

Considered: _____

WATER PERMIT NO. 1915-2

MAP No. same

Name of Applicant L-7 Ranch Robert Lamoureux

Post Office Address Box 297 Mission

Amount of Water Claimed .12 cfs Total Acres 8.2

Source of Water Supply Groundwater

Water to be used for IRR County Todd

About _____ miles S of Mission

PROOF OF PUBLICATION: Received 2-1-85 Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received Dec. 26, 1984 Fee \$50.00 Remarks will be used
12-26-84 with Permit No. 1475-2

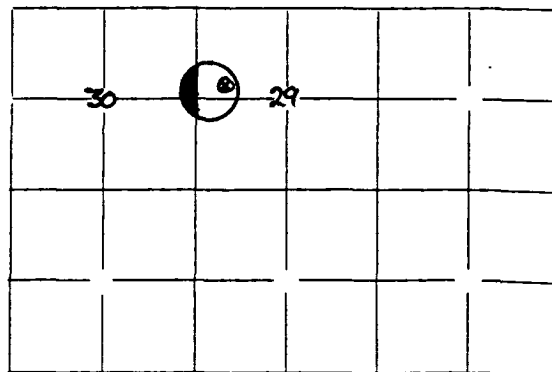
Corrected Application Received _____ Period of Annual Use April 1 to Oct. 31

WATER QUALITY APPROVAL RECEIVED 1-14-85 APPROVED CONDITIONAL (Circle one)

WI-1 Description same as Application YES X NO _____ REMARKS _____

Diversion Point SW⁴ NW⁴ section 29 T38N-R28W

Land to be Irrigated SE⁴ NE⁴ & NE⁴ SE⁴ section 30
T38N-R28W. Center pivot crosses section
line and irrigates 8.2 acres NOT covered for
a groundwater source



Well Log: Driller AAA Well Co. Licensed YES X NO _____

Depth of Well 145 feet REMARKS _____

Type of Map Aerial PREPARED BY Greg Powell Reviewed and the Number
assigned on 1-15-84 By Kevin C. Larson

No. <u>1915-2</u>	Hydrologic Unit <u>10150006</u>
Map No. <u>same</u>	Basin <u>Nebraska</u>
Newspaper <u>Todd Co. Tribune Box 229, Mission, Wed.</u>	

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

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

New ☒ Vested Right ☐ Future Use ☐☐ 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. 444-2☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____1. Name of Applicant L7 Ranch, Robert Lamoureux Phone No. (605) 856-4621Post Office Address Box 297 Mission, South Dakota State 57555
(Street, RR or Box) Zip Code2. Amount of water claimed (c.f.s) .12 Total acres irrigated 8.23. Source of Water supply Groundwater4. Location of point of diversion 800'E & 2950'N of SW Corner of Section 29, T38N, R28W_____ County Todd5. Counties where water will be used Todd6. Annual period during which water is to be used Spring thru fall

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.
SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30 T38N R28W	7.0
NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30 T38N R28W	2.0

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)

The above described land is licensed for surface water under water license 444-2. It is now irrigated with groundwater. The pivot swings over onto these lands, and as such needs an additional diversion to cover the groundwater use.

Permit No. 1915-2 will be used with Permit No. 1475-2.

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~~ ILLINOIS
County of PEORIA ^{SS}I, ROBERT J. LAMOREAUX 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

Robert J. LamoureuxSubscribed and sworn to before me this 20th day of December 1984Martha S. Hurst

Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 1915-2
L-7 Rauch-Robert Lamoureux Box 297 Mission
(Applicant) (Post Office Address)
South Dakota With the following qualifications.
(State) (Zip Code)

The irrigation well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

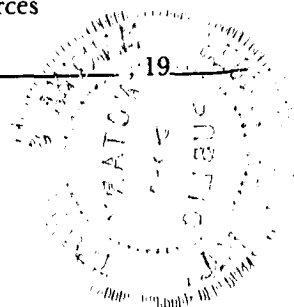
Date of first receipt of application December 26, 1984.
 Date of return to applicant for correction, amendments or changes required , 19 .
 Date of receipt of corrected application , 19 . Approved March 6, 1985.

The Water Management Board hereby approves this Water Permit No. 1915-2 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 December 26, 1984.
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 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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 0.12 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: April 1 to October 31.

WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer
 Division of Water Rights
 Dept. of Water and Natural Resources
APR 23 1985



Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 16" Depth 146'
- b) ~~20' length~~ Casing Type AC Plain Casing Diameter 16" Thickness 3/8"
- c) Screen Type 20' Johnson Treigeb Diameter 16" Thickness 3/8"
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 130-145 - to coarse gravel
- f) Depth of Water (ground surface to water level) 45 ft.
- g) Distance to nearest existing domestic well:
On applicants property 3/4 mile On property owned by others 1 1/2 mile -

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Outlet Dimensions:

Pipe diameter _____

Spillway width _____

f) X & Y Slope

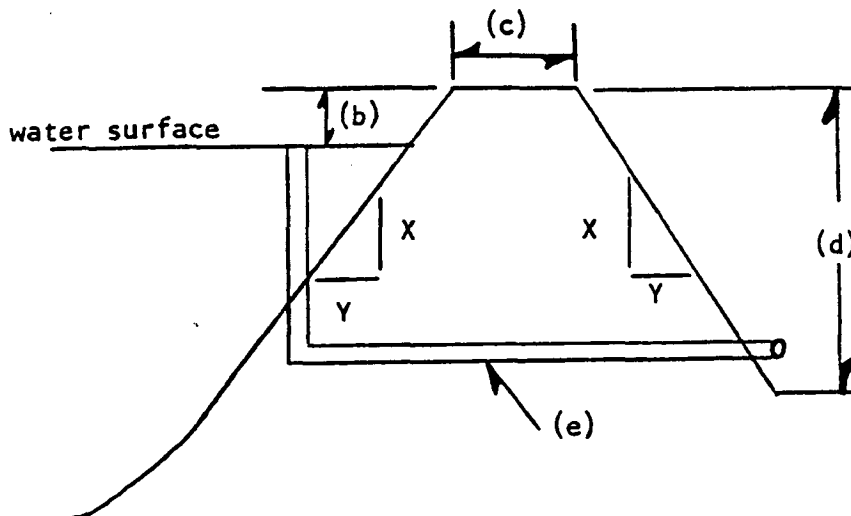
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

Section 29

Martha
Notary Public

Robert D. Sammons
Applicants Signature

REPRODUCTION, REDUCTION 25:1 ROLL NO. 18 5-30-72
DATE MICROFILMED

21/11/2018



Layers, Top to top in feet	Description of layer	Depth to top of water producing aquifer _____ ft.
0 - 15	Sand	Depth to static water level _____ ft.
15 - 38	Clay	Name of producing aquifer (if known) _____
38 - 50	sand	Total depth of drill hole _____ ft.
50 - 60	Sand & Clay mixed	Depth to bottom of casing _____ ft.
60 - 80	sand	Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.
80 - 120	Coarse sand & gravel 16"	
120 - 130	med. sand	
130 - 145	good coarse gravel	
		Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.
		If a flowing well, flow of completed well _____ G.P.M.

Company name and size of pump _____ HP _____
Type of pump _____ Capacity of installed pump _____ G P M _____
Depth of pump placement _____ ft. Date of pump installation _____

On some wells an air-tight water surface measuring tube is required! See Section 46.40b of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft. Tube diameter _____, tube material _____.

AGA Will Co

Name of Pump Installation Co. (enter)

WFB
3/82

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation

Office Use Only

4127

WR#

OWNERS NAME: L7 Ranch, Robert Lamoureux OWNERS ADDRESS: Box 297Mission, SD 57555COUNTY LAND LOCATED IN: Todd PHONE: (605) 856-4621TENANT'S NAME AND ADDRESS: Barry DunnMission, SD

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

1. WELL LOCATION 800'E and 2950'N of SW Corner Section 29, T38N, R28WDepth 145'

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: _____

Diversion Location: _____

Legal Description	Acres	Legal Description	Acres
<u>SW1/4 Section 29</u>	<u>23</u>		
<u>SE1/4 Section 30</u>	<u>7</u>		
<u>NE1/4 Section 30</u>	<u>2</u>		
<u>All in T38N, R28W</u>			

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED 1976, 1967LEGAL DESCRIPTION: NW1/4 29 T38N R28W, portions of E1/4 30 T38N R28WIN WHAT NAME: L7 Ranch4. LOCATION OF AREA TO BE IRRIGATED NOTE: **SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)**

OTHER:

5. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: X GUN: _____ (Specify) _____6. CROPS TO BE IRRIGATED: Alfalfa

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 76-1190 10. ADJUSTED (SAR): _____8. SALINITY (EC X 10⁶): 337 11. PERCENT SODIUM 5949. SODIUM (SAR): 0.19

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, of Water Sampler: _____

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

20th DAY OF December, 1984

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date

X APPROVED

DISAPPROVED

CONDITIONALLY APPROVED

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.

