

Considered: _____

VESTED RIGHT

WATER PERMIT NO. 1896-2

MAP No. 1896-2

Name of Applicant JAMES A WALLACE

Post Office Address Box 748, Custer, S.D. 57730

Amount of Water Claimed 0.80 Total Acres 55

Source of Water Supply Dog Creek - dry draws

Water to be used for IRR County Fall River

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved 12-5-84 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received 9/26/84 Fee 10.50 Remarks _____
01/01/1904

Corrected Application Received _____ Period of Annual Use 1/1 to 12/31

WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____
not applicable

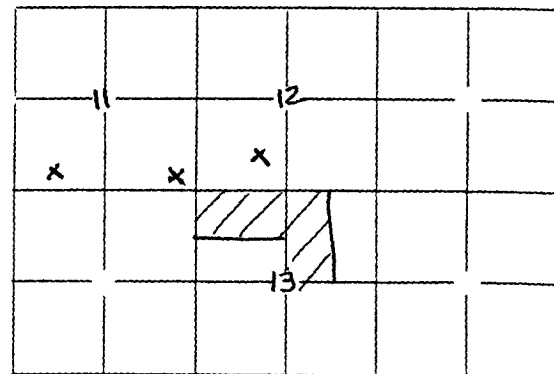
Diversion Points located in S $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 11, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12 all in

T12S R1E

Land to be Irrigated ^{SW} N $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 13

T12S R1E



Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map drawn PREPARED BY Del Brosz DWNR Reviewed and the Number

assigned on 9/28/84

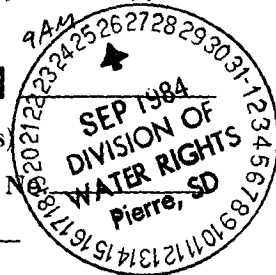
By Betty Westlund
Betty Westlund, NRA III

No. _____	Hydrologic Unit _____
Map No. _____	Basin _____
Newspaper _____	

Application For Permit To Appropriate Water Within The State Of South Dakota

Type of Application: Check one or more of the following:

- Water Right Filing 0570-2**
- New ☐ Vested Right ☒ Future Use ☐ **Location Notices 19-2, 20-2, 48-2, 549-2 and 550-2**
- ☐ Application to amend Permit No. _____ with old priority date retained
- ☐ Change diversion point(s) ☐ Add diversion point(s) ☐ Change acreage ☐ Other ☐
- ☐ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s)
- ☐ Add Acreage ☐ Increase diversion rate ☐ Other _____ See Permit No. _____
- ☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____



1. Name of Applicant James A. Wallace Phone No. 673-2399
- Post Office Address Box 748 Custer, South Dakota State 57730
(Street, RR or Box) Zip Code
2. Amount of water claimed (c.f.s) 0.8 Total acres irrigated 55
3. Source of Water supply Dog Creek (dry draws)
4. Location of point of diversion Dam #1-N52°E 1450' from the SW Corner of Section 11, T12S, R1E
Dam #2-N41°W 780' from the SE Corner of Section 11, T12S, R1E
Dam #3-N58°E 1950' from the SW Corner of Section 12, T12S, R1E County Fall River
5. Counties where water will be used Fall River
6. Annual period during which water is to be used All year
7. 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.
<u>NW1/4NW1/4, Section 13 T12S R1E</u>	<u>10</u>
<u>NE1/4NW1/4, Section 13 T12S R1E</u>	<u>25</u>
<u>NW1/4NE1/4, Section 13 T12S R1E</u>	<u>17</u>
<u>SW1/4NE1/4, Section 13 T12S R1E</u>	<u>3</u>

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

This is a water spreading system. When the dams are full of water the water over flows into canals. The canals overflow or empty onto the irrigated grass field.

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

STATE OF SOUTH DAKOTA)
County of Fall River)^{ss}

I, JAMES A. WALLACE the applicant, certify that I have read the foregoing application, 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 James A. WallaceSubscribed and sworn to before me this 24 day of Sept 19 84

Quanita Fish
Notary Public, CUSTER COUNTY, S. DAK.
My Commission Expires APRIL 6, 1990

Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. _____

(Applicant)

(Post Office Address)

(State)

(Zip Code)

With the following qualifications.

