

1. Considered: 12/9/, 19 82 Water Right No. 1831-2
2. Name of Applicant RAY J HILLENBRAND
3. Post Office Address Box 8303, Rapid City, 57701
4. Amount of Water Claimed 2.83 maximum acre feet
5. Source of Water Supply Rapid Creek
6. Water to be used for IRR acres to be irrigated 198
7. County Pennington about 1 1/2 miles WEST of CAPOTA
8. PROOF OF PUBLICATION: Received 1st 12-2-82 Not Received
- APPLICATION: Approved 12-9-82 Subject to Rapid Creek
- Not Approved Action Deferred

PRIORITY

Dated Received 11/15/82 Application complete-yes x no FEE 150.00

Remarks Change of diversion and period of use on 1624-2

Corrected Application received Period of Annual Use April 1, thru
October 31

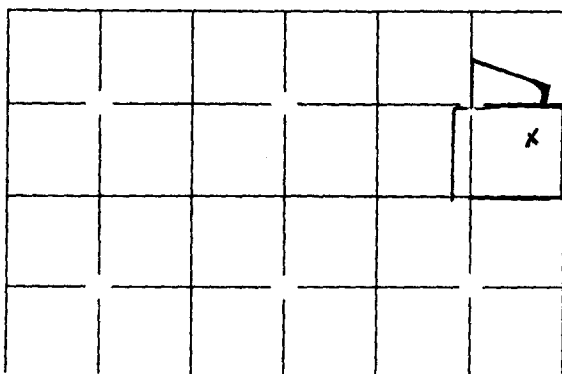
WATER
QUALITY

Received 11/5/82 yes no APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application-yes x no Remarks

Water quality for portions of this land under permit 1624-2

Disapproved Returned



Diversion Point

NE 1/4 SE 1/4 34-1N-R9E

Land to be irrigated

S 1/2 NE 1/4, SE 1/4 and E 1/2 SW 1/4,

Section 34-1N-9E

WELL LOG

Driller Licensed - yes no

Depth

Remarks

1581-2 and
MAP Map No. 1388-2 Map located in Water Right xx Map file _____
Type of Map drawn and aerial Prepared by SCS and Tim Schaal

+++++

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

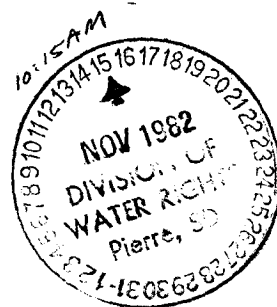
11/15/82

Betty Westhead
(Signed) by JH

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date
F.F. & C. Final Decision, including F.F. & C. of Law were adopted _____
OF LAW, Date
FINAL Final Decision mailed to parties and/or parties notified that Final Decision was
DECISIONS adopted _____
ETC. Remarks _____



No. 1834-2

Map No. 1581-2 Water Division No. 2 Upper Chayenne District
1388-2 Above for Office Use 10120110

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 ☐

Amends original application No. 1624-2
by changing the diversion point & the
period of usage.

1. Name of Applicant Mr. & Mrs. Ray J. Hillenbrand Phone No. 341-3620
 Post Office Address Box 8303 Rapid City State SD 57701
 (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) completed

3. Name of diversion work HILLENBRAND IRRIGATION PROJECT

4. Amount of water claimed (cubic feet per second) 2.83 cfs

5. Source of water supply Rapid Creek

6. Location of point of diversion NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, T1N, R9E

County Pennington

7. Annual period or periods during which water is to be used April 1 thru October 31

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 198

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.
SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 34-1N-9E	20
SE $\frac{1}{4}$ NE $\frac{1}{4}$ "	6.5
NE $\frac{1}{4}$ SE $\frac{1}{4}$ "	21
NW $\frac{1}{4}$ SE $\frac{1}{4}$ "	48

Land Description	No. Acres Irr.
SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 34-1N-9E	54
SE $\frac{1}{4}$ SE $\frac{1}{4}$ "	12.5
NE $\frac{1}{4}$ SW $\frac{1}{4}$ "	22
SE $\frac{1}{4}$ SW $\frac{1}{4}$ "	14

Attach sheet if more space is needed

10. Time required to complete construction of water supply system completed years. Additional time required
to complete application of water to the proposed beneficial use completed years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water RAPID CITY JOURNAL

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.
Pump and Motor

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

C. Works proposed to apply water to beneficial use.
Gravity and/or sprinkler

Estimated Total Cost \$ _____

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, RAY J. HILLENBRAND 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 Ray J. Hillenbrand

Subscribed and sworn to before me this 11th day of November, 1982

MARY POND
NOTARY PUBLIC
STATE OF SOUTH DAKOTA
My Commission Expires _____

Mary Pond
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1634-2

MR AND MRS RAY J HILLENBRAND

BOX 8303, Rapid City

(Applicant)

(Post Office Address)

South Dakota 57701

(State)

With the following qualifications

Low flows as needed for downstream domestic use, including livestock watering, and prior water rights must be by-passed. Unappropriated water is available in Rapid Creek to reasonably satisfy this application only through contract between the Rapid Valley Conservancy District and Bureau of Reclamation covering releases from Deerfield and Pactola Reservoirs.

Date of first receipt of application November 15, 19 82

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

Date of receipt of corrected application, 19

Approved December 9, 19 82, Recorded in Book Page

WATER RIGHT PERMIT NO. 1634-2

The Water Management Board hereby grants and issues this Water Right Permit No. 1634-2 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 February 8, 19 78
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before 10
3. The whole of said work is to be completed on or before 10
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is Completed 10
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 2.83 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 This date 10; said water to be used during the following described annual period: April 1st thru October 31st

Witness my hand this 17th day of December, 19 82

THE WATER MANAGEMENT BOARD

By:

JOHN HATCH
Chief Engineer, Water Rights

Certificate of Construction Issued December 29, 19 82

Water License Issued December 29, 19 82

WATER LICENSE NO. 1831-2

(1) WHEREAS, On the 15th day of November A. D. 19 82
Ray J Hillenbrand
made Water Right Application No. 1831-2 for a permit to use 2.83 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 9th day of December A. D. 19 82
Permit No. 1831-2, with a date of priority of February 9, 1978
was issued to said applicant recognizing
for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the day of A. D. 19 and for the
application to beneficial use of said water on or before the day of A. D. 19

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 2.83 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 the following lands all in Section 34, T1N, R9E

SW¼ NE¼ AC	20.00 acres	SW¼ SE¼ DC	54.00 acres
SE¼ NE¼ AD	6.50 "	SE¼ SE¼ DD	12.50 "
NE¼ SE¼ DA	21.00 "	NE¼ SW¼ CA	22.00 "
NW¼ SE¼ DB	48.00 "	SE¼ SW¼ CD	14.00 "
TOTAL 198.00 acres			

This Water License amends original application No. 1624-2 by changing the diversion point and the period of usage and applicable portions of Permit No. 1624-2 have been incorporated into this Water License No. 1831-2

_____ of POB 8303, Rapid City SD 57701
the holder S and owner S of said permit No. 1831-2 a water right, dating from February 28, 1978
_____ to use of 2.83 cubic feet per second of the waters
of Rapid Creek
in the County of Pennington and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 965'N and 1680'W of SE corner (DA) Section 34,
T1N, R9E

for the purpose of irrigation

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

Bv:

Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 1831-2

Water Diversion No. 2 Upper Cheyenne Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Ray J Hillenbrand

_____ the holder _____ of
Permit No. 1831-2, issued upon Application No. 1831-2, bearing date of priority of February 8,
1978* authorizing the diversion of 2.83 cu. ft. per second of the waters of _____
Rapid Creek County of Pennington, State of South Dakota at _____
a point 965'N and 1680'W of the SE corner (DA) Section 34, T1N, R9E
_____, for irrigation

purposes, has s 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 2.89 cu. ft. per second of water.

