

1677-2

Water Right Number _____

To be considered 8-27-79

County Custer about 31.5 miles

West of Custer

APPLICATION

Name William H. Donlay Address Thermosa, S.D.

Priority

Date _____ Received July 9, 1979 Complete-yes _____ no ☒ reason Map incorrect

needed map

Fee Received-yes ☒ amount 150.00 no _____ reason _____

received _____

Map Received-yes _____ no ☒ reason incorrect - needed a sign. loc.

of exact location received Aug. 14, 1979

Log Received-yes ☒ no ☒ reason also needed form 24 for

Storage dam received Aug. 14, 1979

REMARKS

WATER QUALITY

Date Received Aug. 14, 1979 Approved/Conditional (Circle one)

Disapproved date _____ reason _____

Date Disapprove _____

Application returned _____

VI-1 Land Description - same as Application-yes ☒ no _____ remarks _____

APPLICATION INFORMATION

Use Irr. acres 40 c.f.s. 1.5

Storage dam - 2 ac. foot Diversion Location _____

SOURCE: surface of Storage dam SE 1/4 NW 1/4 34-25-7E

(Both)

Land to be Irrigated SE 1/4 NW 1/4 34-25-7E

MAP

Type of Map Relief Prepared by S.D.S.

LOG

Map No. 1-131-2 Map located in W/R ☒ Map file _____

Driller Don & T. Don Licensed in SD-yes ☒ no _____

Depth and Formation 235' deep - Mennelugahant Sand

4 2 ac ft storage dams, 4' high
surface area

OTHER
INFORMATION
FILED
WITH
WATER RIGHT

REVIEWED

This application was reviewed within 30 days of receipt, accepted as complete, number assigned, and written up for advertisement before the board on

8-37-79

(Signed)

This application was unable to be completed - Reason

PUBLICATION

60000000 - 8-27-79

Dates published - 1st 8-23-79 2nd

Date _____

Affidavit received 9-13-79 remarks

Costa Co. Chronicle

PROTESTS

Letters/Petitions in File yes no remain

STAFF REC-
COMMENDATIONS

BOARD ACTION

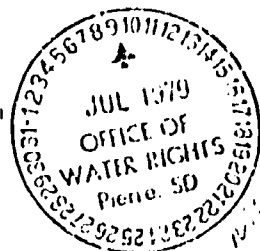
Date Approved 9/27/79 Qualifications MS - 44 (2) 10410-1-24-24-24

Deferred - date _____ reason _____

Denied - date _____ reason _____

REMARKS
F.F. & C. OF
LAW, FINAL
DECISIONS,
ETC.

Map No. 1233-2 Water Division No. 2 BATTLE CREEK District 1437-2
(Blanks to be filled by the Engineer for the State.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant William H. Donley
 Postoffice address P.O. Box 55; Hermosa State South Dakota 57744
 If a corporation, show date and place of incorporation NA
 2. Method of accomplishing work (contract, employment of others, or by direct labor) direct labor
 3. Name of diversion work D/M #1 DONLEY #1
 4. Amount of water claimed (cubic feet per second) .5
 5. Source of water supply Well -- Mirneluzahan & STORAGE DAM (APPROX. 2 AC. F. STORAGE)
 6. Location of point of diversion 1915 FT SOUTH & 1493 FT EAST OF NW CORNER SEC 34-T2S-R1E SE9NW1 County Custer
 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 40

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 In	Land Description	No. Acres In
SE 1/4 NW 1/4 Sect. 34, T2S, Range 7E of BHM, Custer County, South Dakota	40		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system three years. Additional time required to complete application of water to the proposed beneficial use two years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Rapid City Journal CUSTER Co CHRONICLE
 12. Principal Features of the Proposed Water Supply System.
 A. Works proposed to divert water from its natural source Well - Pipeline
 B. Works proposed to transport water to place of use Pipeline
 C. Works proposed to apply water to beneficial use Sprinkled

Estimated Total Cost \$ 7500.00

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 Pennings) ss.

I, William H. Donley 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 William H. DonleySubscribed and sworn to before me this 3 day of July 1982

Edith G. Smith
 Notary Public (or other qualified officer)

My Commission Expires July 1, 1986
Notary Public

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1677-2
WILLIAM H. DONLEY (Applicant) P.O. Box 55 - HERMOSA (Post Office Address)
SOUTH DAKOTA 57744 (State) With the following modifications:

The irrigation well approved under this Permit will be located near domestic wells and other irrigation 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 adequate domestic wells or in irrigation wells having prior water rights.

The well approved under this Permit shall be valved and the flow reduced to a minimum when not being used for irrigation or for storage purposes. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with specifications of the Water Management Board.

Approval of this permit authorizes storage of 2 acre feet of water annually.

Date of first receipt of application JULY 9 19 79
 Date of return to applicant for correction, amendments or changes required JULY 24 19 79
 Date of receipt of corrected application AUGUST 14 19 79
 Approved SEPTEMBER 27 19 79 Recorded in Book 21 Page 42

WATER RIGHT PERMIT NO. 1677-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1677-2 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 JULY 9 19 79.
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 27 19 81.
3. The whole of said work is to be completed on or before SEPTEMBER 27 19 82.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 27 19 84.
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 .5 (2 ACRE FEET STORAGE) cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before SEPTEMBER 27 19 84; said water to be used during the following described annual period: JUNE - SEPTEMBER

Witness my hand this 2ND day of OCTOBER 19 79

WATER RIGHTS COMMISSION

By.

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

BICE & TAYLOR DRILLING CO.