SEE FORM VR-1

The applicable portions of Water Right Filing No. 0570-2 and Location Notices No. 19-2, 20-2, 48-2, 549-2 and 550-2 have been incorporated into Vested Right No. 1869-2 with the abandoned portions of Water Right Filing No. 0570-2 and Location Notices No. 19-2, 20-2, 48-2, 549-2 and 550-2 cancelled.

Date of first receipt of application _____, 19____.

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

Date of receipt of corrected application _____, 19____. Approved _____, 19____.

The Water Management Board hereby approves this Water Permit No. _____ authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

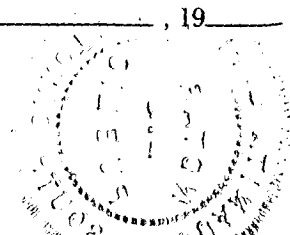
1. The date from which applicant may claim right is _____, 19____.
2. One-fifth of the work is to be completed on or before _____, 19____.
3. The whole of said work is to be completed on or before _____, 19____.
4. The time limit for proof of beneficial use of water is _____, 19____.
5. The water appropriated shall be used for the purpose of _____.
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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed _____ 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. 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 _____, 19____; said water to be used during the following described annual period: _____.

WATER MANAGEMENT BOARD

By: _____
Chief Engineer

Division of Water Rights
Dept. of Water and Natural Resources

_____, 19____



VESTED WATER RIGHT

The Water Management Board hereby recognizes Vested Water Right No. 1896-2

James A Wallace

(applicant)

Box 748

(post office address)

Custer SD 57730

(state)

(zip code)

Date of receipt of Application September 26, 19 84.

Recognized December 5, 19 84.

The Water Management Board hereby recognizes the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Vested Water Right, subject, however, to the following limitations and conditions:

1. The date from which the applicant may claim right is January 1, 1904.
2. The whole of said work has been completed and water has been applied to beneficial use as described on Form 2B of this application.
3. The water appropriated is used for the purpose of Irrigation.
4. The prior rights 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 unlawfully impaired by this appropriation.
5. The amount of the appropriation hereby recognized shall not exceed _____

0.8 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. 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 has been actually and beneficially applied for irrigation. The water is to be used during the following described annual period Jan 1 thru Dec 31.

WATER MANAGEMENT BOARD

By: John Fletcher

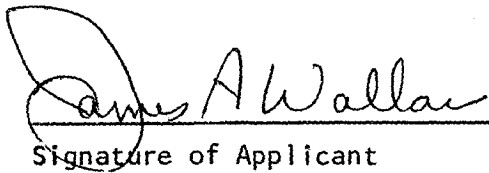
(Chief Engineer)

Division of Water Rights
Dept. of Water and Natural Resources

APR 29 1985

WATER STORAGE DAMS

DAM #	<u>1</u>	<u>2</u>	<u>3</u>
Freeboard	3'	3'	3'
Crest Width	10'	20'	10'
Crest Length	700'	300'	350'
Height	15'	15'	20'
Outlet Dimensions - Pipe Diameter	None	None	None
Spillway Width	--	100'	50'
X & Y Slope:			
Upstream	3:1	3:1	2:1
Downstream	2:1	2:1	2:1
Surface Area	5 Acres	4 Acres	2 Acres
Storage	18 acre feet	16 acre feet	10 acre feet
Drainage Area	500 acres	900 acres	150 acres



 Signature of Applicant

Affidavit of Water UseNo. 1896-2

(Type or Print in Ink)

Note: This Form is supplemental to Form 2 and is to be used when an affidavit pertaining to construction and water use already constructed is needed, primarily with vested right claims.

**Affidavit Of Construction Of Water Use System
And Application Of Water To Beneficial Use**

Name of Applicant (Same as Form 2) James A. Wallace

Post Office Address Box 748, Custer South Dakota 57730
(Street, RR or Box) (State) (Zip Code)

A. Notice of Appropriation April 30, 1904 Date of Posting _____

Date of recording May 4, 1904 Recording date Fall River County 3 534
Where Book Page

B. Date of start of construction of water supply system 1904C. Date that water was first applied to beneficial use 1904D. Name of owner of original water supply system John TiddE. Amount of water originally applied to beneficial use 5 cfsF. Present Use of Water - Amount of water now being used 0.8 cfsDate that this water was first used 1904

G. Chronological History of Water Use

The initial part of the system was constructed by John Tidd in 1904
 Additional dams and diversion points were added in 1908 & 1912 by Hila C. Wallace
 The entire project was purchased by Robert Wallace around 1920
 Robert E. Wallace became the owner in about 1940
 James A. Wallace became the owner in 1970

Attach to this Form 2B any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach any written statement by you, or by others, that you deem pertinent.

