

Water Right Number 1684-2

1. Considered NOVEMBER 27 19 79
2. Name of Applicant BLANCHE SEDIVY
3. Post Office Address Box 265, RAPID CITY 57709
4. Amount of Water Claimed .21
5. Source of Water Supply RAPID CREEK \*
6. Water to be used for IRRIGATION
7. Acres to be irrigated 15 maximum acre feet
8. Water to be diverted and used in PENNINGTON County  
about JUST OUTSIDE CITY miles LIMITS of RAPID CITY
9. Proof of Publication ☒ Received 11-19-79  
☐ Not received
10. Application ☒ Approved 11-27-79  
☐ Subject to  
☐ Not approved  
☐ Action deferred

Priority Date Received 10-12-79 Application Complete yes ☐ no ☒  
Date  
Returned or additional information or fee requested 10-15-79 - RETURNED

Remarks MAP TO SHOW LANDS TO BE IRRIGATED & DIVERSION POINT.

\* THIS CHANGE OF POINT OF DIVERSION FROM HAWTHORNE  
DITCH TO RAPID VALLEY DITCH - OLD V/R

Date information and/or  
fee or corrected Application received 10-19-79

FEE Amount 150.00

|  |  |  |  |  |  |
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Diversion Location SE<sup>4</sup> NE<sup>4</sup> - SEC. 8 - T1N - R3E

Lands to be  
Irrigated

SE<sup>4</sup> NE<sup>4</sup> & NE<sup>4</sup> SE<sup>4</sup>  
8 - 1N - 8E

Period of annual use APRIL THRU OCTOBER

MAP Type of Map AERIAL Prepared by PE. ENGR  
Map No. 1444-2 Map located in W/R X Map file

WELL LOG Received yes \_\_\_\_\_ no \_\_\_\_\_ Date of request \_\_\_\_\_

N/A

Remarks \_\_\_\_\_ Date \_\_\_\_\_  
Returned \_\_\_\_\_

Driller \_\_\_\_\_ Licensed in SD yes \_\_\_\_\_ no \_\_\_\_\_

Depth and Formation \_\_\_\_\_

WATER  
QUALITY

Date Received \_\_\_\_\_ Approved/Conditional (circle one)  
Date Disapproved \_\_\_\_\_ Reason \_\_\_\_\_

Date Disapproved \_\_\_\_\_  
Application returned \_\_\_\_\_

OLD N/A  
U/R

WI-1 Land Description - same as Application yes \_\_\_\_\_ no \_\_\_\_\_ Remarks \_\_\_\_\_

+++++

REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on Nov. 27, 1979.

B. Westlund  
(Signed)

This Application was unable to be completed - Reason \_\_\_\_\_

PROTESTS Letters/Petitions in File - yes \_\_\_\_\_ no \_\_\_\_\_ Remarks \_\_\_\_\_

STAFF  
RECOMMEN-  
DATIONS

BOARD  
ACTION

Date Approved \_\_\_\_\_ Qualifications \_\_\_\_\_

Deferred - Date \_\_\_\_\_ Reason \_\_\_\_\_

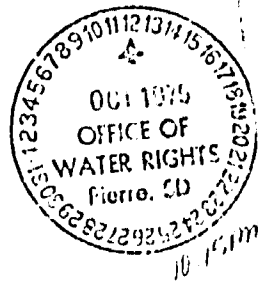
Denied - Date \_\_\_\_\_ Reason \_\_\_\_\_

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

Date Final Decision, including F.F. & C of Law was adopted \_\_\_\_\_

Date Final Decision mailed to parties and/or parties notified that Final Decision was adopted \_\_\_\_\_

Remarks \_\_\_\_\_

No. 1684-2Map No. 1444-2 Water Division No. 2 RAPID CREEK District  
Above for Office Use

## APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New ☐ Vested Right ☐ Future Use ☐Change in Diversion ☒ Additional Diversion ☐Change in Acreage ☐ Additional Acreage ☐

1. Name of Applicant Blanche Sedivy Phone No. 342-1929  
 Post Office Address P.O. Box 265 Rapid City State South Dakota 57709  
(Street, RR, or Box) (Town) (Zip Code)  
 If a corporation show date and place of incorporation \_\_\_\_\_

