & Kip Krull, 31848 207th St., Harrold SD 57536



Gail Jacobson
Secretary/Water Rights

STATE OF SOUTH DAKOTA)

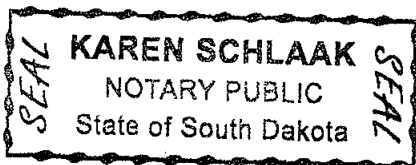
COUNTY OF HUGHES)

) SS

Sworn to, before me, this 12th day of March, 2013.



Karen Schlaak
Notary Public
My Commission expires April 1, 2013



Licensing of Irrigation Water Right for Stock Watering

NAME: Tom Lillibridge

ADDRESS: PO Box 168, Bonesteel SD 57317 0168

DATE: April 4, 2013 **COUNTY:** Gregory

BOARD ACTION:

Water Right No. 1293-2 authorizes diversion of water from a dry draw dam to irrigate 70 acres in the SW ¼ Section 18, T95N, R69W. On March 7, 2013, the Water Management Board took action to cancel the irrigation component of Water Right No. 1293-2 due to abandonment and/or forfeiture. The 10 acre-feet dam still exists and is used for livestock watering.

AUTHORITY

Pursuant to SDCL 46-5-31.1, if permitted irrigation use from a storage dam is abandoned or forfeited but the storage dam is used for stock watering, stock watering may be added to the license or permit upon the request of the permit or license holder.

RECOMMENDED ACTION

Based on the Board action to cancel the irrigation portion of the water right, it is recommended that the water license be re-issued for stock watering.



Genny McMath
Water Rights Program

The Chief Engineer makes a finding pursuant to SDCL 46-5-31.1 that:

The addition of stock watering does not impair existing water rights and no diversion of water will be made from the storage dams. Licensing of the water right for stock watering may occur without application or publication pursuant to SDCL 46-2A-4.



Jeanne Goodman, Chief Engineer
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

APR 12 2013

1293-2

Tom Lillibridge
PO Box 168
Bonesteel SD 57317 0168

Dear Mr. Lillibridge:

Enclosed is Reissued Water License No. 1293-2.

On March 7, 2013, the Water Management Board cancelled the irrigation component of the water right. The reissued water license authorizes continued use of the dry draw storage dam for domestic purposes.

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

Sincerely,

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

enclosure

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 1293-2

(1) Logan Thoene, Bonesteel, SD was issued Water License No. 1293-2, November 3, 1983 for a water right to divert 0.78 cubic feet of water per second from a dry draw dam (10 acre feet storage capacity) in Gregory County, South Dakota for irrigation purposes. Water License No. 1293-2, with a priority date of September 25, 1975 was issued to the permit holder for diversion of water with construction of the described water supply system and the application to beneficial use of water completed.

On November 7, 2000, Water Right No. 1293-2 was transferred to Tom Lillibridge.

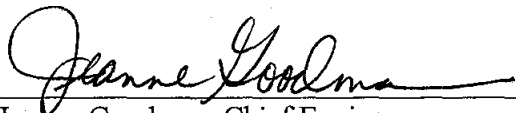
On March 7, 2013, the Water Management Board cancelled the irrigation component of the water right. The storage dam is still in place and used for domestic livestock watering.

Pursuant to SDCL 46-5-31.1, stock watering may be added as a water use to a license provided no diversion is made from the dam. The Chief Engineer made a finding that the addition of stock watering does not impair existing water rights.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Water Law 46-5-30.1 Tom Lillibridge, PO Box 168, Bonesteel SD 57317 the holder and/or owner of Water Right No. 1293-2 is issued a license bearing a priority date of September 25, 1975 to impound 10 acre feet of water in a dry draw storage dam for domestic livestock watering purposes.

The storage dam is located in the SE ¼ SW ¼ Section 18, T95N, R69W with water impounded in the same area.

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 1293-2.



Jeanne Goodman, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

APR 12 2013

date





1293-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

October 5, 2017

Mrs. Cindy Lillibridge
PO Box 168
Bonesteel SD 57317

Dear Mrs. Lillibridge:

This letter is in regards to a telephone call I received from your renter Terry Hausmann requesting a pumping extension for a Ponca Creek water right No 2499-2. Enclosed is a copy of a letter signed by the Chief Engineer granting the extension.

Mr. Hausmann also enquired about transferring this water right we have on file under your late husband's name, Tom Lillibridge, and was questioning what needed to be done with the water right. The water right needs to be transferred from Mr. Lillibridge to the new water right holder.

During our review we also found two other water rights under the name Tom Lillibridge. I understand at least one of these permits may be transferred to Mr. Hausmann. I am enclosing copies of all three permits and partially completed transfer forms for each. I left the name and address lines blank, allowing you to transfer individual permits to the appropriate individual. Please complete each of the transfer forms and submit back to this office along with a \$50 fee for each transfer.

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

Sincerely,

Mark D. Rath
Natural Resources Engineer III
Water Rights Program

1293-2

RECEIVED

OCT 23 2017

WATER RIGHTS
PROGRAM

October 11, 2017

Dear Mark and/or Aaron,

Enclosed you will find the "Transfer of Ownership" forms for water rights #1320-2, #2499-2 & #1293-2. The forms transfer their ownership from my late husband, Tom Lillibridge to me, Cindy Lillibridge.

It is my understanding that the annual reporting information can be forwarded to the operator of the farm. Please consider this letter as my request to have the reporting information sent to the operator. His name is:

Terry Hausmann
90887 479th Ave.
Butte, NE 68722
Phone: 605-201-6017

Thank you for your assistance.



Cindy Lillibridge

RECEIVED

OCT 23 2017

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1293-2

Date: 10-11-17

I/We request that Water Right No. 1293-2

formerly owned by: Tom Lillibridge

be transferred to: (name & address) Cindy Lillibridge

PO Box 168

Bonesteel, SD 57317 Telephone No. 605-654-2874

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

storage dam located in the SE ¼ SW ¼ Section 18, T95N, R69W

I/We understand that the validity of Water Right No. 1293-2 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 with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Cindy Lillibridge, the new owner, certify that the above information is true and correct.

Cindy Lillibridge
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date October 23, 2017

RECEIVED OF Ponca Creek Cattle Co. PO Box 168 Bonesteel 57317-0168

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ 1293-2		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 08365

By Jeanne Goodman
Chief Engineer

JM

1293-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 23, 2017

1293-2
1320-2
2499-2

Cindy Lillibridge
PO Box 168
Bonesteel SD 57317 – 0168

Dear Mrs. Lillibridge:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on Water Right Nos. 1293-2, 1320-2 and 2499-2.

The ownership changes have been completed. The above listed water rights, formerly listed under Tom Lillibridge are now listed in your name.

As you requested, the annual irrigation questionnaires will be directed to your operator, Terry Hausmann. Enclosed for your records are the receipts for the filing fees you submitted.

If you have any questions, please contact me.

Sincerely,

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

enclosures