State of South Dakota)

County of Fall River)^{ss}

I, JAMES A. WALLACE the applicant, certify that I have read the foregoing
(print or type)
 and that the matters therein stated are true.

Signed James A. WallaceSubscribed and sworn to before me Sept 24, 1984

JUANITA L. FISH
 Notary Public, CUSTER COUNTY, S. DAK.
 Commission Expires APRIL 6, 1990

Notary Public or other qualified officer

I, the undersigned do hereby certify that I know about the water use system described above, that I have read the foregoing, and that the matters therein stated are true.

(Print name) 19_________
(Print name) 19____

State of South Dakota

Water License No. 1896-2

VESTED RIGHT

(1) James A Wallace

of Box 748, Custer SD 57730

made Application No. 1896-2, September 26, 1984 for recognition/for a vested right to appropriate

0.8 cubic feet per second of water from Dog Creek (dry draw),

Fall River County, South Dakota for irrigation purposes.

Vested Right

Permit No. 1896-2, with a priority date of April 30, 1904

was approved December 5, 1984 and issued to applicant(s) for diversion of water with construction of the described

water supply system to be completed on or before and for the application to beneficial use of said

water on or before

On February 6, 1985, Vested Right No. 1896-2 was transferred to Quinto LTD,
a Nebraska Limited Partnership.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 0.8 cubic feet per second of water

for beneficial use. The location of the diversion point(s) is are Dam #1: N52°E 1450' from the SW

corner of Section 11, T12S, R1E; Dam #2: N41°W 780' from the SE corner

of Section 11, T12S, R1E; Dam #3: N58°E 1950' from the SW corner of

Section 12, T12S, R1E

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in T12S, R1E

Section 13 NW 1/4 NW 1/4 10 acres (BB)

NE 1/4 NW 1/4 25 acres (BA)

NW 1/4 NE 1/4 17 acres (AB)

SW 1/4 NE 1/4 3 acres (AC)

TOTAL 55 acres

(4) Pursuant to §46-5-30.1 Quinto LTD, a Nebraska Limited Partnership

of HC 57, Box 32, Harrison NE 69346

the holder(s) and/or owner(s) of Vested Right ~~Water Permit~~ No. 1896-2 is issued a license to appropriate water, the right to use

0.8 cubic feet per second of water from Dog Creek with a priority date

of April 30, 1904 from the location specified in (2) of this license. The water to be

conducted to and upon lands specified in (3) of this license for the purpose of irrigation

This license is subject to any limitations or qualifications listed in Vested Right ~~Water Permit~~ No. 1896-2 and subject to South Dakota State Law.

John Hatch
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

APR 29 1985

Upper Cheyenne Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by James A. Wallace of Custer, S.D. holder of Permit No. 1896-2, bearing the priority of April 30 1908 authorizing the diversion of 5 cu. ft. per second of the waters of Dog Creek (dry draws) for irrigation purposes, in Fall River County.

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

A. Works used to divert the water: Three diversion dams. The dams store water for livestock use. The stored water cannot be released for irrigation. Only overflow water from the dams is used for irrigation.

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

Canals from the dams to the field. The canal from dam #1 empties into dam #2. All of the canals have direct uncontrolled inlets from the dams.

C. Works used to apply water to beneficial use:

The canals overflow and empty on the grassland. Flood irrigation

The system is in the following condition Fair

The point of diversion is located Dam #1 - N52°E 1450' from the SW corner of Section 11, T12S, R1E. Dam #2 - N41°W 780' from the SE corner of Section 11, T12S, R1E. Dam #3 - N58°E 1950' from the SW corner of Section 13, T12S, R1E.