2. Method of accomplishing work (contract, employment of others, or by direct labor) \_\_\_\_\_

3. Name of diversion work BLANCHE SEDIVY IRRIGATION PROJECT  
Change from Hawthorne ditch to Rapid Valley ditch.4. Amount of water claimed (cubic feet per second) 1/3 cubic foot per second (.21)5. Source of water supply Rapid Creek6. Location of point of diversion Rapid Valley Ditch, Rapid City, S. Dak. 57701  
SE 1/4 NE 1/4 8-1N-8ECounty Pennington7. Annual period or periods during which water is to be used April through October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation9. For irrigation use, \_\_\_\_\_ Total number of acres to be irrigated 15

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

| Land Description         | No. Acres Irr. |
|--------------------------|----------------|
| SE of the NE of the SE 8 | 15             |
| One North 8E             |                |
| NE 1/4 SE 1/4 8-1N-8E    |                |

| Land Description | No. Acres Irr. |
|------------------|----------------|
|                  |                |
|                  |                |
|                  |                |

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 years. Additional time required to complete application of water to the proposed beneficial use 6 months years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Rapid City Journal  
James W. Swan  
57701

12. Principal Features of the Proposed Water Supply System.

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

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

Yes

C. Works proposed to apply water to beneficial use.

Yes

Estimated Total Cost \$ 500.00

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instructions concerning preparation.)

STATE OF SOUTH DAKOTA )

County of Pennington ) ss.I, Blanche Sedivy, 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 Blanche Sedivy  
Harriet E. Sedivy  
 Notary Public (or other qualified officer)

Subscribed and sworn to before me this 11 day of October, 1949

# WATER RIGHT APPLICATION APPROVAL

The Board of Water Management hereby approves Water Right Application No. 1684-2

BLANCHE SEDIVY  
(Applicant)

P.O. Box 265, RAPID CITY  
(Post Office Address)

SOUTH DAKOTA 57709  
(State)

With the following qualifications.

This Permit is approved recognizing the change of the point of Diversion from the Hawthorne Ditch to the Rapid Valley Ditch. Priority date for this Permit No. 1684-2 is established by the Hawthorne Ditch Company Permit No. 0511-2.

Date of first receipt of application OCTOBER 12, 1979  
Date of return to applicant for correction, amendments or changes required \_\_\_\_\_, 19\_\_\_\_  
Date of receipt of corrected application \_\_\_\_\_, 19\_\_\_\_  
Approved NOVEMBER 27, 1979, Recorded in Book 21 Page 83

WATER RIGHT PERMIT NO. 1684-2

The Board of Water Management hereby grants and issues this Water Right Permit No. 1684-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified 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 12, 1886
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 27, 1980
3. The whole of said work is to be completed on or before NOVEMBER 27, 1980
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 27, 1981
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 .21 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 irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied

for irrigation on or before MAY 27, 1981; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 30th day of NOVEMBER, 1979

THE BOARD OF WATER MANAGEMENT

By: John Halch  
Chief Engineer, Water Rights

Certificate of Construction Issued JANUARY 22, 1981

Water License Issued JANUARY 22, 1981

## STATE OF SOUTH DAKOTA

## WATER LICENSE NO. 1684-2

(1) WHEREAS, On the 12th day of October A. D. 19 79  
Blanche Sodlvy

made Water Right Application No. 1684-2 for a permit to use .21 cubic feet per second of the waters of Rapid Creek

County of Pennington, State of South Dakota, for Irrigation

purposes; and  
 (2) WHEREAS, On the 27th day of November A. D. 19 79

Permit No. 1684-2, with a date of priority of July 12, 1886

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 27th day of November A. D. 19 80 and for the application to beneficial use of said water on or before the 27th day of May A. D. 19 81

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert .21 cubic feet per second of water for beneficial use and,

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

to irrigate 12 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$  and 3 acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , all in  
Section 8, T1N, R8E, for a total of 15 acres

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

\_\_\_\_\_ of Rapid City, SD  
the holder \_\_\_\_\_ and owner \_\_\_\_\_ of said permit No. 1684-2 a water right, dating from July 12, 1886  
\_\_\_\_\_ to use of 21 cubic feet per second of the waters  
of Rapid Creek

in the County of Perrington and State of South Dakota, or so much thereof as may be necessary for the  
purposes hereinbelow mentioned, to be diverted ~~at~~ on Rapid Valley Ditch, 470 feet north and 800 feet  
west of E $\frac{1}{2}$  corner, Section 8, T1N, R8E

and conducted to and upon lands located in Section 3, T1N, R8E, more fully described  
on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1684-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota  
this 22nd day of January A. D.  
Nineteen Hundred and Eighty-one