Date December 29, 1982



JOHN HATCH, Chief Engineer
Water Rights Division

* Applicable portions of
Permit No. 1624-2 have been
incorporated into this Water
License No. 1831-2.

1831-2
Permit No. 1624-2

Water Division 2 Upper Cheyenne Water District

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

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

I have this day made a thorough examination of the water use system constructed by Ray J. Hillenbrand of P.O. Box 8303 Rapid City SD 57709 holder of Permit No. 1624-2, bearing date of priority of February 8, 1978 authorizing the diversion of 2.85 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:

Isuzu 175 HP diesel engine
Randolf right angle drive vertical turbine pump

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

8 inch aluminum mainline

C. Works used to apply water to beneficial use.

Side roll irrigation system

The system is in the following condition: Good

The point of diversion is located NE 1/4 SE 1/4 Section 34-T1N-R9E
965' N 1680' W of SE corner

The works are capable of diverting and conveying to the place of use 2.89
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: Irrigation of the
following land in Sec. 34-T1N-R9E; SW 1/4 NE 1/4-20 Ac.,
SE 1/4 NE 1/4-6.5 Ac., NE 1/4 SE 1/4-21 Ac., NW 1/4 SE 1/4-48 Ac.,
SW 1/4 SE 1/4-54 Ac., SE 1/4 SE 1/4-12.5 Ac., NE 1/4 SW 1/4-22 Ac.,
SE 1/4 SW 1/4-14 Ac.

comprising a total of 198 acres of land.

2.83 ~~cu. ft.~~

applicable portions of Permit No. 1624-2 have been
incorporated into this Water License No. 1831-2

Date September 23, 1982
Timothy L. Schaal
(Signature)

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation

Office Use Only

WR#

1624-2

OWNERS NAME: Ray Hillenbrand

OWNERS ADDRESS: First Federal Plaza, Box 8303
Rapid City, SD 57701

COUNTY LAND LOCATED IN: Pennington PHONE: 605-341-3620

TENANT'S NAME AND ADDRESS: Owner operates system

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION SW $\frac{1}{4}$, NE $\frac{1}{4}$, SE $\frac{1}{4}$ 34-1-9

Depth Pumping out of Rapid Creek

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: Rapid Creek

Diversion Location SW $\frac{1}{4}$, NE $\frac{1}{4}$, SE $\frac{1}{4}$ 34-1-9

Legal Description	Acres	Legal Description	Acres
<u>NE$\frac{1}{4}$ 34-1-9</u>	<u>30</u>		
<u>SW$\frac{1}{4}$ 34-1-9</u>	<u>16</u>		
		TOTAL ACRES =	46

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED 1978

LEGAL DESCRIPTION: SE $\frac{1}{4}$ 34-1-9 = 150 acres and SW $\frac{1}{4}$ 34-1-9 = 20 acres.

IN WHAT NAME: Porter Nutall

4. LOCATION OF AREA TO BE IRRIGATED NOTE: **SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)**

See attached SCS information

5. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: Side Roll (Specify)

6. CROPS TO BE IRRIGATED: Alfalfa and small grains

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY) Water sample not needed per conversation on 9/28/82 with Jim Stukel-this is an application

7. WATER SAMPLE NUMBER: _____ 10. ADJUSTED (SAR): _____
for added acreage under existing water permit on which water has been tested.

8. SALINITY (EC X 10⁶): _____ 11. PERCENT SODIUM _____

9. SODIUM (SAR): _____

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____, 19____, at the following location: _____

by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

Signature

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

28th DAY OF September, 19 82

Nancy Sand

(NOTARY PUBLIC)

NOTARY PUBLIC

IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER RIGHT must be obtained from the Board of Water Management, Foss Building, Pierre.

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED

Conditional soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.



CONDITIONAL

3088

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: Ray HillenbrandLEGAL DESCRIPTION: NE1/4, SW1/4, 34-1-9 = 46 acresSOIL RESTRICTIONS:THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:

(126) Halverson Loam, channeled - will be maintained in grass and/or
alfalfa because of flooding.

RECOMMENDED MANAGEMENT:

You may have trafficability problems because of wetness in the spring and during
irrigation season.

Additional water should be applied to assure the leaching of salts.

Ray Hillenbrand
SIGNATURE11-4-82
DATE

RAY J. HILLENBRAND

FIRST FEDERAL PLAZA

POST OFFICE BOX 8303

RAPID CITY, SOUTH DAKOTA 57701

TELEPHONE 605-341-3620

August 20, 1982

Ms. Betty Westlund
S. D. Department of Water and
Natural Resources
Water Rights Water Management
Division
Joe Foss Building
Pierre, SD 57501



Dear Ms. Westlund:

In the past I have corresponded with you concerning my water right permit number 1624-2. We completed all the work on our irrigation system in 1980 and notified you to that effect in a letter mailed on June 16, 1980. You replied in a letter dated June 19, 1980 saying that you would inspect our operation when time permitted and that we had complied with all the requirements to date.

Needless to say, the water permit is very important to us and I was wondering what the status of getting a permanent permit or whatever the finalized permit is called. The irrigation system has been operating effectively. We used it a great deal during the 1981 season, however, thus far during 1982 there has not been a need to irrigate because of the excellent rainfall in the area. I am sure that Watermaster Duane Scott can inform you of our operation. We are proud of it and believe it is a very effective and quality one.

My letter has a twofold purpose. One is to be sure that we are doing everything required to be sure that we obtain our permit. The second is to understand when we actually might be able to expect the formal obtainment of the permit.

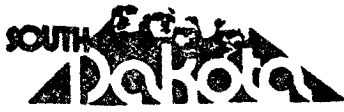
I certainly appreciate any help and advice you can give us on this.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Ray J. Hillenbrand'.