The works are capable of diverting and conveying to the place of use 10 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:

NW¹ & NW² - 10 acres, NE¹ & NW² - 25 acres, NW² & NE² - 17 acres, and SW² & NE² - 3 acres all in Section 13, T12S, R1E

comprising a total of 55 acres of land and the license should be issued for 0.8 cfs

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: _____ Date July 19, 1988

William H. Brong, P.E.
(signature) Hydrologist

Jim Wallace
Custer, S.D.

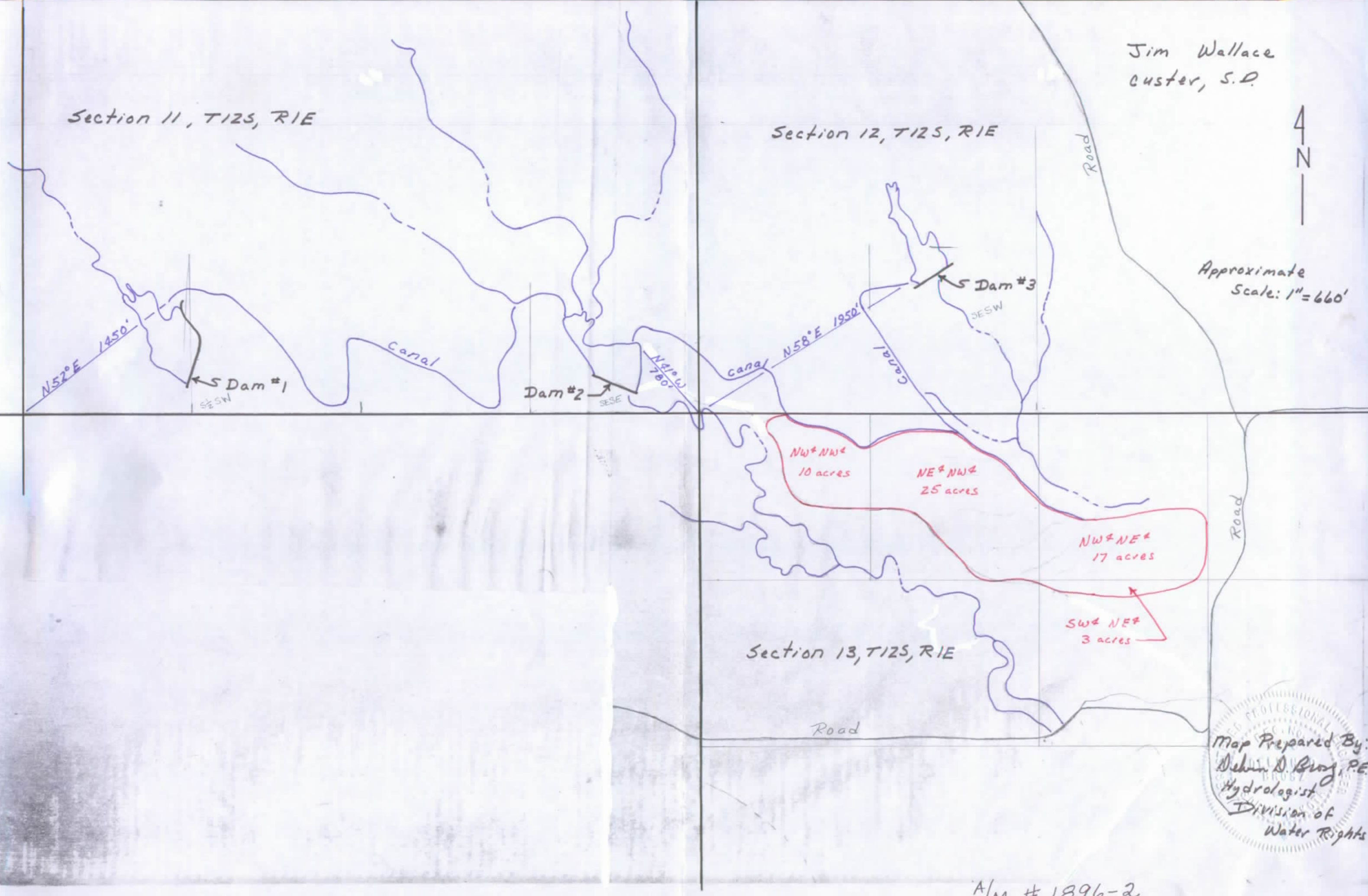
4
N
—

Approximate
Scale: 1" = 660'