WATER MANAGEMENT BOARD

By:

John Hatch  
Chief Engineer, Executive Officer JOHN HATCH

Permit No. 1684-3

Water Diversion No. 2 Rapid Creek Water District

### CERTIFICATE OF CONSTRUCTION

This is to Certify, That

Blanche Sedivy

the holder of

Permit No. 1684-2, issued upon Application No. 1684-2, bearing date of priority of

July 12, 1886 authorizing the diversion of 21 cu. ft. per second of the waters of

Rapid Creek County of Pennington, State of South Dakota at

on Rapid Valley Ditch, 470 feet north and 800 feet west of E. corner,

Section 8, T1N, R3E

for Irrigation

purpose, has 5 complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit that said works are found in satisfactory condition for diverting and conveying to the place of intended use 33 cu. ft. per second of water.

Date January 22, 1931

John Hatch  
JOHN HATCH, Chief Engineer  
Water Rights Division

# RECEIPT

WATER RIGHTS COMMISSION  
State of South Dakota

No 4 7079

PIERRE, October 15, 1970

RECEIVED OF Blanche Sedlow, Box 265, Rapid City SD 57701

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) _____ | 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 _____<br>(any other work as provided by law)                                                                |            |           |
| <b>TOTAL</b>                                                                                                        | <b>150</b> | <b>00</b> |

WATER RIGHTS COMMISSION

By John Horton  
Chief Engineer, Executive Officer  
JOHN HORTON

No. 1884-2

Publish first publication, on or before November 9, 1979

NOTICE OF HEARING ON  
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

November 6, 1979

Notice is hereby given Blanche Sedivy whose post office address is Rapid City, 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, and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use .21 cubic feet of water per second of time from ~~the~~ Rapid Creek through the Blanche Sedivy Irrigation Project, on an existing permit to change the point(s) of diversion, of which is (are) to be located in the SE 1/4 10 1/4

of Section 9, Twp. 1N, Range 8E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SE 1/4 NE 1/4 & NE 1/4 SE 1/4, Section 8, T1N, R8E

This Application No. 1884-2 will be considered by the Water Management Board at in Meeting Room #1, Kneip Building, Church & Illinois, Pierre SD upon the 27th day of November, 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

Betty Westlund  
Water Rights Specialist

cc: Blanche Sedivy  
Box 265  
Rapid City SD 57709

FORM 6 - Notice of Intent to Appropriate Water  
SURFACE WATER

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

No. \_\_\_\_\_

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County \_\_\_\_\_ ) ss.

I, Mary K. Garness hereby  
certify that the annexed printed copy of Notice of Intent to Appropriate  
Water was taken from the Rapid City Journal

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 Rapid City

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

November 9, 1979

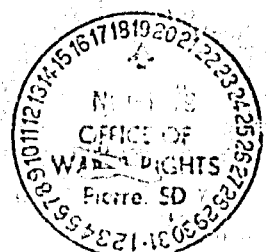
November 16, 1979

Mary K. Garness  
(Signature)

Bookkeeper  
(Title)

November 16, 1979  
(Date Signed)

Nov. 9, 1979  
NOTICE OF HEARING ON  
APPLICATION TO APPROPRIATE WATER  
The Board of Water Management, Pierre, South Dakota, hereby  
gives notice that it will consider the application of  
Blanche Sedivy, whose post office address is Rapid City, South Dakota, for a permit to appropriate water for beneficial use in accordance with the provisions of SDCL 44-1-1 thru 44-1-14; 44-2-1 thru 44-2-11; 44-2-13; 44-5-1 thru 44-5-41; and Board Rules ARSD 52:01:01 thru 52:01:0113, for a permit to appropriate for beneficial use 31 cubic feet of water per second of time from Rapid Creek through the Blanche Sedivy Irrigation Project, to change the point of diversion on an existing permit of which is to be located in the SE 1/4 NE 1/4 of Section 8, Twp. 1N, Range 3E, said water to be used for the purpose of providing irrigation on portions of the following described land: SE 1/4 NE 1/4 Section 8, T1N, R3E, S4E, 1/4 NE 1/4 Section 7, T1N, R3E, S4E. This Application No. \_\_\_\_\_ will be considered by the Water Management Board in Meeting Room No. 10 Kneip Building, Church & Illinois, Pierre, SD upon the 27th day of November, 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 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  
Betsy Westlund  
Water Rights Specialist