1720 Evergreen Drive
RAPID CITY, SOUTH DAKOTA 57701

RALPH TAYLOR

TELEPHONE:
Office 3-18-3600
After Hours 342-7110

William H. Donley
Room 202 Federal Bldg. Courthouse
515 9th Street
Rapid City, S.D. 57701

Well Log: Well Complete May 1, 1978

Total Depth 225'
Static Flow 6 GPM
215' 91" O.D. Casing
45 GPM

0-60	Gravel & boulders
60-100	limestone
100-210	red siltstone
210-215	sandstone red
215-220	yellow & pink sandstone
220-225	red orange sandstone

Top of minneluzahan sand 210 feet
Test by U.S. hydrologist
July 1978
12.5 gpm 1" choke
9.5 lb pressure
hardness 3 grains



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 5.5", Depth 225
- (2) Casing, Type steel Diameter 5.5" O.D. Thickness 1/4
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type None, Diameter _____, Length _____
- (4) Gravel Pack. Thickness None, Length of gravel pack _____

E. Dugout Information or Estimates.

- (1) Surface dimensions N/A, 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 Minneluzahan Sand
This well is artisan flowing 12.5 gpm through a one-inch choke at
9.5 pounds pressure. Full flow with well top off is greater than
50 gpm.

Depth to top of water bearing material 205
Depth to bottom of water bearing material 225
Thickness of water bearing material 20
Depth to water (ground surface to water level) 205

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

*same well used for domestic use
On same owner's property * rds. On property owned by others ** rds.
**one mile from a small surface ground
water well.

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.

None

There are no known wells in the Minneluzahan Sand within a three mile radius of this well according to the Federal Hydrologist in Rapid City, South Dakota.

William H. Ross
Signature of Applicant

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

- (1) Drill Hole, Diameter _____, Depth _____
- (2) Casing, Type _____, Diameter _____, Thickness _____
(wood, concrete, steel, etc.)
- (3) 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. (Attach a copy of test well log)

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Depth to water (ground surface to water level) _____

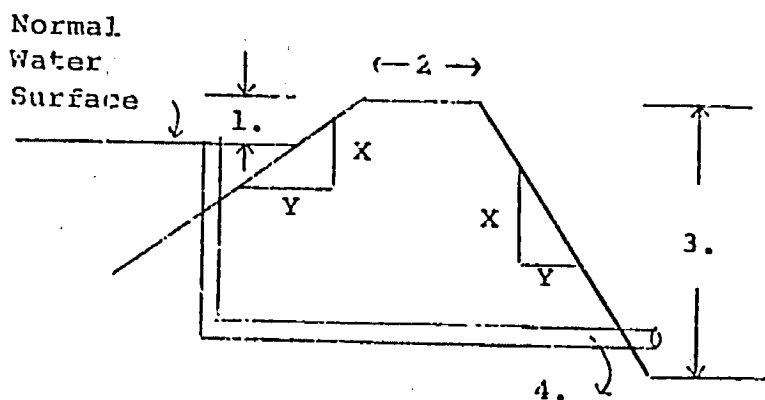
(2) Distance to nearest existing household or livestock watering well.

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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



1. Freeboard _____ 3'
2. Crest width _____ 12'
3. Height of Dam _____ 9'
4. Outlet dimensions:
- Pipe diameter _____ NONE - ALL PUMP
- Spillway width _____ 20'
- X & Y slope:
- Upstream _____ 3 to 1
- Downstream _____ 2 to 1
- Surface area of impoundment _____ .5 acres
- Drainage area above dam _____ 80 acres

APPROXIMATELY TWO ACRES FEET WILL BE STORED FROM WELL TO PERMIT HIGHER VOLUME APPLICATION DURING IRRIGATION PERIODS.

Signature _____
Applicant



BICE & TAYLOR DRILLING CO.

1720 Evergreen Drive
RAPID CITY, SOUTH DAKOTA 57701

RALPH TAYLOR

Ralph Taylor

TELEPHONE:
Office 348-3600
After Hours 342-7119

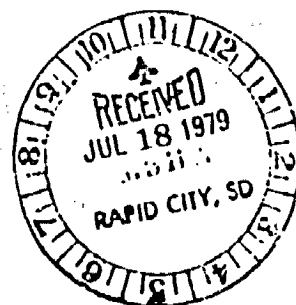
July 16, 1979

W. H. Donley
Room 202 Federal Building
515 9th Street
Rapid City, S.D. 57701

Well Log:

Free Flow 55 GPM

0-60	gravel & boulders
60-100	limestone (minnelusa)
100-210	red siltstone
215-220	yellow & pink sandstone
220-225	red & orange sandstone



South Dakota
Division of Conservation

STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

IMPORTANT: Read Instructions Before Proceeding!!!

NAME William H Dealey

ADDRESS 243 East Nevada Rapid City S.D

COUNTY ~~Hammond~~ Custer Co.

In accordance with State Law (Section 1, SB-58), if a water right is granted with a conditional permit (Soil/Water compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.

This action must be taken by the holder of a water right within 6 months of receipt of such water right.

LEGAL DESCRIPTION:

1. WELL LOCATION OR DIVERSION POINT S E 1/4 NW 1/4 Sect 34 T2S R7E D4M Cluster 651
2. LOCATION OF AREA TO BE IRRIGATED S E 1/4 NW 1/4 Sect 34 T2S R7E D4M Cluster

12.5.1

TYPE OF IRRIGATION:

3. GRAVITY X TOWLINE 1/2 CENTER PIVOT _____ GUN _____
OTHER (SPECIFY) _____
4. CROPS TO BE IRRIGATED Alfalfa and irrigating pasture grasses

WATER QUALITY: (To be completed by SDSU Water Quality Lab)

3. SAMPLE NUMBER 71-44
 6. SALINITY (DC X 10⁶) 7.5
 7. SODIUM (SAR) 2.5 100 5.00 = 0.45
 8. RESIDUAL SODIUM CARBONATE (meq/l.) 1.0

I do hereby certify that a chemical analysis of the irrigation water representative of that used to irrigate shall be acquired from South Dakota State University and the soils information has been acquired from Custer Conservation District, County Extension Office or Soil Conservation Service; and further, that the legal description for the location of the well and land to be irrigated is true and correct.