Section 11, T12S, R1E

Section 12, T12S, R1E

Section 13, T12S, R1E



Map Prepared By:
Delvin D. Bury, P.E.
Hydrologist
Division of
Water Rights

A/M # 1896-2



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

September 11, 1984

Mr. James A. Wallace
Box 748
Custer, South Dakota 57730

Dear Mr. Wallace:

I have completed all of the forms for the Vested Rights on your three water spreading systems. Would you please examine the forms and correct anything that is in error. Then, please sign the forms in the presence of a notary where indicated. The forms should then be returned to our office with a check for \$31.50 (\$10.50 for each system). This is to cover the cost of the filing fees and water licenses.

Upon recognition by the Board of Water Management your copies of the forms will be returned to you. Applicable portions of Water Right Filings 0570-2 and 0632-2 and location notices 19-2, 20-2, 48-2, 86-2, 514-2, 549-2 and 550-2 will be incorporated into the vested rights.

I have also enclosed maps of your projects. If you don't have changes to the maps you may keep them for your files. If you have some changes please indicate them on the map(s) and return with the forms. I will then correct our office copy(ies). You may keep the copies of the water right filings and location notices.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Delvin D. Brosz".

Delvin D. Brosz, P.E.
Hydrologist

DDB:ms
Enc.

Equal Opportunity Employer

9-24-84

Dear Mr. Brosz,

Enclosed are the forms for the vested water rights - also a check for 31.50 for filing fees and water licenses.

I kept the maps, water right filings and the location notices.

I made a first name correction on the last page, item G of the first set of forms.

If you have any questions, please contact me.

Sincerely,
James A. Waller

RECEIPT

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

No 4 9767

Pierre, September 25, 19 84

RECEIVED OF James A. Wallace, Box 748, Custer, SD 57730

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

Fee for Application for Permit No. 1896-2 to Appropriate Water, to construct works and to put water to beneficial use	8	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. 1896-2	2	50
Fee for Filing Transfer Form		
Fee for Filing Extension Request		
Fee for Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for (Any Other Work Provided by Law)		
Total	10	50

By John Hatch
Chief Engineer JOHN HATCH (ms)



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

November 16, 1984

457-2

1896-2

1897-2

1898-2

Tom Danehey
PO Box 460
Alliance NE 69301

Dear Mr. Danehey:

Enclosed are partially completed Notice of Transfer of Water Permit forms for the Water Rights on the James Wallace Ranch. The Water Rights are Nos. 457-2, 1896-2, 1897-2, 1898-2.

The new owner should complete the forms and sign them in the presence of a notary. The forms should then be returned to this office with a \$2.50 filing fee for each form.

Upon receipt of the forms and the filing fees the permits will be transferred to the new owner. South Dakota Water Law 46-5-30.3 requires Notice of 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,

DELVIN D BROSZ, P.E.
Hydrologist III

DDB:ks

enclosures

CURTISS, MORAVEK, DANEHEY & CURTISS, P.C.

ATTORNEYS AT LAW

416 NIOBRARA AVENUE

P.O. BOX 460

ALLIANCE, NEBRASKA 69301

(308) 762-1710

ALAN CURTISS
A. JAMES MORAVEK

THOMAS A. DANEHEY
TERRY CURTISS

February 4, 1985

South Dakota Department of
Water and Natural Resources
Joe Fass Building
523 East Capitol
Pierre, South Dakota 57501-3181

Attention: Water Rights Division

Re: Wallace to QUINTO, Ltd.
Water Rights: 457-2; 1896-2; 1897-2; and 1898-2

Dear Friends:

On February 2, 1985, the sale of certain lands in Fall River County, South Dakota, was completed from James A. Wallace and Eileen A. Wallace, husband and wife, to QUINTO, Ltd., a Nebraska Limited Partnership.