# RECEIPT

## WATER RIGHTS COMMISSION

State of South Dakota

No 4 7939

PIERRE, January 22, 1925

RECEIVED OF Blanche Sedivy, Box 285, Rapid City SD 57701

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) 1684-2 ) |       |
| Fee for inspecting Construction, and issuing Cert. of Construction No. 1684-2 )                                  | 50 00 |
| Fee for inspecting Beneficial Use, and issuing Water License No. 1684-2 )                                        |       |
| 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                                                                                                            | 50 00 |

WATER RIGHTS COMMISSION

By *John H. Hutton*  
Chief Engineer, Executive Officer  
SOUTH DAKOTA

Permit No. 1684-2Water Division 2 Rapid Creek Water DistrictREPORT OF EXAMINATION OF WORKS  
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by Blanche Sedivy  
 of P.O. Box 265, Rapid City, S.Dak. 57709 holder  
 of Permit No. 1684-2, bearing date of priority of July 12 1886,  
 authorizing the diversion of .21 cu. ft. per second of the waters of Rapid Creek  
 for Irrigation purposes, in Pennington 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:

Motor - Marathon Elec. Type TDR-BCL, 15 HP, 3445 RPM  
 Pump - Aurora. No. 72-7857, Type 341-BF, 3300 RPM  
 size 2 X 7A. 190' head, pumping 150 gpm.

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

1000 ft. 3" Alam line - Aluminum Pipe

## C. Works used to apply water to beneficial use.

Solid set 70' line spacing, 80' sprinkler spacing.  
 Rambird 35 sprinkler heads with 7/32" Nozzles.

The system is in the following condition: Good

The point of diversion is located on Rapid Valley Ditch. 470 ft N and  
500 ft W of E $\frac{1}{2}$  Cor Sec. 8, T1N R8E

The works are capable of diverting and conveying to the place of use .33cu. ft. per second of water which is to be used for Irrigation

Water has been put to beneficial use to the maximum extent as follows:

All in Sec. 8, T1N R8E. SE $\frac{1}{4}$  NE $\frac{1}{4}$  - 12 Ac.  
NE $\frac{1}{4}$  SE $\frac{1}{4}$  - 3 Ac.

comprising a total of 15 acres of land.

because for .21 cfs

Date May 10 1980

Lenoy J. McManis  
 (Signature)



# Department of Water & Natural Resources

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

October 18, 1988

1576-2

1632-2

1684-2

Louis Freiberg  
PO Box 1159  
Rapid City, SD 57701-1159

Dear Mr. Freiberg:

With regard to your letter of October 11, 1988 and our telephone conversation of October 13th, enclosed are copies of the following:

- 1) Water License No. 1576-2 Valley Green Sod Farms;
- 2) Water License No. 1632-2 Perrigo Hire and Sales;
- 3) Water License No. 1684-2 Blanche Sedivy;
- 4) the 1982 irrigation questionnaire for 1684-2 (forms were not returned for 1632-2 and 1576-2);
- 5) the 1983, 1984, 1985, 1986 and 1987 irrigation questionnaires for Water Right Nos. 1576-2, 1632-2 and 1684-2.

I included a copy of Water Right No. 1632-2, Perrigo Hire and Sales and copies of the questionnaires because the system is operated by Valley Green Sod Farms. The irrigation questionnaires indicate the land authorized for irrigation under Ms. Sedivy's Water Right No. 1684-2, has been irrigated continuously.

If you have any questions, please contact us.

Sincerely,

GENNY MCMATH  
Natural Resources Analyst  
605 773-3352

enclosures



 **Department of  
Water & Natural Resources**

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

October 17, 1990

1684-2

Fred Sedivy  
PO Box 1972  
Rapid City, SD 57709

Dear Mr. Sedivy:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 1684-2. The water right is currently listed in the name of Blanche Sedivy.

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

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,



Genny McMath  
Natural Resources Analyst  
(605) 773-3352

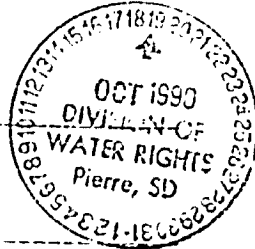
enclosure

NOTICE OF TRANSFER OF OWNERSHIP

No. 1684-2

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

Date: 10/18/90



I/We request that Water Permit/Right No. 1684-2

formerly owned by: Blanche Sedivy

be transferred to: (name & address) Fred Sedivy  
P.O. Box 1972, Rapid City, SD 57709 (telephone No.) 605-342-5044

Title to the following described land(s)/property has been transferred as described above:  
SE 1/4 NE 1/4, NE 1/4 SE 1/4 Section 8, T1N, R8E (15 acres)

I/We understand that the validity of Water Permit/Right No. 1684-2 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.