SUBSCRIBED AND SWORN BEFORE ME THIS
5 DAY OF July, 1929.

(TITLE OR SEAL)

(SOILS & FORMATION ON REVERSE SIDE)

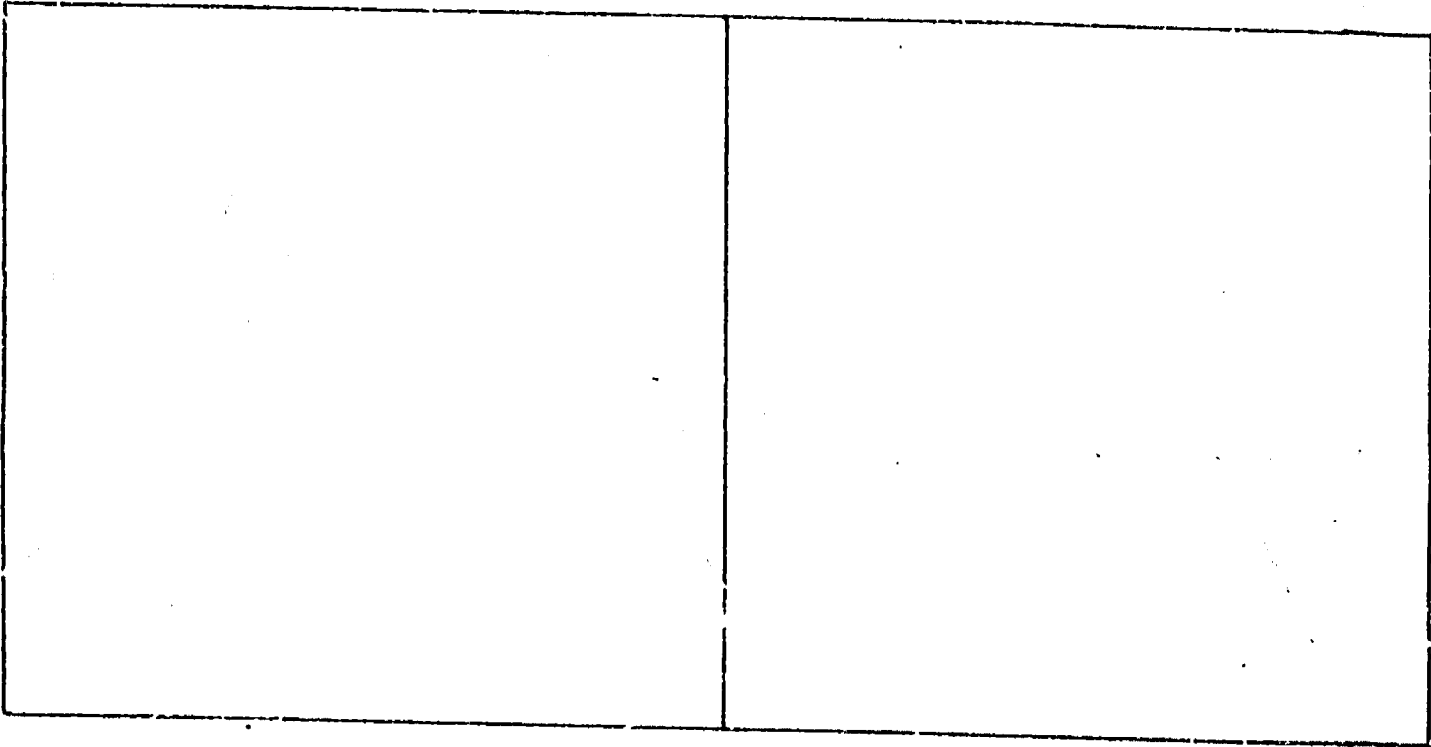
APPLICANT'S SIGNATURE

Approved

Disapproved

Conditionally Approved

MAP



NARRATIVE

This area has not been soil surveyed. Pennington County Soil Survey is in progress. Bill brought in a representative sample of the area to be irrigated. The Soil Survey Party Leader identified the soil as a Vale silt loam. The Party Leader felt this sample is quite typical of the area to be irrigated.

Rick March
Rick March, District Conservationist
Soil Conservation Service



APPROVED

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

DIVISION OF CONSERVATION

NAME OF APPLICANT William H. Donley, Rapid CitySOIL RESTRICTIONS:THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:RECOMMENDED MANAGEMENT:

1. Water should not be applied more than NA times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least NA inches of water.
3. ☒ Yes ☐ No Surface drainage suggested on Any area that tends to pond water.
4. ☐ Yes ☐ No Subsurface drainage suggested on _____
5. ☒ Deep tillage (for the purpose of aiding movement of water through dense subsoils
COMMENTS: Occasional use as found necessary.
6. ☐ Heavy fall application of irrigation water.
7. Type of irrigation system recommended for use on this application gravity-towline

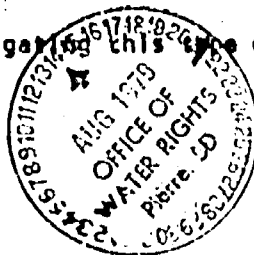
GENERAL COMMENTS:

Vale soils have a structure conducive to irrigation to the 24 to 30 inch depth, but massive structure below this depth.