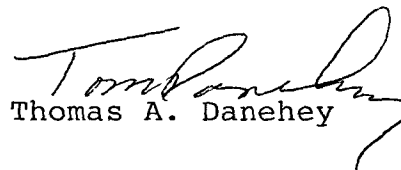
Enclosed please find for filing the Notice of Transfer of Water Permit for the following water rights: Water Permit No. 457-2; Water Permit No. 1898-2; Water Permit No. 1896-2; and Water Permit No. 1897-2.

Also enclosed please find our check in the sum of \$10.00 for the filing fee.

Please acknowledge receipt and filing of these Notices

If you have any questions, please call me collect.

Sincerely,


Thomas A. Danehey

TAD:lr

Enc.

c: QUINTO, Ltd.



NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: February 2, 1985

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

N $\frac{1}{2}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 13, T12S, R1E

formerly owned by James A Wallace
QUINTO, Ltd., A Nebraska Limited Partnership
has been transferred to HC-57, Box 32, Harrison, Nebraska 69346
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 1896-2 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.

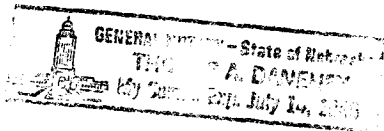
NEBRASKA
STATE OF ~~SOUTH DAKOTA~~)
) ss.
County of Sioux)

Nancy S. Falkenburg, General
I, Partner of QUINTO, Ltd., 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.

Nancy S. Falkenburg
(Signed)

Subscribed and sworn to before me this 2nd Day of February, 1985.

Thomas A. Danvers
(Notary Public)



RECEIPT

Division of Water Rights

No 4 9925

South Dakota Department of Water and Natural Resources

Pierre, February 6, 19 85

RECEIVED OF Thomas DAnehy, 416 Niobrara Ave., PO Box 460, Alliance, NE 69301

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

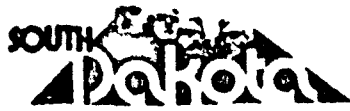
Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form 1896-2 (Quinto LTD)		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
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
(605) 773-3352

APR 29 1985

Quinto LTD
HC 57, Box 32
Harrison NE 69346

Dear Sirs:

Enclosed herewith are your Vested Right Permit, Water License No. 1896-2.
This Water License is the final water right document completing your
process of obtaining a vested water right.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ks

enclosures

cc: James A Wallace, w/ receipt for payment of license fees
Thomas Danehey, w/ receipt for payment of transfer fees

PLEASE NOTE: The applicable portions of Water Right Filing No. 0570-2
and Location Notices No. 19-2, 20-2, 48-2, 549-2 and 550-2
have been incorporated into Vested Right No. 1896-2 with
the abandoned portions of Water Right Filing No. 0570-2
and Location Notices No. 19-2, 20-2, 48-2, 549-2 and 550-2
cancelled.

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1896-2 FOR IRRIGATION

Date of Receipt of Claim September 26, 1984.

Date of Validation May 6, 1992.

The Water Management Board validated Vested Water Right Claim No. 1896-2 for irrigation purposes for Quinto, Ltd., HC 57, Box 32, Harrison NE 69346 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1896-2 appropriates 0.8 cubic feet of water per second from Dog Creek located in the S 1/2 SW 1/4, SE 1/4 SE 1/4, Section 11 and the SE 1/4 SW 1/4 Section 12 to irrigate 55 acres located in the N 1/2 NW 1/4, W 1/2 NE 1/4 Section 13; all in T12S-R1E.
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: January 1 - December 31.
3. The priority date of the Vested Water Right is April 30, 1904.
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

The applicable portions of Water Right Filing No. 0570-2 and Location Notices No. 19-2, 20-2, 48-2, 549-2 and 550-2 have been incorporated into Vested Right No. 1869-2 with the abandoned portions of Water Right Filing Nos. 0570-2 and Location Notices No. 19-2, 20-2, 48-2, 549-2 and 550-2 cancelled.