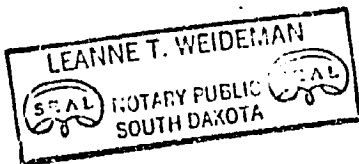
STATE OF SOUTH DAKOTA

County of Pennington

I/We Fred Sedivy 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.

*Fred Sedivy*  
(Signed)

Subscribed and sworn to before me this 18th day of October, 1990.



*Leanne T. Weideman*  
(Notary Public)

08-24-98

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.

NOTICE OF TRANSFER OF OWNERSHIP

No. 1684-2

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

Date: 10/18/90



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formerly owned by: Blanche Sedivy

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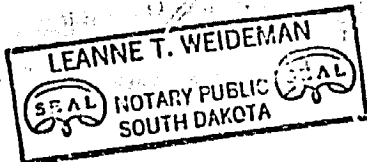
STATE OF SOUTH DAKOTA )

County of Pennington

I/We Fred Sedivy 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.

*Fred Sedivy*  
(Signed)

Subscribed and sworn to before me this 18th day of October, 1990.



*Leanne T. Weideman*  
(Notary Public)

08-24-98

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.

 **Department of  
Water & Natural Resources**

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

November 19, 1990

No. 1684-2

Fred Sedivy  
Box 1972  
Rapid City, SD 57709-1972

Dear Mr. Sedivy:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 1684-2.

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

Sincerely,

*Jaci Konop*

JACI KONOP  
Senior Secretary  
Water Rights Division  
605 773-3352

enclosure

1684-1

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1684-2 FOR IRRIGATION

Date of Receipt of Claim October 12, 1979.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 1684-2 for irrigation purposes for Fred Sedivy, P.O. Box 1972, Rapid City, South Dakota, 57709 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1684-2 appropriates 0.21 cubic feet per second of water from Rapid Creek to irrigate 15 acres. The point of diversion is located in the SE1/4 NE1/4, Section 8, T1N, R8E. The irrigated lands are located in the SE1/4 NE1/4, and in the NE1/4 SE1/4 all in Section 8, T1N, R8E.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. Water is to be used during the following annual period: April 1 to October 31.
3. The priority date of the Vested Water Right is: July 12, 1886
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

This Vested Right recognizes the change of the point of diversion from the Hawthorne Ditch to the Rapid Valley Ditch. Priority date for the Water License No. 1684-2 is established by the Hawthorne Ditch Company Water License No. 0511-2.

WATER MANAGEMENT BOARD

By:   
Chief Engineer

MAR 12 1993

date

Division of Water Rights  
Dept. of Environment and Natural Resources

1684-1



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

MAR 12 1993

Fred Sedivy  
PO Box 1972  
Rapid City SD 57709

Dear Mr. Sedivy:

The Water Management Board has validated the enclosed Vested Water Right No. 1684-2. This validation gives legal status to the claim and is the final document for your vested right.

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

Very truly yours,

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

enclosure

1684-2



January 30, 1996

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

**NOTICE**

**TO:** VALLEY GREEN SOD FARMS, OP, RAYMOND L MORE, 1996 SEDIVY LANE,  
RAPID CITY, SD 57701

**FROM:** Ron Duvall, Natural Resources Engineer  
for John Hatch, Chief Engineer  
Water Rights Program

**SUBJECT:** Violation of Requirement to Submit 1995 Irrigation Questionnaire

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 1684-2. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 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 9:45 am, March 6, 1996, 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) 1684-2 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 1, 1996 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: Fred Sedivy, PO Box 1972, Rapid City, SD 57709

**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 if needed.

Do not return to sender unless indicated 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.

## 3. Article Addressed to:

VALLEY GREEN SOD FARMS, OP  
RAYMOND L MORF  
1996 SEDIVY LANE  
RAPID CITY SD 57701

## 5. Received By: (Print Name)

## 6. Signature: (Addressee or Agent)

## 4a. Article Number

Z 348 318 907

## 4b. Service Type

☐ Registered

☐ Express Mail

☐ Return Receipt for Merchandise

☒ Certified

☐ Insured

☐ COD

## 7. Date of Delivery

2-5-96

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

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

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

Domestic Return Receipt

Thank you for using Return Receipt Service.