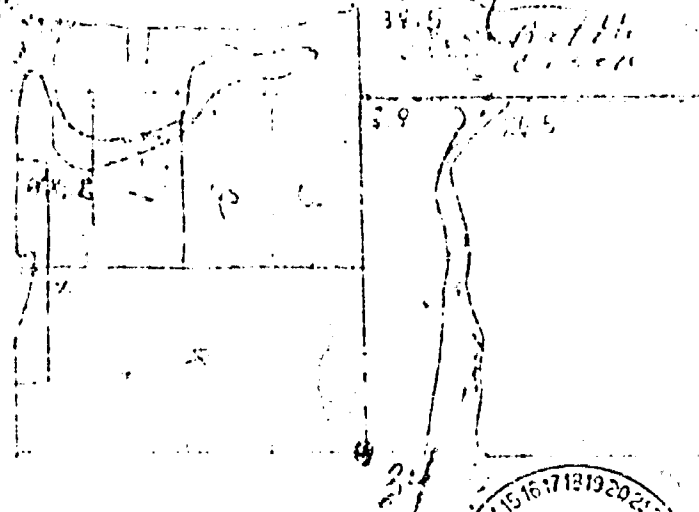
Shiny clay pads, immediately below the surface soil, indicate that soil cracking takes place under dry conditions and soil swelling takes place under wet conditions. Under continual soil saturated conditions, water intake into the subsoil is somewhat limited, due to soil swelling.

Gravity and/or towline are your better methods of irrigating this type of soil.

Copy to applicant
Copy to Water Rights
Copy on _____



NOT TO SCALE



#1, #2, #3 -- five-acre plots irrigated
#4 -- 20 acres alfalfa

REPORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57007

Submitted by William L. Conley Date Rec'd. July 5, 1979
 Address 243 1st Ave. S. Brookings, SD 57001 Sample No. 72-419
 Identification 1011-
Sumner HA, Sec. 34, T. 2S, R. 2E

WATER ANALYSIS

Calcium (Ca)	35	ppm*	1.76	me/l**
Magnesium (Mg)	11	ppm	0.91	me/l
Sodium (Na)	7	ppm	0.30	me/l
Potassium (K)	2	ppm	0.05	me/l
Sulfate (SO ₄)	3	ppm	0.17	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	2	ppm	0.07	me/l
Bicarbonate (HCO ₃)	166	ppm	2.72	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 (Methyl Orange)	136	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	265	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.25	Adjusted SAR	0.45	
Sodium	11.05	% of cations		
Residual sodium carbonate	0.05	me/l		
pH	7.20			

Others:

*ppm=parts per million

**me/l=milliequivalents per liter

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

COMMENTS: Total cations 2.72 me/l
 Total anions 2.96 me/l

By: Shirley Hittan

Service Performed	Amount Due
Investigation analysis	\$15.00

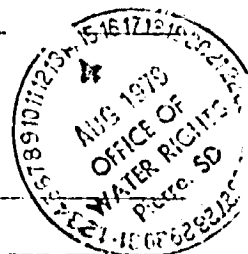
Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 72-419

Amount Enclosed \$

Signed



No. 1677-2

Publish first publication, on or before August 31, 1979

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 15, 1979

Notice is hereby given that William H. Donley whose post office address is Hermosa, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use .5 cubic feet of water per second of time from groundwater (one well and storage dam) through the Donley #1, the point(s) of diversion of which ~~is~~(are) to be located in the SE 1/4 NW 1/4

of Section 34, Twp. 25, Range 7E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SE 1/4 NW 1/4 Section 34, T25, R7E

This Application No. 1677-2 will be considered by the Water Management Board at the Community Room, City Hall 222 E Dakota, Pierre, SD 57501 upon the 27th day of September, 1979

at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

WATER MANAGEMENT BOARD

LETTY WESTLUND
Water Rights Specialist

cc. William H. Donley, Box 55, Hermosa, SD 57744

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

No. 1677-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Custer) ss.

I, Jessie Y. Sundstrom hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Custer County Chronicle

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

City _____ of Custer

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

Aug. 23, 1979

Aug. 30, 1979

Jessie Y. Sundstrom
(Signature)

Publisher
(Title)

October 3, 1979
(Date Signed)

notice of hearing

NOTICE OF HEARING ON APPLI-
CATION TO APPROPRIATE WATER

Pierre, South Dakota 57501
August 15, 1979

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H. Donley whose post office address is
Hermosa, South Dakota, has made an
application in accordance with the pro-
visions of SDCL 46-1-1 thru 46-1-3,
46-1-14; 46-2-9 thru 46-2-11, 46-2-18; 46-
5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41;
46-6-3, 46-6-11, 46-6-15, 46-6-16, 46-6-17, 46-6-18
and Board Rules ARSD 52:01:01.01
thru 52:01:01.13, for a permit to appro-
priate for beneficial use .5 cubic feet of
water per second of time from ground-
water (one well and storage dam) through
the Donley #1, the point(s) of diversion
of which are to be located in the
SE¼NW¼ of Section 34, Twp. 23,
Range 7E. Said water to be used for
the purpose of providing irrigation on
portions of the following described land:
3E¼NW¼ Section 34, T2S, R7E.

This Application No. 1677-2 will be
considered by the Water Management
Board at the Community Room, City
Hall, 222 E. Dakota, Pierre, SD 57501
upon the 27th day of September, 1979
at 10 A.M. The Board is authorized
to make a determination on this appli-
cation at the hearing. All interested
persons may appear and be heard.
Any person who may be affected by a
Board decision who desires to present
evidence or cross-examine witnesses ac-
cording to SDCL 1-26 may notify the
Board in writing prior to the hearing
or orally at the hearing.

This hearing is an adversary pro-
ceeding. Any person 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 at the hearing. Decisions
of the Board may be appealed to the
Courts as provided by law.