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

Approval

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION



NAME OF APPLICANT: L-7 Ranch, Robert Lamoureux

LEGAL DESCRIPTION: SW1/4 NW1/4 29; E1/2 SW1/4 30-38-28 = 32 acres

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:

RECOMMENDED MANAGEMENT:

We recommend the use of a form of conservation tillage to control erosion, and conserve soil moisture on these sandy soils if a crop other than alfalfa is grown.

Jack W. Field
SIGNATURE

1-11-85
DATE

REPORT ON APPLICATION NO. 1915-2

L-7 Ranch, Robert Lamoureux

January 16, 1985

This application proposes to appropriate 0.12 cfs from an existing well (145' deep) to irrigate 8.2 acres. The well is located in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29, T38N, R28W. The 8.2 acres is located in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30, T38N, R28W.

Aquifer - Ogallala Formation

Geology and Aquifer Characteristics

The Ogallala Formation consists mostly of fine to medium brown wind blown sand, with some sandstone, siltstone and some carbonates. The aquifer is under water table conditions. The SDGS estimates the Ogallala underlies 412,800 acres in Todd County and contains 12.4 million acre feet of water in storage (Allen, Etal, 1984). A copy of the completed well log is on file with this application.

This application is basically a correction of the existing permit which was found to be in error during the licensing process.

Review of Existing Water Permits

The other permits in this area are issued to the applicant. There are no deferred applications from the Ogallala Formation in Todd County.

Conclusions

1. Water is available from the Ogallala Formation.
2. This application is basically to correct an original permit which was found during licensing to be irrigating lands not covered under the original permit.


JAMES A GOODMAN
Hydrologist

Bibliography

Allen, J.C., Illes, D., A Petres, 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of SD, SDGS, Vermillion SD

Conversation or File Documentation

NAME OF PERSON OR FILE: L-7 Ranch (Robert Lamoureux)ADDRESS: _____ COUNTY ToddDATE: 3-8-85 TELEPHONE _____RE: Well log for well located in the NW1/4 of section 29 T38N R28W

COMMENTS:

The well described above was drilled by
Paul Worm of AAA well drilling. I contacted Mr.
Worm about getting the well log for this well. He
informed me that he was no longer in the business and
had no well drilling records.

Recommendation: License the acreage without the well log

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Gregory Powell

RECEIPT

Division of Water Rights

No 4 9867

South Dakota Department of Water and Natural Resources

Pierre, December 27, 1984

RECEIVED OF Robert J. Lamoureux, Box 297, Mission, SD 57555

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

Fee for Application for Permit No. 1915-2 to Appropriate Water, to construct works and to put water to beneficial use	50	00
Fee for Application for Permit No. to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No.		
Fee for Filing Transfer Form		
Fee for Filing Extension Request		
Fee for Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for (Any Other Work Provided by Law)		
Total	50	00

By

Chief Engineer

JOHN HATCH

ms

NOT TO SCALE

Cross-hatched area
needs a soil/water
permit

Land highlighted
in yellow
needs
additional
diversion.