1684-2

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

February 12, 1996

1684-2

David Snyder  
Valley Green Sod Farms  
1996 Sedivy Lane  
Rapid City, SD 57701

Dear Mr. Snyder:

I am writing to acknowledge receipt of your 1995 irrigation questionnaire. You may disregard the January 30, 1996, Notice of Violation of the Requirement to Submit the 1995 Irrigation Questionnaire.

I completed a questionnaire for you based on our February 12th telephone conversation. 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

c: Fred Sedivy, PO Box 1972, Rapid City, SD 57709



1684-2

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

February 12, 1996

1684-2

David Snyder  
Valley Green Sod Farms  
1996 Sedivy Lane  
Rapid City, SD 57701

Dear Mr. Snyder:

I am writing to acknowledge receipt of your 1995 irrigation questionnaire. You may disregard the January 30, 1996, Notice of Violation of the Requirement to Submit the 1995 Irrigation Questionnaire.

I completed a questionnaire for you based on our February 12th telephone conversation. 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,

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

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

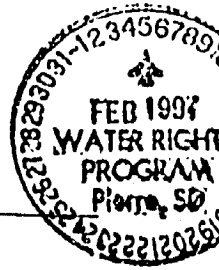
c: Fred Sedivy, PO Box 1972, Rapid City, SD 57709

# NOTICE OF TRANSFER OF OWNERSHIP

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

No. \_\_\_\_\_

Date: 2-1-97



I/We request that Water Permit/Right No. 1684-2

formerly owned by: FRED SEDIVY

be transferred to: (name & address) DANN A M. Sedivy

2100 Sedivy Lane Rapid City, SD 57701 (Telephone No) 605-342-5044

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

located in the SE 1/4 NE 1/4 & in the NE 1/4 SE 1/4 all in Section  
8, T1N, R8E

I/We understand that the validity of Water Permit/Right No. 1684-2 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 Pennington )

I/We Danna Sedivy 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.

Danna Sedivy  
(Signed)

Subscribed and sworn to before me this 4th day of February, 19 97.

Walter Kikpatrick  
(Notary Public)

My Commission Expires 10-19-2005.

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

415241

Division of Water Rights

South Dakota Department of Environment and Natural Resources

February 5, 1997

Pierre, \_\_\_\_\_

RECEIVED OF Donna M. Sedivy, 2100 Sedivy Lane, Rapid City, SD 57701

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. _____                  |       | 2 50 |
| Fee for Filing Transfer Form _____ Water Right No. 1684-2                                                            |       |      |
| Fee for Filing Extension Request _____                                                                               |       |      |
| Fee for _____                                                                                                        |       |      |
| _____                                                                                                                |       |      |
| _____                                                                                                                |       |      |
| (Any Other Work Provided by Law)                                                                                     | Total | 2 50 |

By

Chief Engineer

*Donna M. Sedivy*



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

February 13, 1997

No. 1684-2

Donna M. Sedivy  
2100 Sedivy Lane  
Rapid City, SD 57701

Dear Ms. Sedivy:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 1684-2.

Our records now show you as the owner of Water Right No. 1684-2.

Sincerely,

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

enclosure



January 16, 2002

**NOTICE**

1684-2  
**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

**TO:** VALLEY GREEN SOD FARMS, OP, DAVID SNYDER, 1996 SEDIVY LANE, RAPID CITY, SD 57703

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

**SUBJECT:** Reporting Requirement for 2001 Irrigation Questionnaires

Our records indicate that the 2001 Irrigation Questionnaires have not been submitted for Permit Nos. 2320-2, 1684-2. The request for the Questionnaires was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1684-2 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2320-2 qualification:

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

The hearing will be held at 10:00 am, March 13, 2002 in the Visitor Center (west side 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. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2320-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1684-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before March 8, 2002, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

c: DONNA SEDIVY, 2100 SEDIVY LANE, RAPID CITY, SD 57703

**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.

- Complete items 1, 2, and J 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.

VALLEY GREEN SOD FARMS, OP  
DAVID SNYDER  
1996 SEDIVY LANE  
RAPID CITY SD 57703

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

|                                       |                     |
|---------------------------------------|---------------------|
| A. Received By (Please Print Clearly) | B. Date of Delivery |
| LoRae Snyder                          | 1-17-02             |

C. Signature ☒ Agent ☐ Addressee

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

3. Service Type  
☒ Certified Mail  
☐ Registered  
☐ Insured Mail  
☐ Express Mail  
☐ Return Receipt for Merchandise  
☒ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. A 7001 2510 0004 4797 5590



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 23, 2002

1684-2  
2320-2

Dave Snyder  
Vailey Green Sod Farms  
2100 Sedivy Lane  
Rapid City SD 57703

Dear Mr. Snyder:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right No. 1684-2 and Water Permit No. 2320-2.