WATER MANAGEMENT BOARD
/s/Betty Westlund
Water Rights Specialist
cc: William H. Donley, Box 55, Her-
mosa, SD 57744.
#290 8/30/79



RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 6954

PIERRE, July 9, 1916

RECEIVED OF William H. Donley, Box 55, Hermosa SD

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

Fee for Application for Permit to Appropriate Water No. 1677-2 (examination, processing, recording and filing)	150	00
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	150	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH Ew



**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1677-2

August 27, 1985

William H. Donley
PO Box 55
Hermosa, South Dakota 57744

Dear Mr. Donley:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 1677-2 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.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Maxine Stirling
Staff Assistant

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

Permit No. 1677-2Battle Creek Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by William H. Denley of P.O. Box 55 Hermosa SD holder of Permit No. 1677-2, bearing the priority of July 9 19 79 authorizing the diversion of 0.5 cu. ft. per second of the waters of groundwater for Irrigation purposes, in Custer County.

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

A. Works used to divert the water:

Berkeley 5HP submersible pump & a
Berkeley Centrifugal booster pump
Model BL57PL3

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

1360 ft. 4" Aluminum pipe
720 ft. 3" PVC pipe

C. Works used to apply water to beneficial use:

480 ft. towline sprinkler system with
12 Rainbird sprinklers

The system is in the following condition Good

The point of diversion is located 1900 ft. South & 1450 ft. East of NW
corner Section 34 - T2S-R7E SE 1/4 NW 1/4

The works are capable of diverting and conveying to the place of use 125 gpm (0.28 cfs) with
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: 10 Ac. NE 1/4,
10 Ac. NW 1/4, 10 Ac. SW 1/4, 10 Ac. SE 1/4 all
in the SE 1/4 NW 1/4 Section 34 - T2S-R7E

comprising a total of 40 acres of land and the license should be issued for 0.28 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: per Date August 23, 1985The storage dam was not developed

Timothy L. Schaal
 signature

LICENSE FOR PERMIT NUMBER 1677-2

1. Legal location of wells: 1900 ft. South & 1450 ft. East of
NW corner Section 34-T2S-R7E. SE 1/4 NW 1/4

dams & structures: _____

2. Well Information: Well Drilling Firm Taylor

No. of wells 1 Depth 225'

Casing a) diameter 5" ID Screen a) type _____

b) length 215' b) length _____

c) type steel Static Water Level _____

Pump a) make 5HP Berkeley Motor a) make _____

b) model submersible b) model no. _____

c) size 5" c) horsepower rating _____

d) capacity 100+ GPM d) motor efficiency rating _____

e) turbine pump
no. of stages _____

Booster pump

3. Distribution lines:

a) size of lines 1360 ft 720 ft Berkeley Centrifugal

b) type 7" Aluminum 3" PVC Model RL5 TPL3

c) length _____

4. Dam information:

a) height to crest _____

b) height to spillway _____

c) crest width _____

d) crest length _____

e) spillway length _____

f) spillway width _____

g) approx. storage _____

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

i) Outlet tubes:

1) diameter _____

2) type _____

3) valued (Y/N) _____

4) valve type _____

5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline:

1) length 480 feet

2) make, model & number of sprinklers

12 Rainbird

3) spacing of sprinklers 90 ft

4) nozzle size 1/4" & 3/8"

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

X

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.

X

2. Special Qualifications to permit being abided by.

X

3. All Structures, wells and lands on map.

REMARKS:

State of South Dakota
Water License No. 1677-2

(1) William H Donley
of PO Box 55, Hermosa SD
made Application No. 1677-2, July 9, 1979 for a water permit to appropriate
and 2 acre feet of storage
1.5 cubic feet per second of water from groundwater (one well & a storage dam
Custer County, South Dakota for irrigation purposes.
Permit No. 1677-2, with a priority date of July 9, 1979
was approved September 27, 1979 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before September 27, 1982 and for the application to beneficial use of said
water on or before September 27, 1984.

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 0.28 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 1900'S and 1450'E of the NW corner
Section 34, T2S, R7E (BD)

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 T2S, R7E

Section 34, SE 1/4 SW 1/4 40 acre (BD)

(4) Pursuant to §46-5-30.1 William R Donley

of PO Box 55, Hermosa SD 57744

the holder(s) and/or owner(s) of Water Permit No. 1677-2 is issued a license to appropriate water, the right to use 0.28 cubic feet per second of water from groundwater (one well) with a priority date of July 9, 1979 from the location specified in (2) of this license. The water to be conducted to and upon 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. 1677-2 and subject to South Dakota State Law.

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

OCT 31 1985

RECEIPT

Division of Water Rights

No 416171

South Dakota Department of Water and Natural Resources

Pierre, _____, 1925

RECEIVED OF William H. Dooley, Esq.

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. _____	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 JON HATCH ms



**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

No. 1667-2

OCT 31 1985

William H Donley
PO Box 55
Hartsoa SD 57744

Dear Mr. Donley:

Enclosed herewith is, Water License No. 1677-2. 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.

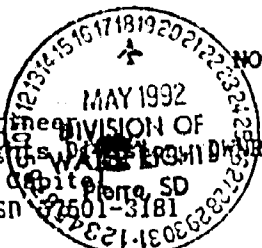
Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH: kb

Enclosures

WNR-817 3/83
Transmittal of Water License



NOTICE OF TRANSFER OF OWNERSHIP

No. _____

To: Chief Engineer
Division of
Water Rights
523 East Capitol
Pierre, SD 57501-3181

Date: May 18 1992

I/We request that Water Permit/Right No. 1677-2
formerly owned by: William H. Doolen
be transferred to: (name & address) Lynn S. Hedges (243-3479) and
Assad Barakat (624-2848) (telephone No.) _____

Title to the following described land(s)/property has been transferred as described above:
SE 1/4 NW 1/4 Sec 34, T. 25 R. 7 E of BDM Co. S.D.
So Dak.