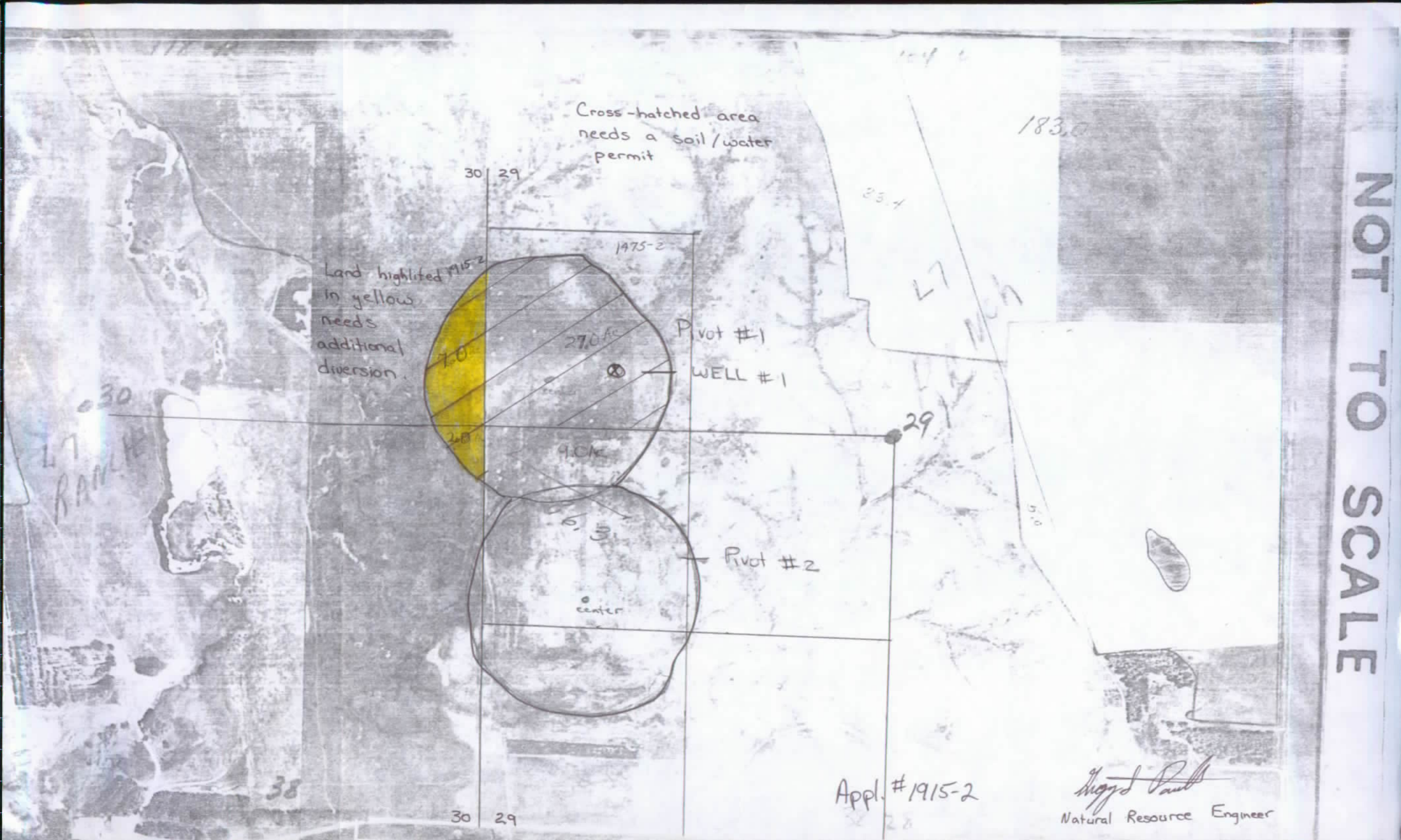
1975-2

Pivot #1
WELL #1

Pivot #2

Appl. #1915-2

Myron Paul
Natural Resource Engineer



Conversation or File Documentation

NAME OF PERSON OR FILE: L7 Ranch - Bob LamonreauxADDRESS: Mission SD COUNTY ToddDATE: 11-13-84 TELEPHONE 856-4621RE: Permit that was cancelled

COMMENTS:

Farm Manager - Barry Dunn - 856-2519

Permit # 1475-2 has been cancelled. On November
2, 1984 I inspected the L7 Irrigation and found that a
portion of the lands permitted under permit # 1475-2
are being irrigated. The Board's action to cancel
permit # 1475-2 should be rescinded.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

1475-2
1257-2
1258-2 -
908-2

November 14, 1984

Robert Lamoureux
L7 Ranch
Box 297
Mission, South Dakota 57555

Dear Mr. Lamoureux:

On November 2, 1984 I inspected your irrigation system being irrigated under permits Nos. 1475-2, 1257-2, 1258-2 & 908-2. Permit No. 1475-2 has been cancelled, but since you are irrigating a portion of NW $\frac{1}{4}$, Section 29 that permit will be reinstated.

Two things must be corrected before I can continue the licensing process.

1. The northern most pivot of the two pivots located in the W $\frac{1}{2}$ of Section 29, crosses over into the E $\frac{1}{2}$ of Section 30. Approximately 9 acres of section 30 are irrigated with that north pivot, (see map). The 9 acres are licensed for surface water irrigation but not groundwater irrigation. In order to correct this you will need to apply for an additional diversion for groundwater. I have enclosed this form. Please check it for accuracy and sign it in the presence of a notary.
2. The lands located in the NW $\frac{1}{4}$ of Section 29 and those in the W $\frac{1}{2}$ of Section 30 irrigated by that north pivot need a Soil/Water Compatibility permit. I have enclosed the application form. Please check the form for accuracy. You will not need to have another water sample analyzed. However, the well log and water sample analysis both state that the well is in the SW $\frac{1}{4}$ of Section 29. The well is actually in the NW $\frac{1}{4}$ of Section 29 (see map). Please write a statement on the top of the well log indicating the correct location of the well and sign the corrected well log and soil/water permit application in the presence of a notary.