WATER MANAGEMENT BOARD

By: 
Chief Engineer

JUL 1 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources



JUL 1 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Quinto, Ltd.
HC 57, Box 32
Harrison NE 69346

Dear Sir:

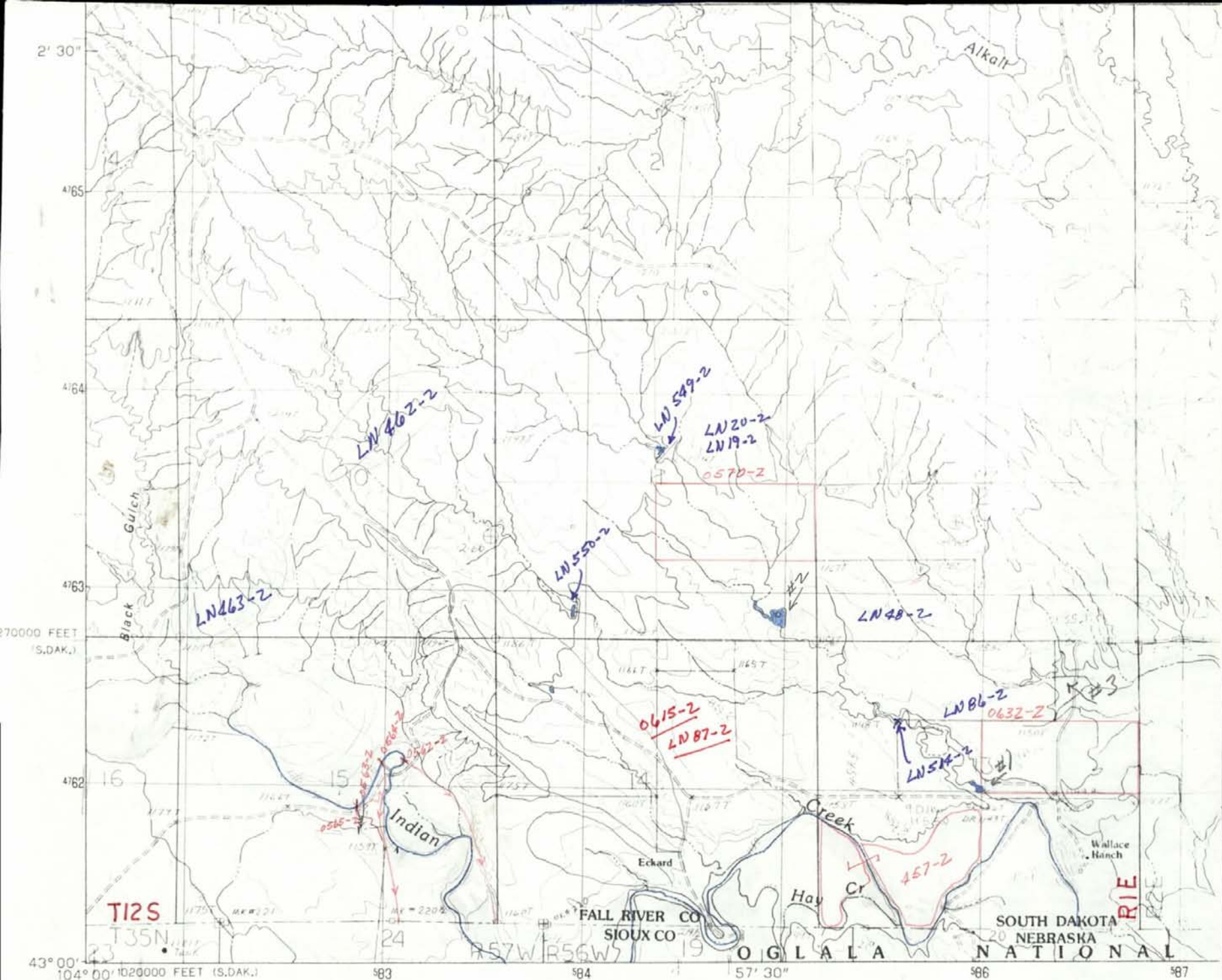
The Water Management Board has validated the enclosed Vested Water Right Nos. 1896-2, 1897-2 and 1898-2. These validations give legal status to the claims and are the final document for your vested rights.