I/We understand that the validity of Water Permit/Right No. 1677-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)
County of DeWitt)

I/We Lynn S. Hedges
Assad Barakat 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.

Lynn S. Hedges
Assad Barakat
(Signed)

Subscribed and sworn to before me this 18th day of May, 19 92.

Dale W. Rogers
(Notary Public)
My Commission Expires 1025-99

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water right. A water right may be lost for three reasons:
1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

415216

Division of Water Rights
South Dakota Department of Water and Natural Resources

Pierre, May 18, 1942

RECEIVED OF Lynn Hedges, Geological Survey, USD Science Center, Vermillion, SD 57069
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. _____		50
Fee for Filing Transfer Form _____ Water Right No. 1677-2		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)	Total	50

By [Signature]
Chief Engineer



1677-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2002

NOTICE

TO: LYNN S HEDGES, 3818 S WESTERN AVE, SIOUX FALLS, SD 57105 6511

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire has not been submitted for Permit No(s) 1677-2. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 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 10:00 am, March 13, 2002, in the Visitor Center (west bank of Capitol Lake), 650 E Capitol Avenue, 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) 1677-2 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 March 8, 2002, 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.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

LYNN S HEDGES
3818 S WESTERN AVE
SIOUX FALLS SD 57105 6511

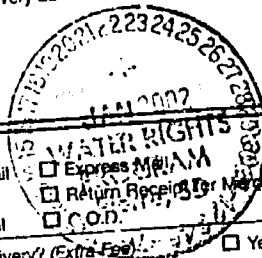
COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature ☐ Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
 4. Restricted Delivery? (Extra Fee) ☐ Yes



2. 7001 2510 0004 4797 5170

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 8, 2002

1677-2

Lynn S Hedges
3818 S Western Ave – PMB 1168
Sioux Falls SD 57105-6511

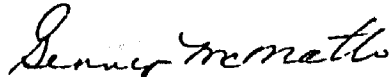
Dear Mr. Hedges:

I am writing to acknowledge receipt of your 2001 irrigation questionnaire. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Permit No. 1677-2.

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



1677-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2005

NOTICE

TO: LYNN S HEDGES, 3700 S WESTPORT AVE STE 1168, SIOUX FALLS, SD 57106 6342

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire

Our records indicate that the 2004 Irrigation Questionnaire has not been submitted for Permit No. 1677-2. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 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 8:30 am, March 2, 2005, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, 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. 1677-2 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 is received in this office on/or before **February 25, 2005**, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire, 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.



1677-2

Track & Confirm

Current Status

You entered 2301 3460 0000 8516 1503

Your item was delivered at 10:22 am on January 21, 2005 in SIOUX FALLS, SD 57106. The item was signed for by C NELSON.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email

[What is this?](#)

[Go >](#)

▶ Request Proof of Delivery

[What is this?](#)

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Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8516 1503

LYNN S HEDGES
3700 S WESTPORT AVE STE 1168
SIOUX FALLS SD 57106 6342

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail®
☐ Package Services

(See Reverse)

PS Form 153, July 2001



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2005

1677-2

Lynn S Hedges
15500 Bubbling Wells Rd #97
Desert Hot Springs CA 92240

Dear Lynn:

I am writing to acknowledge receipt of the information for your 2004 irrigation questionnaire. I completed a questionnaire for you based on our February 2nd telephone conversation. Enclosed is a copy for your records.

You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 1677-2. 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 for calling and if you have any questions, please contact me.