Ray J. Hillenbrand

RJH:mp



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

September 20, 1982

1624-2

Ray J Hillenbrand
First Federal Plaza
POB 8303
Rapid City SD 57701

Dear Mr. Hillenbrand:

As I stated in our phone conversation today, the land being irrigated in the NE $\frac{1}{4}$ of Section 34, T1N, R9E needs to be covered by a Soil Water Compatibility Approval. This is handled by the State Conservation Commission and they will send you the necessary forms and information. The matter of extending your period of use must be brought before the Water Management Board. A letter to our office requesting the period of use be extended from July 15 to October 1st will be sufficient.

If you have any questions on this matter, please contact this office.

Sincerely,

TIMOTHY G SCHAAL
Water Resources Engineer

cc: Jim Stukel
Conservation Comm.

RAY J. HILLENBRAND

FIRST FEDERAL PLAZA

POST OFFICE BOX 8303

RAPID CITY, SOUTH DAKOTA 57709

TELEPHONE 605-341-3620

September 21, 1982

Mr. Timothy G. Schaal
Water Resources Engineer
Department of Water & Natural
Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501



Dear Tim:

Thank you for your visit of September 15, 1982 and your letter of September 20, 1982 concerning our water right permit #1624-2. I am attaching a copy of the APPLICATION FOR PERMIT which was filed on this particular water need.

I would like for this letter to serve as our formal request to have the water usage period be extended of that listed on the application of from May 1st until July 15th to as long of a period as possible. We would like to have it extended for a minimum from May 1st until October 1st and, hopefully, from April 1st to October 31st. The current usage time frame of May 1st until July 15th is just too constraining on our utilization of the irrigation water for the various crops which we raise.

Thank you very much for the consideration which your department will give to this request. I look forward to hearing from you on this at your earliest convenience.

Sincerely,

Ray J. Hillenbrand

RJH:mp
Enclosure



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 • Pierre, South Dakota 57501
Phone 605/773-3258

September 27, 1982

Ray J Hillenbrand
First Federal Plaza
Box 8303
Rapid City, SD 57701

Dear Mr. Hillenbrand:

We have been notified by the Division of Water Rights that you are currently irrigating the NE $\frac{1}{4}$ Sec 34-1-9 and 16 acres in the SW $\frac{1}{4}$ Sec 34-1-9 without soil and water compatibility approval. Enclosed please find a WI-1 form for you to finish completing and return to our office, along with the correct soils information.

If you have any questions please feel free to contact this office.

Sincerely,

Jim Stukel
Irrigation Program Director

cf

✓cc: Water Rights Division

Hold

16242

RAY J. HILLENBRAND
FIRST FEDERAL PLAZA
POST OFFICE BOX 8303
RAPID CITY, SOUTH DAKOTA 57709
TELEPHONE 605-341-3620

September 28, 1982



Mr. Timothy G. Schaal
Water Resources Engineer
Department of Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501

Dear Tim:

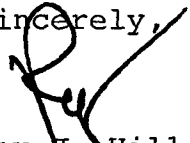
Attached you will find a copy of a transmittal letter which went out today along with the form and attachments requested by the Department of Agriculture on our water permit #1624-2. This is the permit on which you visited us in Rapid City on September 15th and on which I sent to you some additional information with my transmittal letter of September 21, 1982.

Tim, I would hope that with the information sent today to the Department of Agriculture that you would have everything you need to finalize the issuance of the water permit. If something is required, please let me know.

Also, Tim, I assume that when the final permit is issued it will be issued in my name, Ray J. Hillenbrand, and not in the name as it is currently listed of Porter Nuttall.

Again, we appreciate your help on this and if anything else is required, please let me know as soon as possible.

Sincerely,


Ray J. Hillenbrand

RJH:mp
Enclosure

RAY J. HILLENBRAND

FIRST FEDERAL PLAZA

POST OFFICE BOX 8303

RAPID CITY, SOUTH DAKOTA 57709

TELEPHONE 605-341-3620

September 28, 1982

Mr. Jim Stukel
Irrigation Program Director
Department of Agriculture
Anderson Building, Room 322
Pierre, SD 57501

Dear Mr. Stukel:

This is a follow-up to your letter of September 27, 1982 and our telephone conversation on September 28, 1982 concerning Water Right Permit #1624-2 on which you sent me a Department of Agricultural form WI#1. Enclosed is that form properly filled out.

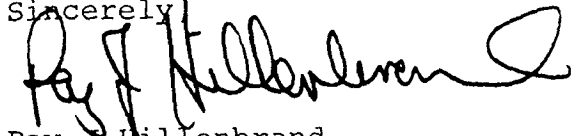
Because this is a request to add additional acreage to an existing water permitted irrigated system, you indicated that it is not necessary to test the water. This was done when the original irrigation system was set up and when the original permit was issued.

Attached to the form is information received from the Soil Conservation Service on the soil involved in the ground being requested to be added to the existing water permit land. I assume it is self-explanatory. As you can see, the types of soil involved carry numbers 126, 132A and 159.

If there is anything else you require on this, please let me know and I will get it to you as soon as possible.

Thank you for your help on this.

Sincerely,



Ray J. Hillenbrand

RJH:mp
Enclosures

✓cc: Mr. Timothy G. Schaal
Water Resources Engineer
Department of Water & Natural Resources
Joe Foss Building
523 E. Capitol
Pierre, SD 57501



Department of Agriculture

1624-2

DIVISION OF CONSERVATION

Anderson Building, Room 322 • Pierre, South Dakota 57501
Phone 605/773-3258

September 30, 1982

Ray Hillenbrand
First Federal Plaza
Box 8303
Rapid City, SD 57701

Dear Mr. Hillenbrand:

In reviewing your soil and water compatibility application for the 46 additional acres in Sec 34-T1-R9 the staff is recommending a conditional approval of your application to the State Conservation Commission at their November 4, 1982 meeting.

The conditional approval recommendation is based on the soils of the area and the restrictions, and management recommendations are as follows:

RESTRICTIONS:

- (126) Halverson loam, channeled - will be maintained in grass and/or alfalfa because of flooding.

MANAGEMENT RECOMMENDATIONS:

You may have trafficability problems because of wetness in the spring and during irrigation season.

Additional water should be applied to assure the leaching of salts.

If you have any questions concerning your application please feel free to contact this office.