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,

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



Point of  
Diversion

Rapid Valley  
Ditch

C. J. [unclear]  
[unclear]  
[unclear]

IN-8E

15 ACRES

100

07

416

MAP No. 1444-2

APPL. 1684-2

Map # 1444-2 Appl # 1684-2

#1684-2  
Blanche Sedivy

50' N.E.

12' A.C.

1' 50' 0"

Pump Site

1' 01' 4"

3' A.C.

N.E. 1/4 Sec. 8

Sec. 8 centre



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

March 21, 2007

2487-2

2537-2

1684-2

2320-2

Dave Snyder  
Valley Green Sod  
2100 Sedivy Lane  
Rapid City, SD 57703

Dear Mr. Snyder:

I am writing this letter in reference to your March 20, 2007 telephone request allowing diversion from Rapid Creek prior to the irrigation season. Flow today in Rapid Creek at the USGS gaging station at Rapid City is 23 cfs.

The Water Rights Program will grant your request to immediately begin Rapid Creek diversions under your Water Right No. 2537-2, the Donna Sedivy Water Right Nos. 1684-2 and 2320-2, and the Open Bible Christian Center's Water Right No. 2487-2.

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

Sincerely,

Mark D Rath,  
Natural Resources Engineering Specialist

RECEIVED

MAY 07 2010

WATER RIGHTS  
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1684-2

Date: 5/6/2010

I/We request that Water Right No. 1684-2

formerly owned by: Donna Sedivy

be transferred to: (name & address) David D. Snyder  
2100 Sedivy Lane, Rapid City, SD 57703

Telephone No. 605-341-4932

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

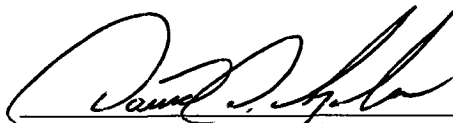
15 acres – SE ¼ NE ¼ and NE ¼ SE ¼ Section 8, T1N, R8E

I/We understand that the validity of Water Right No. 1684-2 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 David D. Snyder, 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 5/7, 20 10

RECEIVED OF Valley Green Inc 2100 Sedivy DN Rapid City SD 57703

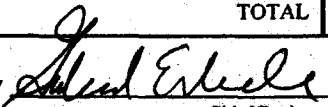
The following amount in fees for services rendered as provided for by law:

|                                                                                                                |       |       |
|----------------------------------------------------------------------------------------------------------------|-------|-------|
| 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>1684-2</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.

**04549**

By

  
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](http://www.state.sd.us/denr)

May 10, 2010

1684-2  
2320-2

David D Snyder  
2100 Sedivy Lane  
Rapid City SD 57703

Dear Mr. Snyder:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" forms and filing fees you submitted for Water Right No. 1684-2 and Water Permit No. 2320-2. The ownership changes have been completed. Nos. 1684-2 and 2320-2 formerly listed in the name of Donna Sedivy are now listed in your name.

Enclosed are your Receipt Nos. 04549 and 04550 in the amounts of \$50.00 each. You may keep these for your records.

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](mailto:genny.mcmath@state.sd.us)

1684-2

**McMath, Genny**

---

**From:** Dave Snyder <sodman1@msn.com>  
**Sent:** Monday, December 05, 2016 5:35 PM  
**To:** McMath, Genny  
**Subject:** 2016 Irrigation Questionnaires  
**Attachments:** Irrigation questionnaire for 2537-2 2016.pdf; Irrigation questionnaire 1684-2 2016.pdf; Irrigation questionnaire 2320-2 2016.pdf; irrigation Questionnaire 2487-2 2016.pdf

Genny,

Here are the Irrigation Questionnaires for 2016. Let me know if everything is ok.

I wanted to mention that I have sold Valley Green Sod Farms. All the Water Right Transfers were completed at closing on December 1<sup>st</sup>, 2016. Hopefully everything was done correctly.

The new owner is Karl Paepke, he will be using this same address but the name on the water rights will be changed from Valley Green Sod Farm to K bar S Enterprises. He contact numbers are 605-388-8873 at the office and 605-515-4501 Cell.