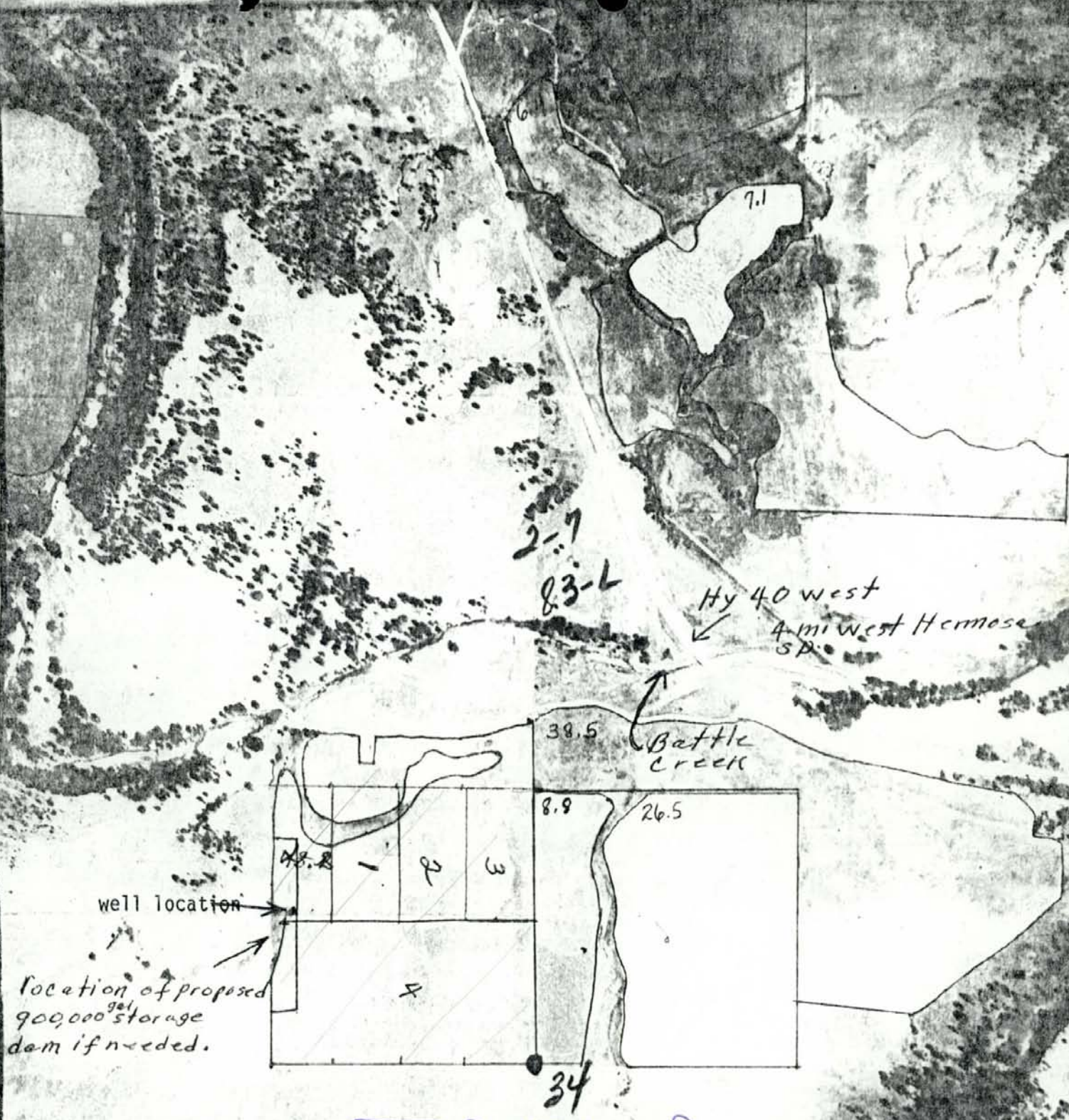
Sincerely,

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

enclosure

NOT TO SCALE

Map 1437-2 Appl # 1677-2



Richard D. Maul

#1, #2, #3 -- five-acre plots irrigated grasses.
#4 -- 20 acres alfalfa
Well location 1915 feet south and 1493 feet east of the
NW corner of Sect. 34, T2S, R7E, BHM, Custer Co., SD

*District Conservationist
Soil Conservation Service*

1437-2
MAP No. ~~1437-2~~

William H. Donley
Registered Professional Engineer
SD #3108

APPL. 1677-2
(1677-2)

NOT TO SCALE



~~Map 11-57-2~~
Permit # 1677-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 29, 2010

1677-2

Assad Barari
24608 Tiffany Lane
Hermosa SD 57744

Dear Assad:

Thank you for letting us know about the ownership change needed for Water Right No. 1677-2.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

DEC - 2 2010

WATER RIGHTS
PROGRAM

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

No. 1677-2

Date: 12/11/10

I/We request that Water Right No. 1677-2

formerly owned by: Lynn Hedges and Assad Barari

be transferred to: (name & address) Assad Barari, 24608 Tiffany Lane, Hermosa SD 57744

Telephone No. 605 255-5099
605 670-4828 Cell

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

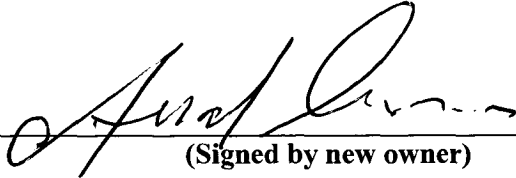
The Purchase is under contract for Deed and expected to be completed within 2 years.
40 acres - SE 1/4 NW 1/4 Section 34, T2S, R7E

I/We understand that the validity of Water Right No. 1677-2 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 Assad Barari, the new owner, certify that the above information is true and correct.


(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 12/2, 2010

RECEIVED OF Assad Barari 24608 Tiffany Ln Hermosa SD 57744

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>1677-2</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **04689**

By Lulu Erskine
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 10, 2010

1677-2

Assad Barari
24608 Tiffany Lane
Hermosa SD 57744

Dear Assad:

I am writing to acknowledge receipt of the 2010 irrigation questionnaire, the "Notice of Transfer of Ownership" form and filing fee submitted for Water Right No. 1677-2.

The transfer has been completed. The water right formerly held by you and Lynn Hedges is now listed in your name only. Enclosed is your Receipt No. 04689 in the amount of \$50.00.

If you have any questions, please contact me.

Sincerely,

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

enclosure

1677-2

RECEIVED

NOV 15 2021

WATER RIGHTS
PROGRAM

4027 Fairway Hills Drive
Rapid City, South Dakota 57702
November 11, 2021

Eric Gronlund
Water Rights Program
Joe Foss Building
523 E Capitol Ave
Pierre, SD 57501-9970

Dear Mr. Gronlund:

As of October 7, 2021, I no longer own the property that is covered by permit number 1677-2. The new owner is:

4Faces, LLC
310 Stone Hill
Custer, SD 57730

Sincerely,



Rachel Barari



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 15, 2021

1677-2

Betty Willan
4Faces, LLC
310 Stone Hill
Custer SD 57730

Dear Ms. Willan:

Our program was notified by Rachel Barari that the land covered under Water Right No. 1677-2 was sold to 4Faces, LLC. The water right is for diversion of ground water to irrigate 40 acres in the SE ¼ NW ¼ Section 34, T2S, R7E (copy enclosed).

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and complete as needed. Upon completion, please sign and return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

Water Rights for irrigation must be used once every three years in order for the right to have legal standing. The three year period may be waived if legal excuse exists for the years of nonuse. I am including excerpts of the water laws and Water Management Board rules pertaining to this issue.

If you have any questions, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures



OFFICE OF THE SECRETARY OF STATE
STEVEN J. BARNETT, SECRETARY OF STATE
JASON LUTZ, DEPUTY SECRETARY OF STATE

4FACES, LLC
310 STONE HILL DR
CUSTER, SD 57730

February 4, 2020

Filing Acknowledgment

Please review the filing information below and notify our office immediately of any discrepancies.