Sincerely,

Jim Stukel
Irrigation Program Director

cf

cc: ✓ Water Rights Division
Water Quality Lab
County Extension Service
Red Pahl, Irrigation Specialist

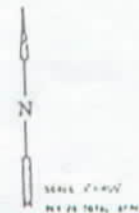
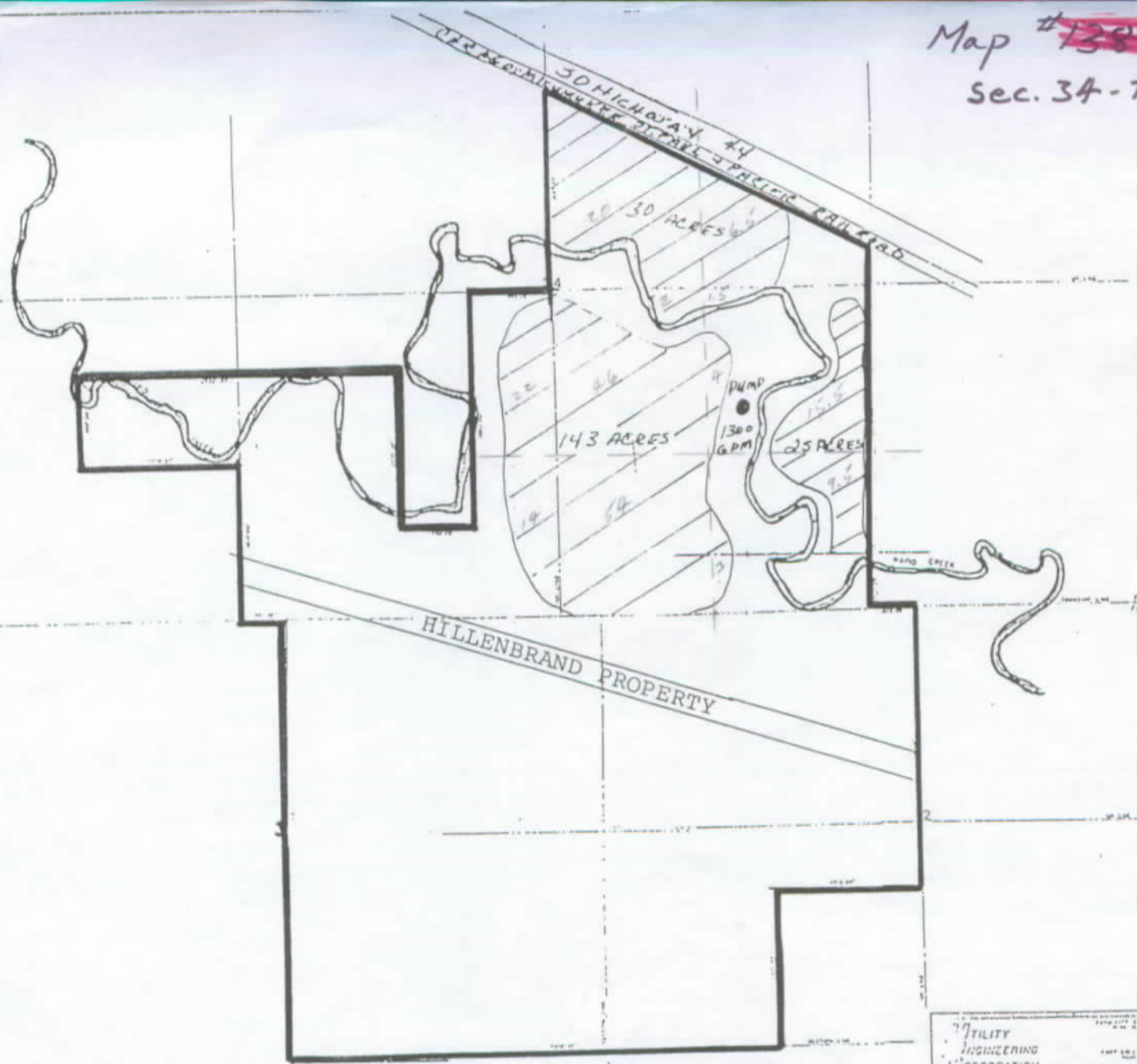
rec 10/1/82



Map # ~~1388-2~~ Appl. #1624-2
Sec. 34-TIN-9E

IRRIGATION MAP

Page 7



UTILITY ENGINEERING CORPORATION	DATE: 10/1/54 BY: J. L. SEARL	- NO RANCH PROPERTY -
---------------------------------------	----------------------------------	-----------------------

Timothy L. Searl
W/R's Engr.