If you have any questions please feel free to contact me. Thanks for your help over the years!

Dave Snyder  
605-390-9414

Sent from Mail for Windows 10

## NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

DEC - 2 2016

WATER RIGHTS  
PROGRAM

Mail to: PMB 2020  
DENR - Water Rights Program  
523 E Capitol Ave  
Pierre, SD 57501-3182

Water Right/Permit No. 1684-2Date: November 30, 2016

I/We request that Water Right/Permit No. 1684-2 formerly owned by:  
David Snyder be transferred to:

New Owner Name: K Bar S Enterprises, LLCAddress: 2100 Sedivy LaneCity, State, Zip Rapid City SD 57703 Telephone No. 605-515-4501

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

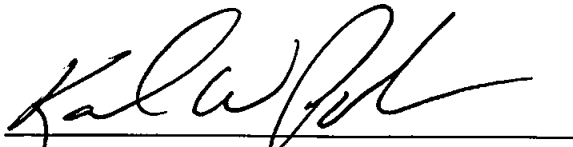
SE 1/4 NE 1/4 and NE 1/4 SE 1/4 in Section 8 T 1 N ,R 8 E BHM Rapid City, Pennington County SD

☒ I understand that the validity of Water Right/Permit No. 1684-2 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

**A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.**

I, K Bar S Enterprises, LLC Karl Paepke Member, 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

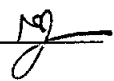
Date 12/2, 20 16

RECEIVED OF DeMersseman Jensen Tellinghuiser & Huffman PO Box 1820 Rapid City SD 57709

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 _____ 1684-2                                                                      |       |       |
| 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. **07906**

By Jean Goodman Chief Engineer 



1684-2  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

denr.sd.gov

December 28, 2016

Richard Huffman  
DeMersseman, Jensen, Tellinghuisen & Huffman LLP  
PO Box 1820  
Rapid City SD 57709

RE: Transfer of Water Permit/Right Nos. 1684-2, 2320-2 and 2537-2

Dear Mr. Huffman:

On December 2, 2016, we received transfer forms and filing fees from you for filing an ownership change on Water Right No. 1684-2 and Water Permit Nos. 2320-2 and 2537-2.

The ownership changes have been completed. The above listed water right and water permits originally held by David Snyder dba Valley Green Sod Farms, are now listed in the name of **"K Bar S Enterprises, LLC, 2100 Sedivy Lane, Rapid City SD 57703 – Karl Paepke, Member."**

Enclosed for your records are Receipt Nos. 07966, 07967 and 07968 in the amounts of \$50 each. If you have any questions, please contact me.

Sincerely,

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

c: Karl Paepke, K Bar S Enterprises LLC

File: Water Right Nos. 1576A-2, 1684-2, 2320-2, 2487A-2, & 2537-2  
**Water Rights Program**  
**File Documentation**

**NAME:** Karl Paepke

**DATE:** March 27, 2026

Operator, Open Bible Christian Center (2487A-2)

Owner, K Bar S Enterprises, LLC. (1576A-2, 1684-2, 2320-2 & 2537-2)

**ADDRESS:**

**PHONE:**

**RE:** Request to irrigate early (2487A-2)

**COMMENTS:**

Carl Paepke, on behalf of K Bar S Enterprises, LLC and Open Bible Christian Center, requested permission to start irrigating on April 1, before the April 15 period of use on the Water Right No. 2487A-2. All other water rights/permits have an annual period of use starting April 1. Mr. Paepke mentioned that he operates a sod farm and the Open Bible Christian Center irrigation system. Due to the very dry winter, there is no moisture, and he had concerns regarding losing his sod production and the center lawn. Mr. Paepke made this request based on a letter in the file for Water Permit No. 2537-2 dated March 21, 2007, from Water Rights Staff member Mark Rath. The letter provided to the previous permit holder for Water Permit No. 2537-2, Dave Snyder, approved the request to immediately begin Rapid Creek diversions.

I consulted with staff engineer Nakaila Steen who is our Rapid Creek expert. She explained some history of allowing some early water to use to clean the ditches and startup a couple of center pivots. Based on past practice and to prevent undue loss, I have approved the request for this year. I informed Mr. Paepke that it would probably be prudent to apply for an amendment to the permit to change the date to earlier in the year and that it may also be prudent to do that for all his water rights/permits.



Adam Mathiowetz

Acting Chief Engineer

DANR-Water Rights Program