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



PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
 CONTROL BY USGS AND NOS/NOAA
 COMPILED FROM AERIAL PHOTOGRAPHS TAKEN 1974
 FIELD CHECKED 1977. MAP EDITED 1982
 PROJECTION LAMBERT CONFORMAL CONIC
 GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR, ZONE 13
 10,000-FOOT STATE GRID TICKS SOUTH DAKOTA, SOUTH ZONE
 AND NEBRASKA, NORTH ZONE

UTM GRID DECLINATION 0° 44' EAST
 1982 MAGNETIC NORTH DECLINATION 12° EAST
 VERTICAL DATUM NATIONAL GEODETIC VERTICAL DATUM OF 1929
 HORIZONTAL DATUM 1927 NORTH AMERICAN DATUM

To place on the predicted North American Datum of 1983
 move the projection lines as shown by dashed corner ticks
 (7 meters north and 44 meters east)

There may be private inholdings within the boundaries of any
 Federal and State reservations shown on this map

PROVISIONAL MAP

Produced from original
 manuscript drawings. Infor-
 mation shown as of date of
 field check.

3

SCALE 1:25 000



CONTOUR INTERVAL 5 METERS
 SUPPLEMENTARY CONTOUR INTERVAL 2.5

CONTROL ELEVATIONS SHOWN TO THE NEAREST 0

OTHER ELEVATIONS SHOWN TO THE NEAREST 1

To convert meters to feet multiply by 3.2808

To convert feet to meters multiply by .3048

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY
 FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER
 OR RESTON, VIRGINIA 22092

2600
 2160
 2600
 4760

VR # 1896-2

1896-2



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

August 13, 2020

Brad Thomsen
Spearhead Ranch LLC
PO Box 69
Edgemont SD 57735

RE: Water Right Nos. 457-2, 2335-2 and Vested Water Right Nos. 1896-2, 1897-2 & 1898-2

Dear Mr. Thomsen:

I am writing in follow-up to your phone conversation with Adam Mathiowetz in our program about the need for an ownership/name change for all water rights held by Quinto LTD or Quinto LLC.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing the changes. Please review and complete as needed. Upon completion, please sign and return the forms to our office with a required filing fee of \$50 each (total of \$250). The check or money order for the fee can be made payable to the Water Rights Program.

If needed, I can send you copies of the water rights if you do not have them or you can download them from our website at: <https://denr.sd.gov/des/wr/wr.aspx> Once you get to the website, the left hand side of the page is a link to databases. Click on databases and then on water rights. You will be able to enter in a water right number and view the entire administrative file for each one.

Also included is a non-irrigation water permit application form and instruction sheet. Please give us a call if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Genny McMath".

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

enclosures

1896-2

RECEIPT**WATER RIGHTS PROGRAM**
South Dakota Department of Environment and Natural ResourcesDate August 27, 2020RECEIVED OF Spearhead Ranch LLC PO Box 69 Edgemont SD 57735

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>1896-2</u>	\$50.00
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	\$50.00

By Eric Gronlund
Chief Engineer vm

NOTICE OF TRANSFER OF OWNERSHIP

PAID

AUG 27 2020

Ck# 1125

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

RECEIVED

No.

1896-2

AUG 27 2020

Date:

8/18/2020

WATER RIGHTS
PROGRAM

I/We request that Vested Water Right No. 1896-2

formerly owned by: Quinto LTD

be transferred to: (name & address)

Spearhead Ranch LLC
PO Box 69
Edgemont, SD 57735

Telephone No. 605-459-2610

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

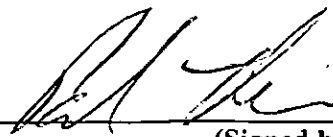
55 acres - N 1/2 NW 1/4, W 1/2 NE 1/4, Section 14, T12S, R2E

I/We understand that the validity of Vested Water Right No. 1896-2 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 Bred Thomsen, 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.

1896-2



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 28, 2020

Brad Thomsen
Spearhead Ranch LLC
PO Box 69
Edgemont SD 57735-0069

RE: Water Right Nos. 457-2 & 2335-2 and Vested Water Right Nos. 1896-2, 1897-2 & 1898-2

Dear Mr. Thomsen:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on the above listed water rights and vested water rights.

The changes have been completed. Water Right Nos. 457-2 & 2335-2 and Vested Water Right Nos. 1896-2, 1897-2 & 1898-2 formerly listed under Quinto LTD or Quinto LLC are now listed under Spearhead Ranch LLC.

Enclosed for your records are receipts for the filing fees that were paid. If you have any questions, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Genny McMath".

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

enclosures