The additional diversion application will cost \$50.00. Please remit \$50.00 when you return the forms. The applications will be acted on by their respective boards. Once the applications are approved I will be able to continue the licensing process.

If you have any questions, please contact me.

Sincerely,

Gregory Powell
Natural Resources Engineer

GP:ms
Enc.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION NO. 1915-2, L-7 Ranch, Robert Lamoureux

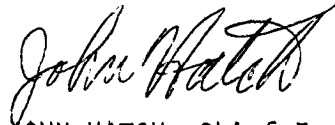
Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 1915-2, L-7 Ranch, Robert Lamoureux, Box 297, Mission SD.

The Chief Engineer is recommending APPROVAL of Application No. 1915-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

The irrigation well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", with a stylized, cursive script.

JOHN HATCH, Chief Engineer
January 18, 1985

Instruction to Newspaper - Publish first publication of the following Notice on or before January 23, 1985 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1915-2 to Appropriate Water
and/or to Amend Water Permit or Water Rights No. _____

Notice is hereby given that L-7 Ranch whose mailing address is Box 297, Mission,, South Dakota has made an application for a permit

to appropriate 0.12 cubic feet per second from one existing well 145 feet deep to irrigate 8.2 acres in addition to those acres authorized by Permit No. 1475-2. The well is located in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29-T38N-R28W. The 8.2 acres are located in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30-T38N-R28W. Permit No. 1915-2 will be used with Permit No. 1475-2.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1915-2 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at 523 E. Capitol Joe Foss Building, Room 216, Pierre, SD, March 6 19 85 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by February 22, 1985. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; (ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; (future use) 46-5-38 thru 46-5-40; (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35, (10,000 AFA) 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15.02 thru 74:02:01:15.05.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 22, 1985.

No. 1915-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Todd) ss.

I, Kathy Klein hereby

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

Water was taken from the Todd County Tribune

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 Mission

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

January 23, 1985

January 30, 1985

Kathy Klein
(Signature)

Bookkeeper
(Title)

1/30/85
(Date Signed)

Cost of Printing: 1st time @ .365 =
22.27; 2nd time at 20% discount =
17.81; total cost of printing =
40.08

Notice of Hearing

on Application No. 1915-2 to Appropriate Water

Notice is hereby given that L-7 Ranch whose mailing address is Box 297, Mission, South Dakota has made an application for a permit to appropriate 0.12 cubic feet per second from one existing well 145 feet deep to irrigate 8.2 acres in addition to those acres authorized by Permit No. 1475-2. The well is located in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29-T38N-R28W. The 8.2 acres are located in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30-T38N-R28W. Permit No. 1915-2 will be used with Permit No. 1475-2.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1915-2 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at 523 E. Capitol, Joe Foss Building, Room 216, Pierre, SD, March 6, 1985 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence of cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by February 22, 1985. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN, Joe Foss Bldg., Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 22, 1985.

Publ.: January 23 and 30, 1985.





Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

APR 23 1985

L-7 Ranch
Robert Lamoureaux
Box 297
Mission SD 57555

Dear Sir:

Enclosed herewith is your Water Permit No. 1915-2 as approved by the Water Management Board authorizing your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said water Right Permit No. 1915-2.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount, the final papers will be sent to you.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure

NOTE: After Greg Powell of this office inspected and prepared maps of your water permits, he found that land authorized by cancelled Permit No. 1475-2 were being irrigated. Based upon prior information, the Water Management Board had cancelled No. 1475-2 July 19, 1984 for nonconstruction. Since an error had been made in cancelling No. 1475-2, the Board rescinded its action to cancel No. 1475-2 December 5, 1984. With approval of Water Permit No. 1915-2, the lands irrigated under Permits No. 1915-2, 1475-2 and portions of No. 1258-2 will be incorporated into one water right license upon payment of the \$50.00 inspection and licensing fee.

SECOND NOTICE

July 8, 1985

Permit No. 1915-2

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

L-7 Ranch
Robert Lamoureux
Box 297
Mission, South Dakota 57555

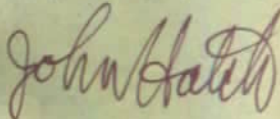
Dear Mr. Lamoureux:

April 23, 1985 you were notified the final inspection fee of \$50.00 is due before Water License No. 1915-2 can be issued. As of this date, the fee has not been received.