Business ID :	FL176812		
Filing Type:	Limited Liability Company - Foreign		
Filing Date:	02/03/2020		
Status:	Good Standing	Annual Report Due:	02/01/2021
Duration Term:	Perpetual		

Registered Agent Address:

BETTY WILLAN
310 STONE HILL DR
CUSTER, SD 57730
mymentor72@gmail.com

Principal Address:

310 STONE HILL DRIVE
CUSTER, SD 57730

Congratulations on the successful filing of your **Application for Certificate of Authority** for **4FACES, LLC** in the State of South Dakota which is effective on the date shown above.

You must file an Annual Report with this office on or before the Annual Report Due Date noted above and maintain an active South Dakota Registered Office and Registered Agent. Failure to do so will subject the business to Administrative Dissolution/Revocation.

Steve Barnett
Secretary of State
State of South Dakota

1677-2

RECEIPT

WATER RIGHTS PROGRAM
South Dakota Department of Agriculture and Natural Resources

Date December 6, 2021

RECEIVED OF 4Faces LLC 310 Stone Hill Dr., Custer SD 57730

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>1677-2</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$50.00</u>

By *Eric Gronlund*
Chief Engineer *dm*

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

DEC - 6 2021

WATER RIGHTS
PROGRAM

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

No. 1677-2

Date: 12-1-2021

I/We request that Water Right No. 1677-2

formerly owned by: Assad Barari

be transferred to: (name & address)

Craig & Betty Willan 4 Faces LLC
310 Stone Hill Dr Custer, SD
57730
817-475-9419 Telephone No.

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

40 acres - SE 1/4 NW 1/4 Section 34, T2S, R7E

I/We understand that the validity of Water Right No. 1677-2 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.

Craig & Betty Willan
I/We 4 Faces LLC, the new owner, certify that the above information is true and correct.

4 Faces LLC
by W. Craig Willan, P.E.
(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.



OFFICE OF THE SECRETARY OF STATE

STEVEN J. BARNETT, SECRETARY OF STATE

JASON LUTZ, DEPUTY SECRETARY OF STATE

Filing Information

Name: **4FACES, LLC**

General Information

SOS Business ID **FL176812**
Filing Type: Limited Liability Company - Foreign
 02/03/2020
Status: Good Standing
Duration Term: Perpetual
Managed By: Member-Managed

Registered Agent Address

BETTY WILLAN
 310 STONE HILL DR
 CUSTER, SD 57730

Principal Address

310 STONE HILL DRIVE
 CUSTER, SD 57730

The following document(s) was/were filed in this office on the date(s) indicated below:

Date Filed	Filing Description	Image #
01/10/2021	2021 Annual Report	B0165-6444
02/03/2020	Initial Filing	B0127-2454



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 7, 2021

1677-2

Craig & Betty Willan
4 Faces, LLC
310 Stone Hill
Custer SD 57730

Dear Mr. & Mrs. Willan:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for changing ownership on Water Right No. 1677-2.

The ownership change has been completed. Water Right No. 1677-2 formerly held by Assad Barari is now listed under **4 Faces LLC % Craig & Betty Willan**.

Enclosed for your records is a receipt for the filing fee you paid. If you have any questions, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosure



1677-2 3 2853-2

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 8, 2023

1677-2
2853-2

Zena Ives
13803 Box Canyon Rd
Hermosa SD 57744

Dear Ms. Ives:

I have received your "Notice of Transfer of Ownership" forms and the required fees. Enclosed are receipts of payment and copies of the Water Right & Permit for your records.

Water Right No. 1677-2 and Water Permit No. 2853-2 previously owned by 4 Faces LLC are now listed under Zena Ives. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the Water Right and Permit, State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, they will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

PAID

No. 1677-2

AUG 04 2023

Date: 8-1-23

Ck# 1018

Rec't# 894/23

I/We request that Water Right No.

1677-2

formerly owned by: 4 Faces LLC; 310 Stone Hill Dr, Custer SD 57730

be transferred to: (name & address) Zena Ives

13803 Box Canyon Rd. Hermosa, SD 57744

Telephone No. 940-231-6185

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

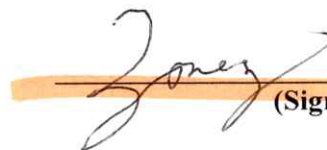
40 acres – SE ¼ NW ¼ - Section 34, T2S, R7E

I/We understand that the validity of Water Right No. 1677-2 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 Zena Ives, the new owner, certify that the above information is true and correct.



(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.
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3. For a third violation of a condition of a water permit/right.

RECEIVED

AUG 04 2023

OFFICE OF
WATER

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date August 4, 2023

RECEIVED OF 4Faces LLC 13803 Box Canyon Rd. Hermosa SD 57744

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>1677-2</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law) TOTAL	<u>\$50.00</u>

By Eric Gronlund
Chief Engineer
EG

NOTICE OF TRANSFER OF OWNERSHIP

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

PAID

No. 2853-2

AUG 04 2023

Ck# 108

Date: 8-1-23

Rec't# 8/4/23

I/We request that Water Permit No. 2853-2

formerly owned by: 4 Faces LLC; 310 Stone Hill Dr, Custer SD 57730

be transferred to: (name & address) Zena Ives

13803 Box Canyon Rd. Hermosa, SD 57744

Telephone No. 940-231-6185

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

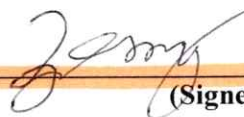
SE ¼ NW ¼ and SW ¼ NE ¼ - all in Section 34, T2S, R7E

I/We understand that the validity of Water Permit No. 2853-2 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.

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



(Signed by new owner)

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OFFICE OF
WATER

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date August 4, 2023

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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>2853-2</u>	\$ <u>50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	TOTAL
	\$ <u>50.00</u>

By Eric Gronlund
Chief Engineer
Em