MAP # } 1581-2 APPL. } 1831-2
 } 1388-2 } 1624-2

Map # ~~1788~~ - 2

WA # 1624-2
Ray Hillenbrand

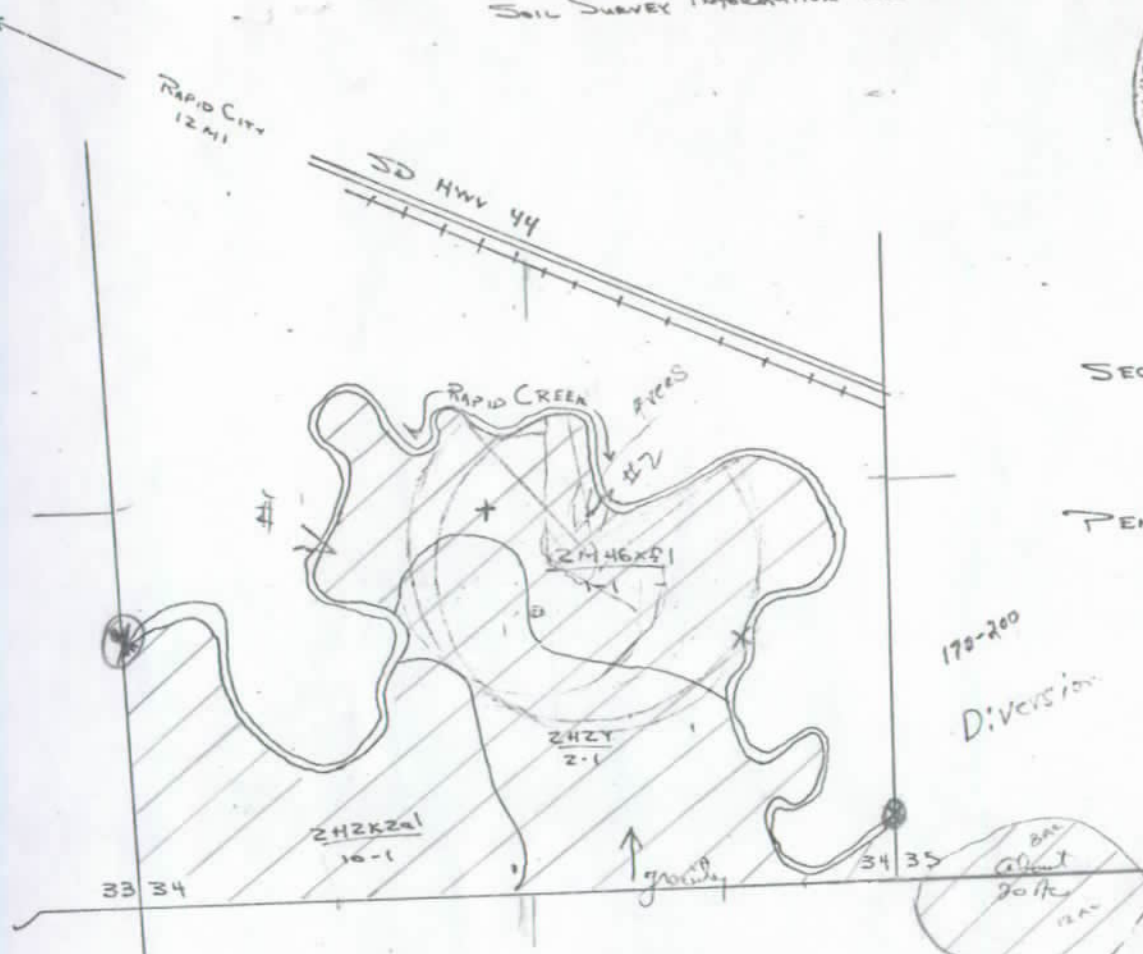


MAP N^o 1388-2 Appl N^o 1624-2



SCALE
4" = 1 MILE

PENNINGTON CONSERVATION DISTRICT



	Soil Series	Cropland Capability	Intake Family
T ₀ B ₀ IRRIGATED	2M46x71 1-1 HAVERSON LOAM	III _{c2}	1.0
	2H2Y 2-1 KYLE SOILS	III _{s1}	.1
NOT T ₀ B ₀ IRRIGATED	2H2K2a1 10-1 PIERRE STONY ASSOL	VI _{c4}	N.A.

Propose Method of Irrigation - Towline Sprinkler System

Popul Creek Farmingdale (15 m) downstream

50 E10 to 1100
 70 in - 15 to 19
 50 in - 17 to 40

Prepared By

Rick Mann
Soil Conservationist
USDA - SCS

11/7/77

CUSTER-PENNINGTON COUNTIES, PRAIRIE PARTS
TABLE 1 - SOIL INTERPRETIVE GROUPS

Sec. II-A

USDA:SCS

USDA:SGS												
Map Symbol	Mapping Unit Name	Slope %	Capability Unit		Range Site	Pasture Group	Windbreak Suitability Group	Wind Erodibility Soil Group	Soil Loss Values			Hydrologic Group
			Dryland	Irrig.					K	Tons	T/K	
88A	Colombo-Urban land complex	0-2	NO AGRICULTURAL INTERPRETATION MADE FOR URBAN LAND COMPLEXES									
91D	Grummit-Urban land complex	9-30										
92B	Broadhurst-Urban land complex	0-6										
93C	Manvel-Urban land complex	6-15										
94B	Savo-Urban land complex	0-9										
95D	Minnequa-Rock outcrop-Urban land complex	9-30										
96C	Pierre-Urban land complex	6-15										
97A	Satanta-Urban land complex	0-2										
97B	Satanta-Urban land complex	2-6										
98A	Nunn-Urban land complex	0-2										
103E	Schamber-Samsil complex Schamber part Samsil part	15-40	VIIe7 VIIe5		VS Sw	NS NS	10 10	6 4	.17 .28	2 2	12 7	A D
108A,118A	Absted loam	0-2	IVs2		Cp	C	9	6	.43	3	6	D
110C,110D	Altvan-Eckley complex Altvan part Eckley part	6-15	VIe2		S1 SwG	D1 NS	6 10	6 6	.28 .24	4 2	14 8	B A
111A,149A	Altvan loam	0-2	IVs1		S1	D1	6	6	.28	4	14	B
111B,169B	Altvan loam	2-6	IVe2		S1	D1	6	6	.28	4	14	B
112A	Arvada-Wendte complex Arvada part Wendte part	0-2	VIe3 IIIs3		TCp Ov	NS I	10 4	5 4	.28 .28	1 5	3 17	D D
113A,113B	Arvada loam	0-4	VIe3		TCp	NS	10	5	.28	1	3	D
114A	Sage silty clay loam	0-2	VIIIs9		SL	NS	10	7	.37	5	13	D
115,110B	Bankard-Riverwash complex Bankard part Riverwash part	0-2	VIe8 VIIIe1		Sa -	NS -	7 -	2 -	.17 .15	5 -	30 -	A -
116A	Bankard loamy fine sand	0-4	VIe8		Sa	NS	7	2	.17	5	30	A
117B	Broadhurst-Grummit clays Broadhurst part Grummit part	0-9	VIIs6 VIe12		DC SwG	NS NS	10 10	4 4	.37 .28	5 2	13 5	D D
118	Blownout land (acid or noncalcareous shale)		VIIIs2		-	-	-	-	.55	1	1	D
119	Haverson loam	0-2	IIIs2		LT	F	1	4L	.32	5	15	B
121D	Enning-Minnequa complex Enning part Minnequa part	9-25	VIe11 VIe3		Sw TU	NS CN	10 10	4L 4L	.43 .37	2 4	4 10	D B
122,124A	Glenberg fine sandy loam	0-3	IVe6		LT	H	1	3	.20	5	25	B
125E	Grummit-Rock outcrop complex Grummit part Rock outcrop part	15-40	VIIe5 VIIIs1		SwC -	NS -	10 -	4 -	.28 .55	2 1	7 1	D D
126	Haverson loam, channeled	0-2	VIw1		Ov	F	1	4L	.32	5	15	B
127	Hoven silt loam	0-1	VIIs3		CD	B2	10	6	.28	1	3	D
128A	Kyle clay	0-2	IVs3		Cy	I	4	4	.37	5	10	D
128B	Kyle clay	2-6	IVe3		Cy	I	4	4	.37	5	10	D
129D,128C 129C,130C 144C,144D	Pierre-Samsil clays Pierre part Samsil part	6-25	VIe4 VIe12		Cy SwC	IN NS	10 10	4 4	.37 .37	4 2	10 5	D D
131	Lohmiller silty clay loam, sandy substratum	0-2	IIIs2		LT	F	1	4L	.37	5	13	C
132A	Lohmiller clay loam	0-2	IIIs2		LT	F	1	4L	.37	5	13	C
132B	Lohmiller clay loam, channeled	0-4	VIw1		Ov	F	1	4L	.37	5	13	C
SOUTH DAKOTA TECHNICAL GUIDE WESTERN LRA's 60A, 61												
												Page 1 of 3; Rev. 6/81