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

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

Very truly yours,



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

S508.WR

PS Form 3811, Dec. 1980

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

(CONSULT POSTMASTER FOR FEES)

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

TOTAL \$

3. ARTICLE ADDRESSED TO:

L 7 Ranch, Robert Lamoureux
Box 297
Mission, SD 57555

4. TYPE OF SERVICE:

- ☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER

P404 786 452

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

5. **DATE OF DELIVERY**

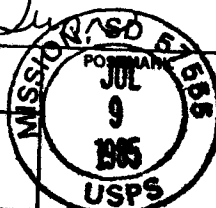
6. **ADDRESSEE'S ADDRESS** (Only if requested)

7. **UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S
INITIALS**

av

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL



RECEIPT

Division of Water Rights

Nº 410108

South Dakota Department of Water and Natural Resources

Pierre, July 12, 1985, 19

RECEIVED OF L 7 Ranch Co., Box 297, Mission, SD 57555

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. 1915-2	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By

Chief Engineer

JOHN HATCH



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

No.

1915-2

1258-2

1475-2

DEC 20 1983

L & Ranch Co.
Box 297
Mission, South Dakota 57555

Dear Sir:

Enclosed herewith is, Water License No. 1915-2. This is the final water right document completing your process of obtaining a water right.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:

Enclosures

Applicable portions of Water Permit Nos. 1475-2 and 1258-2 have been incorporated into this Water License No. 1915-2. The remaining lands under Permit No. 1258-2, operated as a separate system, are licensed under that number.

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 Robert J. Lamoureux (L7 Ranch) of Mission SD holder of Permit No. 1915-2, 1475-2, 1258-2, bearing the priority of 12-26-84, 8-23-76, 4-7-75 19 authorizing the diversion of 12, 7.7, 4.0 cu. ft. per second of the waters of groundwater (Ogallala) for irrigation purposes, in Todd County.

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

- A. Works used to divert the water: One well is used to supply the water. The pump is a National modified by Sargent having 6 stages and producing 400 GPM. The motor is a Westinghouse Life Line with a 75 HP rating.
- B. Works used to transport water to place of use:
A 6" buried pipeline 430 ft long transports the water-
- C. Works used to apply water to beneficial use: An Electrogator CP is used to apply water. It has 6 towers, 120 ft spans between towers, Rainbird nozzles and operates at 65 psi.

The system is in the following condition GoodThe point of diversion is located 800 ft E & 3050 ft N of the SW corner of section 29 T38N R28W.The works are capable of diverting and conveying to the place of use .90cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: SW¹ NW¹ 29 - 27 Ac all of T38N R28W* SE¹ NE¹ 30 - 7 Ac* NE¹ SE¹ 30 - 2 Ac ***** 45 Acres in the W² SW¹ of section 29 coveredNW¹ SW¹ 29 - 9 Ac Under permit 1258-2 are being incorporated into
WL # 1258-2comprising a total of 45 acres of land and the license should be issued for .64 cfsApplicable permit qualifications have been complied with ✓ Yes No

12/26/84 -	.12 cfs
8/23/76 -	.39 cfs
4/7/75 -	.13 cfs
Total	.64 cfs

Exceptions to compliance are: Date 11-8-84

- * The 9 acres in Section 30 are also covered under W/L No. 444-2 from a surface water source.

[Signature]
(signature)

LICENSE FOR PERMIT NUMBER 1475-2, 1258-2 & 1915-2

1. Legal location of wells: 800' E and 3050' N of SW corner
of section 29 T38N R28W

dams & structures: _____

2. Well Information: Well Drilling Firm Worms Well Drilling

No. of wells 1 Depth 150'

Casing a) diameter _____ Screen a) type _____

b) length _____ b) length _____

c) type steel Static Water Level 90'

Pump a) make National modified Motor a) make Westinghouse Life Line
by Sargent

b) model _____ b) model no. 7738666627

c) size _____ c) horsepower rating 15

d) capacity 400 GPM d) motor efficiency rating _____

e) turbine pump
no. of stages 6

3. Distribution lines:

a) size of lines _____

b) type _____

c) length _____

4. Dam information:

a) height to crest _____

b) height to spillway _____

c) crest width _____

d) crest length _____

e) spillway length _____

f) spillway width _____

g) approx. storage _____

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

i) Outlet tubes:

1) diameter _____

2) type _____

3) valued (Y/N) _____

4) valve type _____

5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline:

1) length _____ feet

2) make, model & number of sprinklers _____

3) spacing of sprinklers _____

4) nozzle size _____

5. System Type: c) center pivot

- 1) make Electrogator
- 2) number of towers 6
- 3) distance between towers
120
- 4) overall length 720
- 5) End gun (Y/N) Y
- 6) high or low pressure M
- 7) make & size of nozzles
Rainbird
- 8) PSI reading while system is
running 65
- 9) GPM 400

g) Gun

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

d) Gate Pipe

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

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

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

h) Hydromatic

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

YES

NO

Check Items

- | | | |
|-------|-------|---|
| | | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit. |
| _____ | _____ | |
| _____ | _____ | 2. Special Qualifications to permit being abided by. |
| _____ | _____ | |
| _____ | _____ | 3. All Structures, wells and lands on map. |

REMARKS:

State of South Dakota
Water License No. 1915-2

(1) L 7 Ranch, c/o Robert J. Lamoureux
of Box 297, Mission, South Dakota
made Application No. 1915-2, December 26, 1984 for a water permit to appropriate
0.12 cubic feet per second of water from groundwater (existing well),
Todd County, South Dakota for irrigation purposes.
Permit No. 1915-2, with a priority date of December 26, 1984
was approved March 6, 1985 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~~ completed.

The applicable portions of Water Permit Nos 1475-2 and 1258-2 have been incorporated into this Water License No. 1915-2. The remaining lands under Permit No. 1258-2, operated as a separate system, are licensed under that number.

The priority dates for the lands and the diversion rate licensed under No. 1915-2 are specified on the back of this License.

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 0.64 cubic feet per second of water for beneficial use. The location of the diversion point(s) is 800'E and 3050'N of the SW Corner of
Section 29, T38N, R28W (BC)

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 lands all in T38N, R28W

Section 29 SW $\frac{1}{4}$ NW $\frac{1}{4}$ 27 Acres (BC) (August 23, 1976 priority date-Permit No. 1475-2)
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 9 Acres (CB) (April 7, 1975, priority date - Permit No. 1258-2)
Section 30 SE $\frac{1}{4}$ NE $\frac{1}{4}$ 7 Acres (AD) (December 26, 1984, priority date - Permit No. 1915-2)
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 2 Acres (DA) (December 26, 1984 priority date - Permit No. 1915-2)
TOTAL 45 ACRES

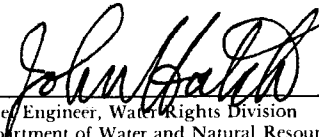
Note: The 9 acres in Section 30 are also covered under Water License No. 444-2
from a surface water source.

45 acres in the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 29 covered by Permit 1258-2 but not included in this
License, are being licensed under Water License No. 1258-2

(4) Pursuant to §46-5-30.1 L - 7 Ranch, c/o Robert Lamoureux
of Box 297, Mission, South Dakota 57555

the holder(s) and/or owner(s) of Water Permit No. 1915-2 is issued a license to appropriate water, the right to use
.64 cubic feet per second of water from groundwater (one well) with a priority date
of .12 cfs from December 26, 1984, .39 cfs / from August 23, 1976 & .13 cfs from April 7, 1975,
from the location specified in (2) of this license. The water to be
conducted to and upon lands specified in (3) of this license for the purpose of irrigation

This license is subject to any limitations or qualifications listed in Water Permit No. 1915-2 and subject
to South Dakota State Law.


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

JOHN HATCH

DEC 20 1985



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
January 29, 1988

R. LAMOUREAUX- L7 RANCH CO
BOX 329
MISSION, SD 57555

NOTICE

Re: Violation of Water Permit No(s). 1915-2 and 1987 Irrigation
Questionnaire Requirements

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 1915-2. The request for the questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1915-2 qualification:

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

The hearing will also be to determine if Permit No(s) 1257-2, 1258-2, 444-2 should be amended with the qualification to require the Questionnaire to be submitted each year.

The hearing(s) will be at 9:00 am, March 2, 1988, in Room 216, Joe Foss Building, 523 E Capitol, Pierre, South Dakota.

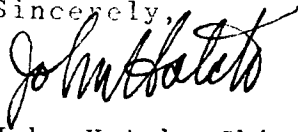
The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s), the Water Management Board can:

1. Suspend Permit No(s). 1915-2 until either the 1987 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s) 1257-2, 1258-2, 444-2 also held by R. LAMOUREAUX- L7 RANCH CO to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. 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.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Hatch".