SOUTH DAKOTA TECHNICAL GUIDE
WESTERN
LRA's 60A, 61

Page 1
of 3
Rev. 6/81

Custer-Pennington Prairie Park

CUSTER-PENNINGTON COUNTIES, PRAIRIE PARTS
TABLE 1 - SOIL INTERPRETIVE GROUPS

Sec. II-A

USDA:SCS

Map Symbol	Mapping Unit Name	Slope %	Capability Unit		Range Site	Pasture Group	Windbreak Suitability Group	Wind Erodibility Soil Group	Soil Loss Values			Hydrologic Group
			Dryland	Irrig.					K	Tons	T/K	
133	Frazerton-Arvada complex	0-2			LT	F	1	4L	.37	5	13	C
	Frazerton part		IIIC2		TCp	NS	10	5	.28	1	3	D
134-0	Arvada part		VIb3									
134E, 174E	Midway-Razor	6-15	6e					86	.32	2	5	D
134E, 174E	Midway clay loam	15-40	VIe5		Sw	NS	10	8	.32	2	5	D
134-B	Razor	2-6	IVe					44	.32	2	5	D
136D, 271C	Midway-_____ clay loam	6-15	VIe12		Sw	NS	10	6	.37	2	5	D
	Midway part		VIe1		S1	F	10	6	.37	3	8	C
138A	Manvel silt loam	0-2	IVe10		TU	G	8	4L	.37	5	13	B
138B	Manvel silt loam	2-6	IVe8		TU	G	8	4L	.37	5	13	B
139C, 120B,	Manvel-Minnequa complex	2-9	IVe8		TU	G	8	4L	.37	5	13	B
137C, 139B	Manvel part		VIe3		TU	GN	10	4L	.37	4	10	B
	Minnequa part											
140E, 110E,	Nihill gravelly loam	9-40	VIb4		TU	NS	10	6	.32	5	15	B
140D												
142A	Nunn clay loam	0-2	IIIc1		Cy	F	3	7	.28	5	17	C
142B, 98B	Nunn clay loam	2-6	IIIe1		Cy	F	3	7	.28	5	17	C
142C	Nunn clay loam	6-9	IVe1		Cy	F	3	7	.28	5	17	C
144A	Beckton-Slickspot complex	0-2	IVe2		Cp	C	9	6	.43	3	6	D
	Beckton part		VIIIIs3		-	-	-	-	-	-	-	D
	Slickspot part											
144B, 244B	Pierre clay	2-6	IVe3		Cy	I	4	4	.37	4	10	D
145D	Shingle-Minnequa complex	9-25	VIe11		Sw	NS	10	4L	.32	2	6	D
	Shingle part		VIe3		TU	GN	10	4L	.37	4	10	B
	Minnequa part											
146B	Pierre-Hisle complex	0-9	IVe3		CY	I	4	4	.37	4	10	D
	Pierre part		VIe3		TCp	NS	10	6	.28	1	3	D
	Hisle part											
148A	Satanta-Beckton complex	0-3	IIIc1		S1	F	3	6	.28	5	17	B
	Satanta part		IVs2		Cp	C	9	6	.43	3	6	D
	Beckton part											
149A	Satanta loam	0-2	IIIc1		S1	F	3	6	.28	5	17	B
149B	Satanta loam	2-6	IIIe1		S1	F	3	6	.28	5	17	B
150	Stetter clay	0-2	IVs3		COv	I	4	4	.37	5	13	D
151E, 51D,	Samsil-Pierre clays	15-40										
141E, 225D	Samsil part		VIIe5		SwG	NS	10	4	.37	2	5	D
	Pierre part		VIe4		Cy	IN	10	4	.37	4	10	D
151F, 225E	Samsil clay	25-60	VIIe5		SwG	NS	10	4	.37	2	5	D
161	St. Onge silt loam	0-2	IIIc1		Ov	K	1	6	.24	5	20	B
153F	Shingle-Penrose-Rock outcrop complex	15-40	VIe11		Sw	NS	10	4L	.32	2	6	D
	Shingle part		VIIe4		Sw	NS	10	4L	.32	2	6	D
	Penrose part		VIIIIs1		-	-	-	-	.55	1	1	D
	Rock outcrop part											
156B	Swanboy clay	0-6	VIe6		DC	NS	10	4	.37	5	13	D
159	Wendte silty clay	0-2	IIIIs3		Ov	I	4	4	.28	5	17	D
160D	Zigweid-Nihill complex	6-15	VIe1		TU	GN	10	6	.32	5	15	C
	Zigweid part		VIe4		TU	NS	10	6	.32	5	15	B
	Nihill part -											
162	Frazerton silty clay	0-2	IIIIs3		Ov	I	4	4	.28	5	17	D
163	Frazerton silty clay, channeled	0-4	VIw1		Ov	I	4	4	.25	5	17	D
165	Aquolls	0-2	VIIIIs1		-	NS	10	8	-	-	-	D
166	Nihill cobbly loam	0-25	VIIIs7		VS	NS	10	8	.15	2	13	A
167	Pits, gravel		VIIIIs2		-	-	-	-	-	-	-	A
170A	Manter fine sandy loam	0-2	IVe6		Sy	H	5	3	.20	5	25	B



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

NOV 11 1982
R.H.

November 9, 1982

Ray J Hillenbrand
First Federal Plaza
POB 8303
Rapid City SD 57701

Dear Mr. Hillenbrand:

Enclosed please find two application forms which need to be signed by you and returned to our office along with the filing fee of \$150. The purpose of these forms is to change the location of the diversion point from the NE $\frac{1}{4}$ SW $\frac{1}{4}$, as listed on the original application, to the location of the existing diversion point in the NE $\frac{1}{4}$ SE $\frac{1}{4}$. This will also change your period of usage to April 1 thru October 31. During the months of April and October, your irrigation will depend on the availability of natural flows in Rapid Creek since purchased water from Pactola Dam can only be obtained from May 1 thru September 30. This can be handled at the next Water Management Board Meeting on December 9 & 10 if we receive the signed forms and filing fee by the first part of next week. Also, I think I gave the wrong information on the cost of the final inspection. I am enclosing a form letter which will be sent to you after the enclosed application forms are processed.

If you have any questions on this matter, please contact this office.

Sincerely,

TIMOTHY G SCHAAL
Water Resources Engineer

TGS:ks

enclosures

11-11-82
FOR \$150⁰⁰ AND SIGNED
FORMS ARE ENCLOSED

Ray J Hillenbrand



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9029

PIERRE, November 15, 1902

RECEIVED OF Ray J. Hillenbrand, First Federal Plaza, PO Box 8303, Rapid City, SD
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. 1831-2 (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/mc

No. 1831-2

Publish first publication, on or before November 24, 1982

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

November 16, 1982

Notice is hereby given Ray J Hillenbrand whose post office

address is Box 8303, Rapid City, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 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, 46-5-25, 46-5-41 (ground) ~~46-6-3 thru 46-6-5, 46-6-6, 46-6-10, 46-6-13, 46-6-14, (future use) 46-5-38; (transfer lands) 46-5-33 thru 46-5-35~~ and Board Rules ARSD ~~74:02:01:01 thru 74:02:01:15, (future use) 74:02:01:23 thru 74:02:01:26 (10,000 AFA)~~ ~~74:02:07:01 thru 74:02:07:03~~, for a permit to appropriate for beneficial use

2.83

cubic feet of water per second of time from Rapid Creek

through the Hillenbrand Irrigation Project, the point ~~of~~ of diversion which is ~~(a) to be~~ located in the NE 1/4 SE 1/4

of Section 34, Twp. 1N, Range 9E. Said water to be used for purpose of providing irrigation on portions of the following described land:

S 1/2 NE 1/4, SE 1/4 and E 1/2 SW 1/4, Section 34, T1N, R9E

This Application No. 1831-2 will be considered by the Water Management Board at the Sheraton Inn, Dakota Room, Aberdeen SD upon the 9th day of December, 1982

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 Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNr, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board

cc: applicant

BETTY WESTLUND, Water Rights Specialist

WNR-806-2/82

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

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County _____)

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 24, 1982

December 1, 1982

Mary K. Garness
(Signature)

Bookkeeper
(Title)

December 1, 1982
(Date Signed)

Cost of Printing: 5 6/16 inch @ \$3.33
per inch x 2 = \$35.80



Nov. 24, Dec. 1

L084

No. 1831-2

NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER
Pierre, South Dakota 57501
November 16, 1982

Note is hereby given Ray J. Hillenbrand, whose post office address is Box 8303, Rapid City, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 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; 46-5-25; 46-5-41 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, for a permit to appropriate for beneficial use 2.83 cubic feet of water per second of time from Rapid Creek through the Hillenbrand Irrigation Project, the point of diversion which is located in the NE 1/4 SE 1/4 of Section 34, Twp. 1N, Range 9E. Said water to be used for purpose of providing irrigation on portions of the following described land: S 1/2 NE 1/4, SE 1/4 and E 1/2 SW 1/4, Section 34, T1N, R9E.

This Application No. 1831-2 will be considered by the Water Management Board at the Sheraton Inn, Dakota Room, Aberdeen, SD upon the 9th day of December, 1982 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 Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

For the
Water Management Board
Betty Westlund
Water Rights Specialist



Department of Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

R.J.H.
DEC 18 1982

December 17, 1982

12-18-82

\$50.00 check is attached

Ray J. Hillenbrand

Ray J Hillenbrand
Box 8303
Rapid City SD 57701

Dear Mr. Hillenbrand:

The inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Right No. 1831-2 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.

You will also receive the Certificate of Construction as required by statute.

Sincerely,

Karen Schlaak

KAREN SCHLAACK
Administrative Secretary

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

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9069

PIERRE, December 20, 19 82

RECEIVED OF Ray J. Hillenbrand, P.O. Box 8303, 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) -----		
Fee for inspecting Construction, and issuing Cert. of Construction No. <u>1831-2</u>	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. <u>1831-2</u>		
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 Hatch
 Chief Engineer, Executive Officer
 JOHN HATCH/ms



Department of Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

December 29, 1982

Ray J Hillenbrand
Box 8303
Rapid City SD 57701

Dear Mr. Hillenbrand:

Enclosed herewith are, Water License No. 1831-2 and Certificate of Construction and Water Right.

Water License No. 1831-2 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,

A handwritten signature in dark ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosures

This Water License amends original applicaton No. 1624-2 by changing the diversion point and the period of usage and applicable portions of Permit No. 1624-2 have been Incorporated into this Water License No. 1831-2

RAY J. HILLENBRAND

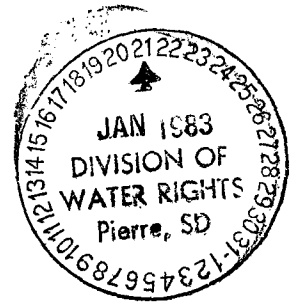
FIRST FEDERAL PLAZA

POST OFFICE BOX 8303

RAPID CITY, SOUTH DAKOTA 57709

TELEPHONE 605-341-3620

January 20, 1983



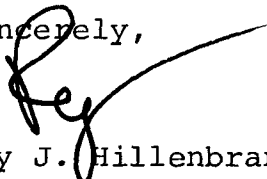
Mr. Timothy G. Schaal
Water Resources Engineer
South Dakota Department of Water
& Natural Resources
Water Rights Division
Joe Foss Building
523 E. Capitol
Pierre, SD 57501

Dear Tim:

During the latter part of 1982 I sent several checks to the Water Rights Division with the understanding that the final permit was to be issued prior to the end of the year for the land I own near the Rapid City airport. I have not received the formal document granting the permit and I was wondering what the status of it might be. I believe that you have handled all of the work on this, Tim, that is why I am addressing this letter to you. If it should go to someone else, I would appreciate it if you would transfer it to the proper person.

The original permit number was 1624-2. I appreciate your help on this very important item, Tim.

Sincerely,


Ray J. Hillenbrand

RJH:mp

sent 1-24-83 RO

RAY J. HILLENBRAND

FIRST FEDERAL PLAZA
POST OFFICE BOX 8303
RAPID CITY, SOUTH DAKOTA 57709
TELEPHONE 605-341-3620



November 22, 1985

Water Rights Division
Joe Foss Building
523 East Capitol
Pierre, SD 57501

Dear Sir:

Enclosed is a copy of an Irrigation Questionnaire which has been sent to me which I received today. This particular land is being purchased from me on a Contract For Deed basis by the following individual:

David L. Browder, DVM
Rt 2, Box 4935
Rapid City, SD 57701

He operated this piece of land during the 1985 season. I would suggest that you send the enclosed questionnaire along with all future questionnaires to him. If this is not appropriate, please let me know.

Sincerely,

Ray J. Hillenbrand

RJH:mp
Enclosures

November 26, 1985

David L. Browder, DVM
Route #2, Box 4935
Rapid City, South Dakota 57701

Dear Mr. Browder:

Enclosed is the 1985 Irrigation Questionnaire pertaining to Water Right No. 1831-2 listed in the name of Ray J. Hillenbrand. Mr. Hillenbrand has notified our office that you are purchasing the land covered under this Water Right from him. He further indicated that you operated the land during the 1985 Irrigation season.

Please complete the questionnaire as accurately as possible and return it to this office by December 20, 1985. A copy of the cover letter which originally accompanied the questionnaire is also enclosed.

Since you now own the land, the water right should be transferred to your name. Enclosed is a partially completed "Notice of Transfer". Please check over, date and sign in the presence of a notary before returning the form to this office with the required filing fee of \$2.50. Upon receipt of the above, the water right can be transferred to your name.

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

If you have any questions, please contact us. A postage paid envelope is enclosed for your convenience in returning the irrigation questionnaire, transfer form and \$2.50 filing fee.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc.

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 12-20-85

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

198 acres - S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, all in Section 34, T1N, R9E

formerly owned by Ray J Hillenbrand

has been transferred to David L. Browder Rt. 2 Box 4935 Rapid City, SD 57701
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1831-2 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
County of Pennington) ss.

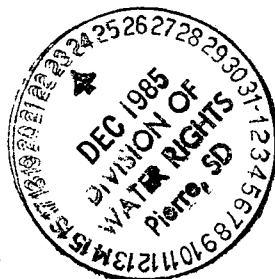
I, David L. Browder, being first duly sworn on my oath despose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

David L. Browder
(Signed)

Subscribed and sworn to before me this 20 Day of Dec., 1985.