John Hatch, Chief Engineer
Water Rights Division

Note: If the questionnaire(s) are received in this office before the March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

1915-2

February 8, 1988



MR. John Hatch
South Dakota Department of Water and Natural Resources
523 East Capitol
Pierre, SD 57501

Dear MR. Hatch:

Enclosed please find the Irrigation Water Use Questionnaires for permits held by the L7 Ranch Company. I apologize for not completing them last fall. I will try to complete them more promptly in the future.

Sincerely,

Barry A. Dunn

Barry Dunn
P.O. Box 329, L7 Ranch
Mission, SD
57555



SOUTH Dakota Department of
Water & Natural Resources

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

February 16, 1988

444-2
1257-2
1258-2
1915-2

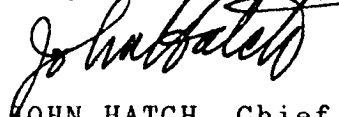
R Lamoureaux
L-7 Ranch
Box 329
Mission SD 57555

Dear Mr. Lamoureaux:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 444-2, 1257-2, 1258-2, 1915-2 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



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



1915-2

January 29, 1993

NOTICE

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: BARRY DUNN- L7 RANCH CO
HCR 14 BOX 221B
MISSION SD 57555

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

RE: Violation of Water Permit No(s) 444-2, 1257-2 & 1258-2, 1915-2 and 1992 Irrigation Questionnaire Requirements

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 444-2, 1257-2 & 1258-2, 1915-2. The request for the Questionnaires was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 444-2, 1257-2 & 1258-2 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) 1915-2 qualification:

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

The hearing will be held at 9:30 am, March 3, 1993, at the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. 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) 1915-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 444-2, 1257-2 & 1258-2 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. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaires are received in this office before the March 3rd hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

BARRY DUNN- L7 RANCH CO
HCR 14 BOX 221B
MISSION SD 57555

5. Signature (Addressee)

6. Signature (Agent)

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

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

Consult postmaster for fee.

4a. Article Number

P906 560 093

4b. Service Type

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

7. Date of Delivery

FEB 01 1993

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

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

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 19, 1993

444-2
1257-2
1258-2
1915-2

Barry Dunn
L7 Ranch Company
HCR 14 Box 221B
Mission, SD 57555

Dear Mr. Dunn:

I am writing to acknowledge receipt of your 1992 irrigation questionnaires. You may disregard the January 29, 1993, **Notice of Violation of Water Permit Nos. 444-2, 1257-2, 1258-2 & 1915-2 and 1992 Questionnaire Requirements.**

The questionnaires were received in our office prior to the Water Management Board meeting, your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 14, 1996

1915-2

Tom O Milligan
PO Box 32
Hooper, NE 68031-0032

Dear Mr. Milligan:

Enclosed, as we discussed, is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change with Water Right Nos. 1915-2. A copy of the water right, currently listed in the name of L-7 Ranch, is included for your records.

Please review the form for accuracy and make any necessary corrections. Complete the area titled "to be transferred to.." and then sign the form in the presence of a notary public. Upon completion, please return the form to our office with a required filing fee of \$2.50.

Also enclosed is a chemical reporting form for Water Right No. 1257-2. If you have any questions concerning the water rights or completion of the forms, please contact me. Thank you again for contacting me concerning these matters.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 1915-2

Date: 12-10-96

I/We request that Water Right No. 1915-2

formerly owned by: L-7 Ranch

be transferred to: (name & address) Tom O. + Barbara A. Milligan

P.O. Box 32 Hooper, NE 68031

Telephone No. 402-654-3822

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

45 acres - SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29 and SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30, T38N, R28W

I/We understand that the validity of Water Right No. 1915-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

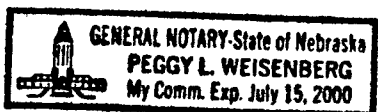
NEBRASKA
STATE OF ~~SOUTH DAKOTA~~)

County of Dodge)

I/We Tom O. Milligan being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Tom O. Milligan
(Signed)

Subscribed and sworn to before me this 10th day of December, 1996.



Peggy L. Weisenberg
(Notary Public)

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

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

RECEIPT

415203

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ December 12, 19 96

RECEIVED OF Tom Milligan, P.O. Box 32, Hooper, NE 68031

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>Water Right No. 1915-2</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Hatch 
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 7, 1997

No. 1915-2

Tom and Barbara Milligan
P.O. Box 32
Hooper, NE 68031

Dear Mr. and Ms. Milligan:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 1915-2.

Our records now show you as the owner of Water Right No. 1915-2.

Sincerely,

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

enclosure