Rain Park
(Notary Public)

My Comm. Expires December 22, 1988



RECEIPT

Division of Water Rights

No 4 10271 -

South Dakota Department of Water and Natural Resources

Pierre, December 23, 19 55

RECEIVED OF David L. Browder, Rt#2, Box 4935, 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 works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>1831-2</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer JOHN HATCH/ms



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

Phone (605) 773-3352

December 27, 1985

David L. Browder
Route #2, Box 4935
Rapid City, South Dakota 57701

Dear Mr. Browder:

Enclosed is receipt No. 4 10271 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 1831-2.

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

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.



Department of Water & Natural Resources

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

March 23, 1987

DAVID L BROWDER
RR 2 BOX 4935
RAPID CITY, SD 57701

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 1831-2. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

1. Amend Permit No(s). 1831-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

A handwritten signature in black ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

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

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

SOUTH Dakota Department of
Water & Natural Resources

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

April 3, 1987

1831-2

David L Browder
RR #2 Box 4935
Rapid City, SD 57701

Dear Mr. Browder:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 1831-2 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,



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

NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: FEB. 5, 1988

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

198 acres - S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, all in Section 34, T1N, R9E

formerly owned by David Browder, RR #2 Box 4935, Rapid City, SD

has been transferred to Ray J Hillenbrand, PO Box 8303, Rapid City, SD 57709

(please include complete mailing address)

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

Water Right Permit No. 1831-2 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

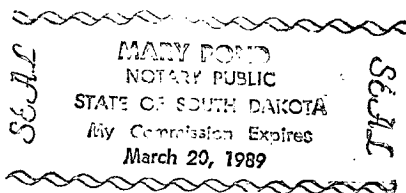
STATE OF SOUTH DAKOTA)
County of PENNINGTON) ss.

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

Ray J Hillenbrand
(Signed)

Subscribed and sworn to before me this 5th Day of February, 1988.

Mary Pond
(Notary Public)



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, February 8, 1988, 19

RECEIVED OF Ray J. Hillenbrand, PO Box 8003, 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 works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>1831-2</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By

Chief Engineer

JOHN HATCH

RS

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

February 12, 1988

Ray J. Hillenbrand
PO Box 8303
Rapid City, South Dakota 57709

Dear Mr. Hillenbrand:

Enclosed is receipt No. 411143 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 1831-2.

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

Sincerely,

Maxine Stirling

Maxine Stirling
Secretary

ms/
Enc.



Department of Water & Natural Resources

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

1831-2

July 1, 1988

Mark M Kieffer
8308 Keystone Rt
Rapid City, SD 57701

Dear Mr. Kieffer:

Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 1831-2. Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50. The water right will then be transferred to your name.

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

If you have any questions, please contact us.

Sincerely,

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

GENNY MCMATH
Natural Resources Analyst
605 773-3352

encl

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, July 13, 1922

RECEIVED OF Mark H. Kieffer, 6308 Keystone Pt., 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 works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Permit No. 1231-2</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By

Chief Engineer

John Hatch
JOHN HATCH

NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

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

198 acres - S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 34, T1N, R9E

formerly owned by Ray J Hillenbrand, PO.Box 8303, Rapid City, SD 57709

has been transferred to Mark M Kieffer, 8308 Keystone Rt., Rapid City, SD 57701

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

Water Right Permit No. 1831-2 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
County of PENNINGTON) ss.

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

Mark M Kieffer
(Signed)

Subscribed and sworn to before me this 11 Day of July, 1988.

Lyla J Monello
(Notary Public)



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

Phone (605) 773-3352

July 19, 1988

Mark M. Kieffer
8308 Keystone Rt.
Rapid City, SD 57701

Dear Mr. Kieffer:

Enclosed is receipt No. 411308 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 1831-2.

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

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.



1831-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: MARK M KIEFFER, 13605 NECK YOKE, RAPID CITY, SD 57702 7324

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaires

Our records indicate your 2014 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 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) 1831-2 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) 1839-2 & 1839A-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 4, 2015** 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. 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:

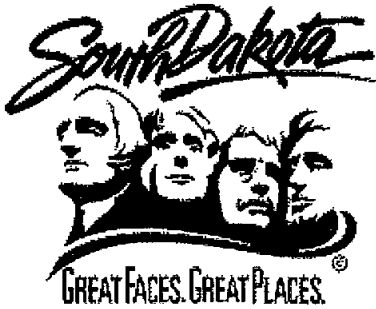
1. Suspend or cancel Permit No(s) 1839-2 & 1839A-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1831-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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 questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.

1831-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 2015

1831-2
1839-2
1839A-2

Mark Kieffer
13605 Neck Yoke
Rapid City SD 57702 7324

Dear Mr. Kieffer:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right Nos. 1831-2, 1839-2 and Permit No. 1839A-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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



1831-2

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

May 12, 2021

1831-2
1839-2
1839A-2

Pam Kieffer
13605 Neck Yoke
Rapid City SD 57702-7324

Dear Mrs. Kieffer:

I am writing regarding ownership of the land described under Water Right Nos. 1831-2, 1839-2 and Water Permit No. 1839A-2. All are listed under Mark's name with No. 1839A-2 listed under both your names. These should be transferred to reflect current ownership.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing the ownership changes. Please review and complete as needed. Upon completion, please return them to our office with a required filing fee of \$50 each (total of \$150). The check or money order for the fee can be made payable to the Water Rights Program.

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

Sincerely,

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

enclosures

1831-2

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Agriculture and Natural Resources

Date May 21, 2021RECEIVED OF Mar./pam Kieffer 13605 Neck Yoke Road Rapid City SD 57702

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
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>1831-2</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
me

PAID

MAY 21 2021

Ck# 4134

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

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

MAY 21 2021

WATER RIGHTS
PROGRAM

No. 1831-2

Date: 5/17/2021

I/We request that Water Right No. 1831-2

formerly owned by: Mark M Kieffer

be transferred to: (name & address) Pam Kieffer and Meagan Kieffer
13605 Neck York Road, Rapid City, SD 57702

Telephone No. 605-341-1267

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

198 acres - S 1/2 NE 1/4, SE 1/4, E 1/2 SW 1/4 Section 34, T1N, R9E

I/We understand that the validity of Water Right No. 1831-2 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 Pam & Meagan, the new owner, certify that the above information is true and correct.

Pam Kieffer
(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.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

1831-2

May 24, 2021

1831-2
1839-2
1839A-2

Pam & Meagan Kieffer
13605 Neck Yoke
Rapid City SD 57702-7324

Dear Mrs. Kieffer and Ms. Kieffer:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for Water Right Nos. 1831-2, 1839-2 and Water Permit No. 1839A-2.

The ownership changes have been completed. The above listed water rights and permit formerly held by Mark Kieffer are now listed under "Pam Kieffer and Meagan Kieffer."

Enclosed for your records are receipts for the filing fees you paid. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures