387-2

Office of State Engineer DOCUMENT FILE

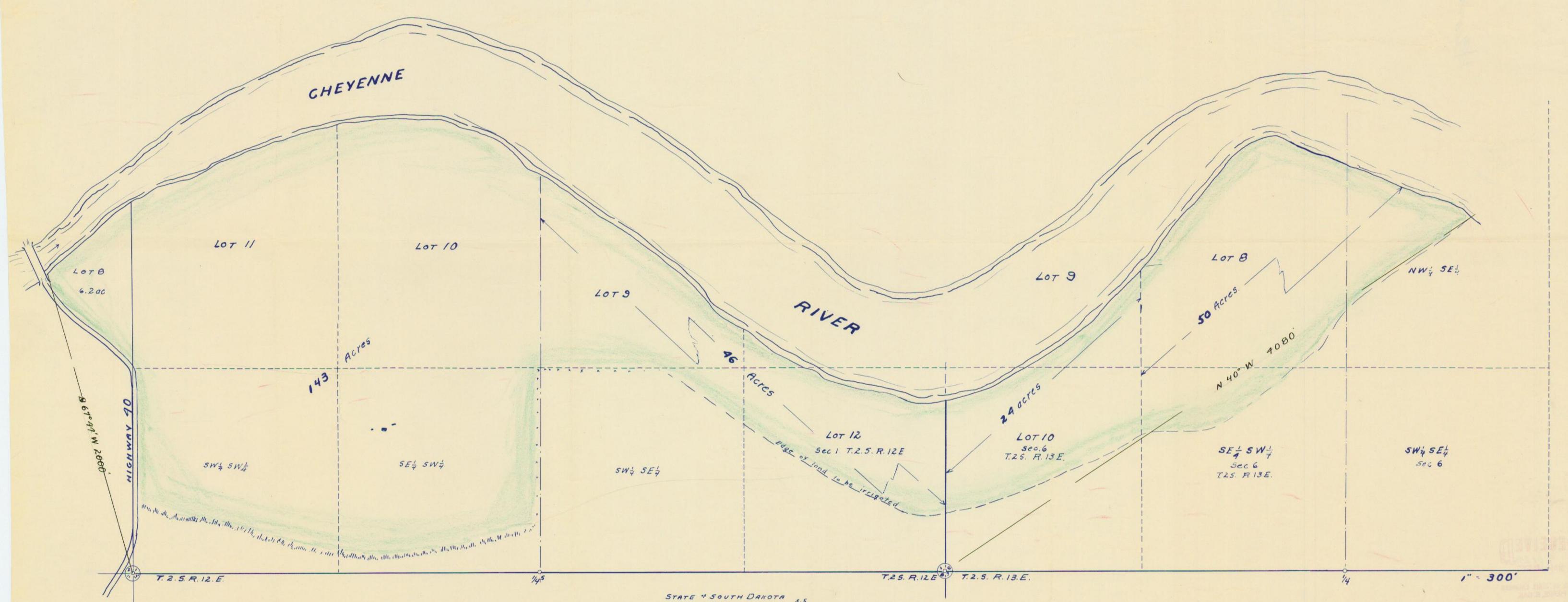
| No357 - 2 |
|--|
| Division No2 |
| East Choyenne River District |
| PERMIT |
| to appropriete water from |
| Che/enne River |
| Fennington County, South Dakota. |
| Name of applicant |
| Roy Tayler |
| Name of diversion works |
| Roy Taylor Pumping Plant |
| Date of first receipt at office of State |
| Engineer March 10, 1952 |
| Returned to applicant for Correction |
| March 12, 1952 |
| Corrected application received |
| March 27, 1952 |
| Date of water right |
| March 10, 1952 |
| Recorded in Book3Page25 One-fifth of work to be completed |
| Uctober 31, 19 54 |
| |
| Whole work to be completed |
| <u>May 11.</u> 19 57 |
| Final proof of use of water |
| Eay 31, 19.57 |
| Approved <u>May 31, 19 52</u> |
| DEAN W. LOUCKS, State Engineer. |

| NO | 34%-4 | i γ (|
|--|--|--|
| The Cole Will Water Division No. 2 | Ty the Blate Engineer.) | DECK WEIT |
| 9:00 m APPLICATIO | N FOR PERMIT | MAR 2 1352 |
| To Appropriate Water with | hin the State of South I | Dakota Jerus or state ergineer |
| PIERRE, S. DAK. (NOTE-Draw a line th | rough Items not a (\blo.) | PIERRE, S. DAK. |
| A Street of anniholder of the street of the | ESTER LARK | |
| Postoffico address 25 5 500 Jest of a control of a contro | , County Sun The ton | State 5.11. |
| I. Il accorporation. | 11-1-1 | *************************************** |
| (a) Name of same | | |
| (b) Date and place of incorporation | | and the Market of the Comments |
| (c) Amount of capital stock | | 18 c |
| (d) Amount paid in 5 | | |
| (e) Names and address of director. | | |
| | 1 | Marie a Amerika (Marie) |
| | 23 10 10 10 10 10 10 10 10 10 10 10 10 10 | |
| (NOTE-A certified copy of articles of in | corporation must accompany the | application.) |
| II. Method of accomplishing the work | · · · · · · · · · · · · · · · · · · · | 4 4: |
| (a) Method of accomplishing work | | 4.5 4.5 A. |
| by direct labor) | ct letor. | |
| (b) Cush on hand, \$COC. | | |
| (d) Bonds to be fasued, \$ | (e) Other resources, \$ | mattle har the |
| 2. Name of diversion workfloy Taylor Pug | plas Plant | |
| 3. Quantity of water claimed 1.36 | cubic feet per second. | |
| 4. Source of water supply | Pivór | Sac. V |
| 5. Location of point of diversion Arthurst. | 67-44 3. 2000. | Con U.R. Dor C. S. C. |
| 1. 13.3 to 21. 1.34 4.4080 from S. //. | /201 . office . V.1 | hank. bank. |
| 6. Annual periods during which water is to | be used lanluo_lo. | <u>n. 134.</u> |
| 7. To be used for: Ivrination | The second second second second | Asia Sala |
| I. Irrigation or domestic use: Gravity, | overhead sprinkling or combine | nation/system? |
| (a) Number of acres to be irrigat | edacres. | |
| (b) Legal subdivisions to be irrigated. giving each subhere, or may be appended on a part of this applied | ted Off (1884 RAAGOAS). Mylston and fraction with acresgo cation. Same must also be shown or | thereof, should be written accompanying map.) |
| (c) Statement as to domestic use | (giving location, etc.)llo. | |
| and the second was a second was | der in der State der Der State der State d | |
| The state of the s | er, fish culture, fire protection | and aublic recreation. |
| (a) Nature of use | Name any of the above uses c | to the second |
| (b) Amount of power to be gen | erated horse p | ower. |
| Amount claimed for engine coo | ling. | |
| (c) Location of plant | | A STATE OF THE STA |
| (d) Method of developing power. | G Committee Comm | |
| (e) Point where water will be return | rned to stream. | |
| | | |
| · 1987年,1987年,1987年,1987年,1987年,1987年,1987年,1987年,1987年,1987年,1987年,1987年,1987年,1987年,1987年,1987年,1987年,1987年 | | · · · · · · · · · · · · · · · · · · · |

| 8. Es | tiniate | d cos (n) | Hend gate | a 8 | | * * * * * * * * * * * * * * * * * * * | (b) Pon | nplag plant, \$ | 1470. |
|---------------------------------------|----------------------|----------------|-----------------------|--|--|--|--|-----------------------|---|
| 3 1 | | (c) | Fluming. | S | (| l): Canal-eartl Lo II 40 | n, \$ | Rock, \$ | Say St. |
| | | (n) | Other str | ructure | s fortab | lotipo | <u>\$ 2842.</u> | Total, § | 4768, |
| 9. De | script | lon o | Calinovalor | monlea | • (1) | 394 W 6 | | | and Alexander |
| · · · · · · · · · · · · · · · · · · · | | | | | | ditch, flume, j | pumping plant | , etc.) | $\mathcal{L}_{ij} = 0.6$ |
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| | 11, | | nsions of v | | | of thought at | hottom | Cool | length at top |
| | | (u) | 178101: 11/11/ | . feat : | thickness at | bottom | řeet i ti | ickness at to |) |
| ** | | | feet; slope | nt fro | int water fac | ø | ; slope of | back face | 1 |
| | | (z*) | | | | •••••••••••••••••••••••••••••••••••••• | | | |
| | 11 | (b) | | | u ≢t i dagati | ed | ,acre fee | t. Surface are | at highwater |
| | | | mark | | ncres. | 1.74. | ΄.τ | | 1 |
| | | | DEPTH AT | - Bt | AGRA GOARD | AT BACHDAT | FPET | ACRE-FEET CAPACITY | i. |
| | | 1 | | | | <u> </u> | 1 | 7, | · · · · · · · · · · · · · · · · · · · |
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| λ . | | # 7 | - 14. A4 | | 11 | | | | |
| | | | 41 × 11 41/3 | | ren esta e | Wall Brown | . 15 (Care 1) | | ar 🖟 |
| 4% •> | | //. (d) | Canal: To | otal le | ngţh | | miles. | |)) |
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| | | l'A | t | Milo | Carlotte St. Carlo | feet | and the second | | |
| italia (Valoria) | | | 10 | Mile | William Charles | feet | | | o property in the contract of |
| | | J _A | .t | Mile | feol | faot | | ree. | |
| | - 3 . 5 % | l_ | 715100000000000 | (Glve | dimensions wh | ere reducțions in | | | |
| 10. | Time | requ | ired for cor | mpletic | on of work | Б. у | ecrs. | 1 3 July 4 . 7 | ing ang tanggan ang tangga Ngganggan ang tanggan ang |
| | | _ | | | 21 1 1 m 2 m 2 m 2 m 2 m 2 m 2 m 2 m 2 m | of water to th | *1 | | years. |
| 12. | Choic | e of | newsparer apid (li | for p ,y Da | ublication of 11 Journ | notice of ini | ention to app | oropriate | |
| A A STATE | STA | TE (| OF SOUTH | DAK | OT.A } | s. | | | |
| | | | isingtor | | | Maria Cara Cara Cara Cara Cara Cara Cara | No official lines | 31. | ariana water |
| | | | | | | | | | irst duly svorn |
| that | $\sqrt{1}$ 1 hr | ive r | ead the al | oove f | oregoing sta | tenient, and e | xamined the | mhill accomba | that of owner, lying the same, |
| and | that ! | I kno | w of my ov | vn per | sonal, knewle | lge that the m | atters herein | stated and sho | wn are true. |
| | | | 10 M. W. W. | | | Signed | Troy | 16.42 | elor: |
| | Subsc | ribed | and sworn | to bef | ore me this | day | , of | turel | 1952 |
| | - 4-1 | | f States | | | W Salah | () | fin III | 17% |
| | | 7.7 | | 11 | 14 | *************************************** | | r ether qualif | |

H

ROY TAYLOR WATER RIGHT Sec. 1, T.25. R12 E . Sec. 6, T.25. R.13 E. Scale 300 : 1"



STATE & SOUTH DAKOTA S.S.

1. Stein Bangs, being duly sworn, do here by certify that I am the engineer for the ROY TAYLOR WATER RIGHT, that the survey + map thereof were made by me, and that I have read the accompanying statement and know of my own knowledge that the Stein Bango Reg. Engr. day of March, 1952. state ments therein made are true

Subscribed - sworn to before me this

(Water Right no. - 387-2)

BANGS & FERGUSON Engineers Rapid City. So. Dakoto

map 70 - 416-2

| Remarks by State Engineer: | The street of | N. | " v . 11 | |
|--|--|--|--|--|
| Remarks by State Engineer: | *************************************** | ****************** | | |
| - 30 - 20 - 10 - 10 - 10 - 10 - 10 - 10 - 1 | | *************************************** | *************************************** | *** ******** |
| <u> </u> | | | *************************************** | ••••••••••••••••••••••••••••••••••••••• |
| | • ••••• | | ************************* | ······································ |
| and the Market with Market and the second | 1 7 5 110 | | | *********************** |
| STATE OF SOUTH DAKOTA | | W. | | \ |
| ounty of | Jas, Caulty D | | 16 27 | 100 |
| | red Month El | | Tree contracts to the contract of the contract | |
| This is to certify that the foregoing ap | plication was | received at this | office at | 11 o'clock |
| As. in. upon the27 day of as found to comply with the South Dakoto | n water laws, v | vas published in | and that after accordance wit | r examination it h the provisions |
| nercof and consideration given to any an | | 1.44 | | |
| The eleve data buing the data o | · Martin de la la | Ai B | | *, * |
| | | | 1.00 | |
| scaint of splication was March 10 | | - F | | 11.0 |
| | المعادية المغادية | | F | 1.7 |
| umber of permit 387-2 | n | MAN W. TONORS | s Sint | e Engineer. |
| さいしゅうしょう こうくりこう はんしき 自然 一般 はい こうじじょう ディー・コート こうしゃ | 1.1 | *** | | i contract of the contract of |
| ate of first receipt of application | March | io, | | , 1952 |
| ate of return to applicant for correction . | Harch | .12, | | 1952 |
| nte of receipt of corrected application | March | 27, | | 1152 |
| ate from which applicant may claim righ | | and the second of the second o | | |
| pproved May 31, | 19 52 Rogo | rdad in Rook | 9 Po | mo SE |
| o the following limitations and condition 1st. The equivalent of at least one-fit perfore | fth, of the wo | | | 3.1 |
| 2nd. The whole of said work is to be | e completed or | or before | -Key 31. | 19,57 |
| 3rd. The limit of time for proof of September 31, | heneficial use | of water appro | priated in acco | rdance herewith |
| ALL Whitevater appropriated shall be | e used for the | numose of D | roviding and | nicl on |
| irrigation. | 43.77 July | San All San All | | inia Lagrania |
| 1) 5th. The prior right of all persons w | ho, by complia | ance with the l | aws of the Sta | te of South Da- |
| ota, have acquired a right to the use of | marci must fil | | ancered by the | as appropriation. |
| 6th. The anjount of the appropriation of the approp | exceed the | capacity of | the above de | escribed # system |
| of diversion works, nor the least amount any for the production of crops in the c | it oi water u | iat experience i | nav nereatter t | nuicale as neces- |
| ion must be limited to not more than on | e-seventieth (| 1/70) of one cu | bic foot of wat | er per second of irrigation on or |
| ion must be limited to not more than one inne for each acre of land to which water of land to which water in the limited to not more than one inner than 1957. | ? said water | to be used dur | ing the followi | ng described an- |
| iual period: | الله الله الله الله الله الله الله الله | * * * * * * * * * * * * * * * * * * * | 1 | |
| January 1st to January 1st. | inclusive | | | in the second se |
| 1 2 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 | | 19.45 | 150 ct. | |
| January 1st to January 1st. Witness my hand this | y of | Hay | , 1 | 62 |
| | S | ngi Maring mengh | | DATE OF |
| Certificate of Construction issued SEE | PTEM ISEP | DEAN W. LÖU | KS Sta | ite Engineer. |
| Witter License issued | PTFARE | D 1 | 2 | |
| Witer License issued. | <u>. (. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1</u> | | <u></u> | ii ki. |
| | 11 | والمعاملية الماسية | | |
| | H_{i} | 4. | | |

List of Lands to be Irrigated of the Roy Taylor comping Plant.

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Bubdivisions in T.2.5. P.19 E. and P.13 S.

hot 9. Boc. 2. 6.2 Acros.

Lot 10. " 48. "

Sin.1/4 B.W. 1/4 Bbc. 1. 27. "

sot. 91 Sec. 1. " 33. "

Lot 12 Bec. 1. " 31. "

hot. 10. Dec. B. T.3. P.13.2. 20. "

Lot 6. " " 36. "

B.2.1/4 S.2.1/4 " " 5. B. "

Lot 9. Sec. 6. " "
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Table of discharge of Double Jot Sprinklers.

| Pressure. 30. 1bs. 36 | i.4 Cals. | per | 35 Sprint min. // 504. 542. | 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | |
|-----------------------|--------------|-----|-----------------------------------|---------------------------------------|----------------|
| 40. " 45. " | 171.6° | 11 | 581. 618 | equals | 1.35 Sec. (tv. |
| B(r. '6 | 18,6 | | 651. | • | |
| 60. " | 19.5 20.4 | | 683. 714. | St. St. | |

STATE OF SOUTH DAKOIA

WATER LICENSE No. . . 387-2. . . .

| WHEREAS, On the | 10th | day of | March | | A. D. 10 |
|---|------------------|----------------------|-------------------|---|---------------------------------------|
| | | Roy Taylor | | **** | |
| of Farmingdale | | | | | |
| South Dakota | duly made appl | ication (Ne387 | 2-2) to us for a | permit to use | 1.35 |
| cubic feet per second of the v | vaters of | Cheyenne River | 4 | | , ⁵ 4 |
| County of Pennington | State of So | auth Dakota, for | irrigation | | |
| purposes; and | , | | | A C | |
| WHEREAS, On the 318 | it | day of May | | | A. D. 19.52 |
| Permit No. 387-2 | issued to said | applicant for the | e diversion of sa | id water, and pi | roylding for the |
| completion of the works of d | iversion therein | described on or bei | ore the | | day of |
| | | A. D. 19.59 | | | |
| water on or before the 9th | 11 1 | day of Se | ptember | * . | A. D. 19. 59 |
| and, whereas the permi | | | | | |
| WHEREAS, On the | 8th | day of A | ugust | | A D 19 62 |
| , • | | | • | | • |
| the holder of stid permit du | 4. | 4.40 | | | |
| cubic fe | et per second of | said waters, as evic | denced by car Co | rtificate No. 124 | '=A |
| dated September 4: | 4. | | | $\sim I_{\rm d}$ | |
| diverting and conveying to t | | | | | ter, with date of |
| priority of | 1952 | nat | Here the | and, | , (. |
| WHEREAS, On the | 8th | day of Aug | ust | | A. D. 19 62 |
| proof was duly made of the | | | | 4 | • • |
| for irrigating 269.2 | | | | | |
| | • | | |] | |
| , | | | | •••••••••••••••••••••••••••••••••••••• | |
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| NOW THEREPOOR | ((| ·. | | | | $\mathcal{C}^{(1)}$ | | |
|--|-----------------------------------|-------------------|-----------------------------|---|------------------------|---------------------|---------------------------|-------------------------|
| NOW, THEREFORE | , by the tirti | ue of the | authority v | ested in u | s by the | laws of th | e State of S | South Daketa |
| We hereby grant and con- | | | | | | | | |
| | Manah L | ^ 10co | the hold | ler an | d owner | of sa | id permit N | io. 387-2 |
| a water right, dating from | Hardu T | tha Char | Di | | | to the u | ise of .1.3 | <u>5</u> |
| cubic feet per second of t | he waters of _ | <u></u> | Ginte WIA | 3r | | | | |
| in the County of Rennin | | | | | | | | |
| necessray for the purpose. | | | | | | | | |
| the SE corner, Sect T2S,R13E and conducted to and upon | n portions | of Sect | ions 1 & | 2, 725, | R123, | and Se | ction 6. | rner Segti T20. Rija |
| more specifically d | escribed in | n the Ce | rtificate | of Com | plotic | n of Wo | rko | |
| | | | | • | | | | |
| for the purpose of | irrigation | | | | | : | | |
| | | | | | | | | |
| subject, however, to the la- State, and subject, also to adopted from time to the which such water may be water. | ws of the State o the local or | of South I | Dakota appl ty customs, | lcable to a rules and | i license I regulat | for the u | se of the w h have bee | vaters of the |
| water. | | | | | | | | uth Dakota, |
| | this ~ | 4th | day | of Septe | ember | | A. | D. Nineteen |
| , . | | | Sixty-Two | | • | | | |
| | | -11 | State By: | Water Re | sources | Commissi | on | |
| | | | | Chie | ef Engin | eer, Execu | ative Office | ı· |
| | | | | J. | W. GR | DWS | | |
| • | | • • | | | | | | |
| 4.5 | <i>Y</i> | | | | | | | |
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| OIL | | County | c. f. s | | | | | ļ |
| DAN | | | 1 | | | | | Page. |
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| N se N | | | | | | | | |
| STATE OF SOUTH DAKOTA Water License Nr. | rply | | Ston | | | | 3 | Jo |
| E I | | | Dive | Use | | | riori | |
| STATE | Source of Emply | | Am't. Point of Diversion | Place of Use | | Purpose | Date of Priority Recorded | in Eook |
| 1 or | Son | | Am't Point | r)łac | lj | E | Date | E E |

Permit No.397-2...

Water Division No. 2 East Chevenna ater District

Certificate of Completion of Works

| This is to Certify, That | Hermai | n Bloom | |
|--|---------------------------------|---|---|
| Scenic | , County | of Pennington | , and State of |
| South Dakota | the hol | der of Permit No. 387-2 , is | |
| 0, b.aring date of priority of | March 10, | 1952 | |
| | | | zing the diversion of |
| Fennington | | ters of the Cheyenne River | . 0 |
| | | tate of South Dakota, at between | |
| 00° from the SE corner, Section | | ************************* | O' from the 5% co |
| ction 6, T28, R13E | for irrig | gation | |
| urposes, ha_8 fully complied with the | provisions of t | he laws of the State of South Dako | ta relating to proof of |
| ompletion of the works of diversion set of | | | e de la companya de |
| ndition for diverting and conveying to | | ₩ .* <u>.</u> * <u></u> | · |
| ec second of water; and that the lands pr | | | cu. ft. |
| Section 1. T25, RIZE | SW ¹ SE ¹ | 2.5 agres | • |
| ************************************** | seł uwł | | |
| Λ. | SM! SM! | 33.0 " 27.0 " | |
| 1) 1 | | ~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~ | |
| | Lot 9 | 22.5 " | |
| | Lot 10 | | |
| | Lot 11 | 40.0 (1" | |
| | Lot 12 | 21.0 " | |
| Section 2, T25, R12E | Lot 8 | 6 2 P | |
| Section 6, T2S, R13E | SE ¹ SW ¹ | 6.0 " | |
| | iiwi sei | 8,0 " | ************* |
| | 1 | 36.0 " | |
| | Not 9 | 4.0 " | **** |
| • | | | ******** |
| *************************************** | | 20.0 " | *************************************** |
| | Total | 207.2 " | ***************** |
| | | | |
| *************************************** | | ; | |
| ****************** | *** | | 1 |
| | | | <i>f</i> : |
| 4th | | September | 62 |

State Water Resources Commission

By:

9-Notice of Intention to Appropriate Water

| $_{No.}$ 387 - 2 |
|------------------|
|------------------|

| / Wiret | Publication | 11 | n | ١ |
|---------|-----------------|------|---|---|
| 111111 | I 41711C(111O11 | | | |

APPROPRIATION OF WATER

| | Office of State Engineer, |
|--|---|
| | Pierre, So. Dak., Harch 31, 19 52 |
| Notice is hereby given that Roy In | ylor whose postoffice |
| | |
| | kota for a permit to appropriate for beneficial use |
| cubic feet of water per second of time from the | Cheyonno River through the |
| Roy Taylor Punning Plant | the point of diversion of which is to be located on the least from point S. 67° lile W. 2000 from S.E. Cor Soc. |
| To 28, B. 12E to point W. 310 W. In the state of the stat | 2S, R. 12E; Su, and IW; of SE; Sec. 6, T. 2S. |
| p 120 | |
| ###################################### | 0000007/0000000000000000000000000000000 |
| This application will be taken up by the | State Engineer at his office at Pierre for consideration upon the |
| 12 day of Hay | , 19. 52 at 2:00 Pm. All persons who believe that their prior |
| rights would be injuriously affected, or that | the allowance of the permit would be detrimental to the public wel- |
| fare shall file such protest with the State Eng | tineer in writing prior to the above date and may appear on the day |
| above mentioned in person for the purpose o | f discussing further, the information presented. |
| | ne State Engineer after suitable time has elapsed for the considera- |
| tion of any or all information presented. | |
| | DEAN W. LOUCER |

State Lagineer

NCS: dh

APPLICATION FOR EXTENSION OF TIME FOR COMPLETING WORKS

| | | Vater Resources Cor | nmission | | 7 | 11-21-53 | |
|----------------|--|------------------------|---------------------------------------|--|----------------------------|----------------|-------------------------------|
| | Plerre, South I | Dakota (A. 19 | ·. · | | <i>j</i> 91 | (date) | • |
| | Dear Sirs. | allistantin | | | | | 1 |
| e ^r | I hereby | luest that an exter | islon of time from | 5-31-57 | | | |
| 19 | to2-30 | 450 | be granted m | e for the completion | of works to | be done under | Permit No. |
| v. | 387-2 | and that the time | for proof of benef | icial use of water be | extended lo | 9-30-59 | |
| | Said works | are located in | ennington | | C | County and ar | e described |
| , | P | t. n. 3h W. ho3 | O from Sil Cor | ft. from SE Cor . Sec. 6, | 1 | | |
| ľ | T conflor of | Lionalisantini In Alia | 2.5 | 1/ of the | | | |
| | of Section | 1f**kp | Township | 25 | Range | 13E. | |
| | E., B.H.M. | To the second second | 4. | | | | |
| | | | , s | orinkler irriga | tion - alfo | ılfa | t · |
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| W. | (144-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4 | | | | | | |
| | | | | **** | | | |
| | | 2000年1月1日 | | se works is requeste | A 46 | | When T set |
| ı u | n the sprin | kler system, bu | rchased to bu | t this irrigati | on system i | into operat | ion. I found |
| afterI | hed operat | ed the system (| he <i>lpeni, that</i> to irrigate! | Linecded an ed | ditional of sed the sec | Mit of 6" | _main_line \\ :This caused |
| delay | in ostublis | luag the planne | d'rorenge of. | This I purcha | car_intil.l | 1957, there | _wac_less |
| system | on-a-3.441. | er-acreege-than | -ple-med; bec | na is located." anse-more-frequ | ent-eppled | ±ion-o£-113 | tor-Hae |
| requir | rd, by spri | nkler system th | an would have | been required | normally. | his result | ed in the |
| នៃ១ កម្មារ | APPROVED: | e smarrer acres | Se or arrarra | than would hav | e need host | Source (Source | entinustion) |
| | State | Vater Resources Co | mmission | 1104 | Hower of Per | init No. 337- | 2 |
| | | 17 | | and the same of th | | • | |

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ly:

Chief Engineer, Executive Officer

Pornit #387-2. Rey C. Taylor - Contingtion

normal during the first four years of operation.

In addition, several flash floods up stream from my farm created a silt problem at my pumping station, which caused the system to pump silt into the system often plugging the sprinkler nozzles and causing silt to settle in the distribution system. This caused numerous delays in trying to correct the situation at the source and cleaning out the sprinkler system.

Experience I have gained during this period, together with the corrective measures I have learned to employ at the pumping station will, I believe, enable me to put into operation the screege planned originally within the extended period requested in this application.

| Permit | Nc. 387-2 | |
|-------------|------------|--|
| I CI IIII L | いて、コンタイプラン | |

NOTICE OF TRANSFER OF WATER PERMIT

| | June 9 | 1959 |
|--|--|--|
| TO: Office of State Water Resources Commission Pleric, South Dakota | | ,, 21/222 |
| This is to notify you that Roy C. Taylor | | |
| | | |
| who previously owned the land described below has sold his inte | rests to Herman G. Bloom | |
| 14 - 14 - 16 | | |
| | | |
| | videnced of State Water Permit No | 387-2 |
| and as provided for in section 61.0141 of the SDC of 1939 and elsewh and 13E.: Lot 8, Sec. 2, Lot 11 Sec. 1, Lot 10 Sec. Lot 9 Sec. 1, Lot 12 Sec. 1, All in Two 2S., Rang Sec. 6, SE4SW4, NW4SE4, Lot 9, Sec. 6, All in Two | ere Subdivisions in T. 25, c. 1, 5W45W4 Sec. 1, 5E45W e 12 KBHM. Lot 10 Sec. 6; 2 5., Range 13 EBHM. | R. 12E |
| 1150 500145F14, 7001, 125, 127 | Gew | |
| You are therefore hereby requested to file this "Notice of Transithe OFFICE CF WATER RESOURCES COMMISSION as evidence of A fee of one dollar is hereto attached to cover filing fees as requir | of the change of ownership. | |
| STATE OF SOUTH DAKOTA | ±• <i>₽</i> \ | |
| County of _Pennington | m contraction of the contraction | S. S |
| | $= - i \int_{\mathbb{R}^n} \int_{$ | |
| Roy C. Taylor | being first daly sw | ot justification. |
| eath depose and say: That my relation to the above described unde | rtaking is that of Owner that I ha | The manual state |
| above foregoing statement, and I know of my own personal knowled | olan that the int | ve read the |
| DECENVED Signed | Por Sivior Taylor | ited is true. |
| specifical indisholfs before me this 9th | day of June | 1958 |
| STATE WATER RESOURCES COMM. | home Wigler | (A 1) |
| PIERRE, SOUTH DAKOTA Kotary Pr | iblic Arthur W. Tylor | |

Water Division No. 2 E. Cheyenne R. Water District

Certificate of Examination of Works

Report of Examining Engineer

| To the State Water Resources Commission, Pierre, South Dakota: |
|--|
| Dear Sirs: I hereby certify that in accordance with your letter of authorization dated |
| 19, I have this day made a thorough examination of the diversion works constructed by |
| Bry Taylor Trans. to H. Bloom, or |
| Fearling to A. County, South Dakota, holder of Permit No. 387-2, issued |
| upon Applicatio: No. 38.7-Z., bearing date of priority of 12. Laz. 10. 19.52, authorizing the |
| diversion of 1.35 cu. ft. per second of the waters of Chexame R. for Tengalica. |
| purposes. I have to report on the condition of the same as follows: |
| The diversion works comprise: Pamp (Le Ray) cambianction pump & entine |
| sex. # 78016, Mod. # 4605-2 |
| GCC'cf 6", GCC + of 4", GOC + of 5" |
| . |
| |
| and the system is in the following condition: _Gacci |
| |
| The point of diversion cated Fram Pt. 567°44'a', 2000 From 5.E. Cor. Sec 2725 |
| RIZE TO Pt. NI3101 4080 From S.W. Cor, Sec. G. TZS RIZE On Eastbank |
| The works are capable of diverting and conveying to the place of use 1225 cu. ft. per second of water, |
| which is to be used for |
| The legal sub-divisions to be irrigated are: |
| list of lands to bo irricated by the Poy Taylor Pumping Plant. |
| aubdivisions in T.2.6. 7.12 8. and P.13 8. |
| CVVV U. G. GOO. S. Z.C SECTION OF THE COURT OF A COURT OF THE COU |
| |
| 37. 37. 1/4 Loc. 1. |
| |
| 22.6 1.1/4 174 Sec. 1. |
| 14 t 12 th.c. 1. The second of |
| Ciclon 10. Boc. 11. T. |
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| 3.1.1/4 \$.1.1/4 Bac. 8 1 6. 1 6. 1 6. 1 6. 1 6. 1 6. 1 6. 1 |
| hot. 9. Sec. 6. |
| The state of the s |
| -SEAL- Examining Engineer. |

| 110. 387-2 | |
|------------|--|
|------------|--|

NOTICE OF TRANSFER OF WATER PERMIT

| • | |
|--|--|
| TO: WATERS: RIGHTS INCOMMISSION State Office Building No. 2 Pierre, South Dallota 57501 | Date April L. 1976 |
| This is to notify you that title to the lands described | as follows: |
| Portions of Sections 1 and 2, T2S, | R12E and Section 6, T2S, R13E, |
| described in Water License No. 387 | |
| | |
| formerly owned by Herman Bloom a/k/a_H | erman G. Bloom |
| has been transferred to Lester Clark | |
| together with any rights to the beneficial use of wat | |
| 387-2 as provided for in Section 61.0127 of the | 1960 Supplement to the South Dakota Code of 1939. |
| You are therefore hereby requested to file this "No the Office of Water Executes Commission as evidence of the WATER RIGHTS COMMISSION A fee of one dollar is hereto attached to cover fill Supplement to the South Dalota Code of 1939. | |
| STATE OF SOUTH DAKOTA) . | RECTALITY OF |
| County of Pennington) ss. | MICHIE WATER STREET OF THE PROPERTY OF THE PRO |
| Lester Clark say: That my relation to the above described undertakin statement, and I know of my own personal knowledge that | o is that of Owner, that I have read the protection of |
| | (Signed) Lester Clark |
| Suscribed and sworn to before me this <u>lst</u> | day of April, 1976. (Notary Public) |
| I, Herman Bloom a/k/a Herman G. Blomy oath depose and say: That my reundertaking is that of Seller to Lethe above foregoing statement, and knowledge that the information here | elation to the above described ester Clark, that I have read I know of my own personal |
| | (Signed) Herman Bloom 1/k/a Herman G. Bloom |
| Subscribed and sworn to before me | this 1st day of April, 1976. |

► Department of & Natural Resources Water Rights Division 605 773-3352

523 East Capitol Pierre, South Dakota 57501

October 13, 1982

Bryce Nelson Cross Roads Realty 1920 W Main Rapid City SD 57701

Dear Mr. Nelson:

As per our telephone conversation of October 12, 1982, enclosed please find copies of the Water Rights we have listed in the name of Lester Clark.

The amount of cubic feet per second (cfs) and acreage now authorized under each water rights is shown on the "Water License". I have circled these amounts on the first set (Water Rights No. 387-2) to show you where on the License to locate them.

If you have any questions concerning any of this enclosed information, please contact this office.

Sincerely,

GENNY YOUNG Water Rights Specialist

GY:ks

11

enclosures

J. M. COSTELLO
WILLIAM O. POOTER
DENNIS H. HILL
JAMES S. NELSON
K. L. HEISTERRAMP
GENE R. BUSHNELL
RICHARD O. SHARPE
EDWARD C. CARPENTER
THOMAS M. BARNES
DONALD A. PORTER
THOMAS W. STANTON

COSTELLO, PORTEP, HILL, NFLSON, HEISTERKAMP & BUSHNELL ATTORNEYS AT LAW

200 SECURITY BUILDING
704 ST. JOSEPH STREET
HAILING ADDRESS R O. BOX 290
RAPID CITY, SOIJTH DAKOTA 57709

October 26, 1982

TELEPHONE 343-2410 AREA CODE 605

South Dakota Department of Water and Natural Resources Joe Foss Building Water Rights Division Pierre, SD 57501

ATTENTION: Genny Young

Re: Water Right Permits transfer by Lester Clark to SMS Ranch Co., Inc.

Dear Ms. Young:

Enclosed herein please find certified copies of Notice of Transfer of Water Permits numbers 946-2, 387-2 and 656-2 along with our check in the amount of \$7.50 to cover filing fees for these three permits.

Thanking you with best regards, I am

Very truly yours,

Kenneth L. Heisterkamp

KLH:blb

Enclosures

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| | | | |

NOTICE OF TRANSFER OF WATER PERMIT

| TO: Vater Rights | Sinore? |
|---|--|
| Foss Building Pierre, SD 57501 | Date: October 14, 1982 |
| This is to notify you that the title to th | · · · · · · · · · · · · · · · · · · · |
| See Attachment "λ" | |
| | |
| formerly owned by Lester Clark | |
| has been transferred to SMS Ranch Co., | Inc. |
| together with any rights to the beneficial | use of water thereon as evidenced by |
| Water Right Permit No. 387-2 astiprovide | d for in SDCL 46-5-32 and 46-5-33. |
| You are therefore hereby requested to file in its appropriate file at the Office of Wevidence of the change of ownership. | this "Notice of Transfer of Water Permit" Nater Rights, Water Management Board as |
| A fee of Two Dollars and Fifty Cents (S2.5 as required under SDCL 46-2-13. | 0) is hereto attached to cover filing fees |
| STATE OF TERAS) County of DALLAS) SS. | • |
| That to the above described un | first duly svorn on my oath despose and say: indertaking is that of Owner, that I have read of my own personal knowledge that the infor- SMS RANCH CO., INC. By CHIEF C. (Signed) SWENSON I'S PRESIDENT |
| Suggestibed and sworn to before me this | pay of October, 1982 |
| That my relation to the above des to SMS Ranch, Inc., Texas Corpora | tion Quer (Notary Puclic) 2-13-85 sworn on my oath depose and state: cribed undertaking is that of Seller tion, that I have read the above fore- own personal knowledge that the infor- ter Clark this May of October, 1982. Kim Quer (Notacy Public) 2-13-86 |
| | 9-12 D3 |

Description of land in relation to Water Right Permit No. 387-2

ATTACHMENT "A"

Land in Pennington County, State of South Dakota:

| Section | 1, | T2S, | R12E | | SE ¹ ; SW ¹ ; Lot | 10 11 | 2.5 33.0 27.0 22.5 43.0 40.0 21.0 | 11 11 11 |
|---------|----|------|------|-----|---|-------------------|---|----------------|
| Section | 2, | T2S, | R12E | | Lot | 8 | 6.2 | +1 |
| Section | 6, | T2S, | R13E | | SE^{1}_{3} | SW ¹ 4 | 6.0 | 11 |
| | | | | | NM_{Γ}^{2} | SE!s | 8.0 | if |
| | | | | | Lot | 8 | 36.0 | 11 |
| | | | | | Lot | 9 | 4.0 | 11 |
| | | | | •,• | Lot | 10 | 20.0 | ** |
| | | | | | Tota | al | 269.2 | 11 |

lile &

RECEIPT

WATER RICHTS COMMISSION State of South Dakota

Nº 4 9007

October 27 PIERRE, RECEIVED OF Costello, Porter, Hill, Nelson, Heisterlamp & Bushnell, Rapid City SD for the rellowing impount in fees for services rendered as provided for by law: 1: SMS Ranch Co., Inc. Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) 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 transfer of Lecuit No. 387-2 2 50 Fee for certified copy of _____ Fee for Print copy of map Fee for Certifying (any other work as provided by law) TOTAL 2 50

WATER RIGHTS COMMISSION

By Althon Hallett

Chief Engineer, Executive Officer

JOHN HATCH

Water Rights Division 605 773-3382

October 28, 1982

SMS Ranch Co., Inc. %Bill Elmore Gager, Henry & Harkis 193 Grand St PO Box 2480 Waterbury CT 06722

Dear Hr. Elmore:

Enclosed are receipts in the amount of \$2.50 each which the Office of Costello, Porter, Hill, Nelson, Heisterkamp & Bushnell paid for the transfers of Water Right Nos. 946-2, 387-2 and 666-2.

Our records now show you as the owner of these Water Rights.

Sincerely,

KAREN SCHLAAK Administrative Secretary

enclosures

cc: Kenneth L. Heisterkamp

WATER RIGHTS DIVISION

(605) 773-3352

December 14, 1982

Richard Chasek Route #1, Box 2 Whitney, Hebraska 69376

Dear Mr. Chasek:

1645/1/

Enclosed are copies of Water Rights No. 376-2 and No. 696-2 in the name of Charles Eng, and a copy of the map that covers the land under these rights.

You indicated that Mr. Eng stated he had water rights dating back to the 1800's. We find no record in this office of such rights under his name. Perhaps they exist under another name. Too, if we had the land description, we may be able to determine if such rights exist.

You also requested if permits were being issued from the Cheyenne River in this area. To date the Vator Hanagement Board has been issuing permits with the following qualification:

Diversion of water under this Permit is contingent upon water supplies being first available to prior water rights downstream on the Cheyenne River. Flow records show that there are occasional years when the flows of the Cheyenne River are definitely and recognizable lower than usual during the months of July, August and September. Diversions of water are not to be made under this Permit during such low flow periods.

If you have further questions, feel free to contact this office.

Sincerely,

Burton F. Jones Water Rights Specialist

BFJ:ms Enc.

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: June 2, 1983

This is to notify you that the title to the lands described as follows: See Attachment "A", formerly owned by SMS RANCH CO., INC., have been transferred to SMS RANCH PARTNERSHIP, together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 387-2 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 Office of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (32.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

COUNTY OF PENNINGIAN) SS. RAPID CITY

I, <u>Rogert W. Elmore</u>, being first duly sworn on my oath depose and say:

That I am a partner of SMS RANCH PARTNERSHIP, and that the relation of said partnership to the above described undertaking is that of Owner, that I have read the foregoing statement and I know of my own personal knowledge that the information herein stated is true.

My Commission Expires:

(SEAI:) My Commission Expires August 13, 1989 -1-

COUNTY OF Romandan) SS.

oath, depose and state:

a corporation, and that the relation of the above described undertaking to this corporation is that of Seller to SMS Ranch Partnership, a Connecticut partnership, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

By: Aughn Co., INC.

By: Aughn Lowenson

Its: President

Subscribed and sworn to before me this _____ day of

Notary Public,

My Commission Expires:

(SEAL) My Committion Expires August 13, 1989



Description of land in relation to Water Right Permit No. 387-2

ATTACHMENT "A"

Land in Pennington County, State of South Dakota:

| Section | 1, | T2S, | R12E | i i | SW4 SE4 SE4 SW4 SW4 SW4 | 33.0 27.0 | res * |
|---------|----|------|-------|-----|-------------------------------|----------------------|-------------|
| • | | | . 1 | | Lot 10 Lot 11 | 22.5 43.0 40.0 | H |
| 1. 1. | : | | : .11 | : | Lot 12 | 21.0 | 16 · |
| Section | | | R12E | | Lot 8 | 6.2 | W. |
| Section | 6, | T2S, | R13E | | SE% SW% | 6.0 | * |
| | | | | | NW SE | 8.0 | н |
| | | | | | Lot 8 | 36.0 | |
| | | | | | Lot 9 | 4.0 | |
| | | | | • | Lot 10 | 20.0 | • |
| | | | | | Total | 269.2 | Ħ |

RECEIPT

WATER RIGHTS COMMISSION

Nº 4 9266

State of South Dakota

| Ken Heisterkamp, 200 Security Bldg. RECEIVED OF 704 St. Joseph St., Rapid City. SC 57701 (for SMS Rer the following amount in fees for services rendered as provided for by law: | och Parter | , 19. <mark>83</mark> nshlo) |
|---|------------|---------------------------------|
| Fee for Application for Permit to Appropriate Water No (examination, processing, recording and filing) | | |
| 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 | 2 | 50 |
| Fee for certified copy of | | |
| Fee for Print copy of map | | |
| Fee for Certifying | | |
| Fee for(any other work as provided by law) | | |
| TOTAL | 2 | 50 |

WATER RIGHTS COMMISSION

Onlef Engineer, Executive Officer
JOHN HATCH/ms



Herre, Seath Bulletin 57801 June 13, 1983 Water Rights Division 605 773-3352

387-2 666-2 946-2

Ken Heisterkamp 200 Security Bldg. 704 St Joseph St. Repld City SD 57701

Dear Sir:

Enclosed are receipt Nos. 4 9265, 4 0266, 49267 in the amount of \$2.50 each which you paid for the transfer of Water Rights Nos. 387-2, 666-2, 946-2.

Our records now show SMS Ranch Partnership as the owner of these Water Rights.

Sincerely,

KAREN SCHLAAK Administrative Aide

cc: SMS Ranch Partnership

A A STATE OF THE S

Karin Schlaak

Department of Vater & Natural Resources

523 East Capitol Pierre, South Dakota 57501-3181

July 19, 1990

NOTICE

TO:

Cheyenne River Irrigators

FROM:

John Hatch, Chief Engineer

Division of Water Rights

SUBJECT:

Shutoff Order for water rights in the Cheyenne River

reach from the Angostura Dam to Rapid Creek with

priority dates after 1965.

Due to the present low flow conditions in the Cheyenne River, the following water rights must cease withdrawals of water from the Cheyenne River for the remainder of this irrigation season. This order is effective July 21, 1990. Additional shutoffs may be necessary if conditions show the need.

| PERMIT NO. | NAME | PRIORITY DATE |
|--|--|--|
| 1241A-2 1241B-2 2061-2 1923-2 1613-2 2059-2 1408-2 1754-2 | Chauncey D. Taylor, Hermosa Donald R. Thorson, Scenic Rittberger Beef & Dairy, Buffalo Gap Rittberger Beef & Dairy, Buffalo Gap Rittberger Beef & Dairy, Buffalo Gap Fred Weibert, Hermosa RIBOB-ELJIM-KADEN, Rapid City Earl Stombaugh, Buffalo Gap | 02/06/75 02/06/75 08/22/88 03/15/85 10/28/77 06/27/88 06/06/77 01/27/81 |
| 1109-2 1882-2 1024-2 | Lloyd Neugebauer, Oral Roland/Donna March, Hot Springs Clarence Werner, Hermosa | 04/21/72 05/29/84 05/22/70 |

If you have any questions, please contact Del Brosz, Division of Water Rights, Joe Foss Building, Pierre, SD 57501. Phone (605) 773-3352.

cc: Water Right Holders on the Cheyenne River in the Reach from Angestura Dam to Rapid Creek Confluence

Department of Water & Natural Resources

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

March 14, 1991

387-2

Bill Elmore SMS Ranch Parnership Box 551 Stamford, Tx 79553

Dear Mr. Elmore:

I am contacting irrigators and water users below Angostura Reservoir to advise of the low water level conditions in Angostura Reservoir and of potential water use restrictions from the Cheyenne Pive: Due to the continuing drought, Angostura Reser oir is receiving below normal inflows. As of February 27, 1991 the water level in the reservoir was at elevation 3170.25 feet above mean sea level (mol). Full elevation of the reservoir is 3187.2 msl.

Flow conditions in the Cheyenne River will be monitored during the coming irrigation season. Low flows may require that shut off orders be issued to junior water right holders to protect senior water rights. Low water levels in Angostura and the potential for low flows in the Cheyenne should be considered when planning for the coming water use and irrigation season.

Junior Water Rights above Angostura were shut off during 1989 and will remain shut off until Angostura fills again. If you have any questions, please contact Mark Rath or Del Brosz (605-773-3352).

> very truly yours, Helvin D. Bross

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

COSTELLO, PORTER, HILL, HEISTERKAMP, BUSHNELL & CARPENTER, LLP

ATTORNEYS AT LAW

K L. HEISTERKAMP GENER BUSHNELL EDWARD C. CARPENIER THOMAS II BARNES IOPIALD A FORTER ROBERT L. LEWIS GRECORY G STROMMEN PATRICIA A MEYERS WILLIAMA MAY KENNETH L CHLERORAD

200 SECURITY BUILDING#704 ST. JOSEPH STREET MAILING ADDRESS P. O. BOX 290 RAPID CITY, SD 57709

605-343-2410 TELECOPIER NO. 605-343-4262 E-MAIL: lawlirm@costelloporter.com JOSEPH R. LUX HEATHER M. LAMMERS DARIN W. LARSON

OF COUNSEL DENDES IL HILL MELVIN D WEDMORE

RETIRED
J M COSTELLO
WILLIAM G FORTER

May 15, 2000

Department of Water & Natural Resources Joe Foss Building 523 East Capitol Pierre, South Dakota 57501



RE:

Our File No. 822192 SMS Ranch Partnership

Dear Sir/Madam:

Please be advised that these offices represent SMS Ranch Partnership which is presently negotiating the sale of its ranch in Pennington County.

I believe that SMS Ranch has three water right permits, nos. 387-2, 346-2, and 666-2.

It would be appreciated if you would forward to me the necessary paperwork to transfer those water permits the purchaser.

Your records may reflect that SMS Ranch Co., Inc., presently holds those permits but the corporation was liquidated and the assets passed to the partnership which was composed of the same members. Thus, if your records reflect the permits are still in the name of the corporation, you might have to send me two forms for the initial transfer to the partnership and then from the partnership to the new owner.

Obviously if you have any questions concerning this, kindly advise.

With best regards, I am,

Very truly yours,

Kenneth L. Heisterkamp



DEPARTMENT of ENVIRONMENT and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/dear

May 18, 2000

387-2 666-2 946-2

Kenneth L Heisterkamp Attorney at Law PO Box 290 Rapid City, SD 57709-0290

Dear Mr. Heisterkamp:

Thank you for your letter of May 15th requesting transfer of ownership forms for Vol. Right Nos. 387-2, 666-2 and 946-2. The water rights are currently listed in the name of SMS Ranch Partnership. The water rights were last transferred in June, 1983, from SMS Ranch Co., Inc., to SMS Ranch Partnership.

Enclosed are "Notice of Transfer of Ownership", forms for use in filing an ownership change with the water rights. I have partially completed the forms for you. Please review them for accuracy and make any necessary corrections. The forms will need to be completed and signed in the presence of a notary public by the new owner(s).

Once the forms are completed, please return them to our office with a required filing fee of \$2.50 each (total of \$7.50). The check or money order for the fees can be made payable to the "Water Rights Program".

If you have any questions about the water rights or need copies of them, please let me know.

Sincerely,

Sen meth Genny McMath

Environmental Scientist

Water Rights Program

(605) 773-3352

email: genny.mcmath@state.sd.us

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

To:

Chief Engineer

Water Rights Program, DENR

523 L. Capitol

No. 587-2

1100 A/15/2000

| Ріспе, 5D 5/501-3181 | Date: 01.01200 | |
|---|---|-----------------------------------|
| I/We request that Water Right No 387-2 | | |
| formerly owned by: SMS Ranch Partnership | | |
| be transferred to: (name & address) Kenneth Wilson | P.O. Box 869 Canton, | |
| North Carolina 28716 | Telephone No. (828) 648 - 23/3 | , 1 |
| Title to the following described land(s)/property has been transferred as | s described above: | |
| 269.2 acres: Lots 9-12, SW VSE 14, S 14 SW 14 Sec 1; Lot 8 Sec 2, T2 | 2S, R12E; Lots 8-10, SE ¼SW ¼, NW ¼SE ¼ Sec 6 | , T2S, R13E |
| I/We understand that the validity of Water Right No. 387-2 has not be on validity, I/We understand that only the Water Management Board note). | been determined by this transfer action. If I/We have has the authority to determine if a water permit/rigl | any questions ht is valid (see |
| You are requested to file this "Notice of Transfer" in the appropriate ownership. | file with the Water Rights Program, as evidence of | the change of |
| A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover to be signed by the new owner. | the filing fees as required under SDCL 46-2-13. Y | his form must |
| STATE OF SOUTH DAKOTA) | | |
| County of Pennington | | |
| I/we Kenneth Wilson being first duly described undertaking is that of Owner, that I have read the above for that the information herein stated is true. | y sworn on my oath depose and say that my relation pregoing statement, and that I know of my own person | n to the above onal knowledge |
| <u>K</u> | CSigned) | <u>_</u> |
| Subscribed and sworn to before me this 15 day of Augu | urt, 2000. | |
| CURTIS S. JENSEN CO NCTARY PUBLIC TO State of South Dakota | (Notary Public) Seusen (Notary Public) SSION EXPIRES JULY 12, 2008 | |

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

Water Rights Program

Nº 416610

South Dakota Department of Environment and Natural Resources

| | | | | | 23 , | 2 <u>000 </u> |
|--|------------------------------|---------|--------------|--------|---------|--|
| RECEIVED OF lst American Title Co., | PO Box 8181, Rapid Ci | ty SD | 57709 (Ke | enneth | Wilson) | |
| the following amount in fees for services rendered | d as provided for by law: | | , | | | |
| Fee for Application for Permit No. | to Appropriate Water, to co | nstruct | | | | |
| and to put water to beneficial use | | | | | | |
| Fee for Application for Permit No. | to Appropriate Water, for F | uture | i | | | |
| Use | | | | | | |
| Fee to retain Future Use Permit No. | after period of seven years. | | | | | |
| Fee for Inspecting Constructed Works, confirming | | ater | | | | |
| License No. | ! | | | | | |
| Fee for Filing Transfer Form No. 387-2 | | | 2 | 50 | | |
| Fee for Filing Extension Request | | | | | | |
| Fee for. | | | 1 | | | |
| | | | | | | · |
| | | | | | | |
| | | | | | | |
| (Any Other Work Provided b | y Law) | Total | | 2 50 | | |

By Darland Erbeler
Chief Engineer KS

DEMERSSEMAN JENSEN, LLP

LAWYERS

516 FIFTH STREET - P.O. BOX 1820 RAPID CITY, SOUTH DAKOTA 57709-1820

ROBERT W. GUNDERSON (1915-1994) JOHN C. FARRAR (1914-1983) MICHAEL B. DEMERSSEMAN CURTIS S. JENSEN HARRY W. CHRISTIANSON FRANK DRISCOLL THOMAS W. STANTON MICHAEL V. WHEELLR TAMARA M. PIER

August 22, 2000



TELEPHONE 605-342-2814

FAX 605-342-0732

E-MAIL law@demjen.com

Genny McMath
Department of Environment and Natural Resources
Water Rights Program
523 East Capitol
Pierre SD 57501-3181

Re: Water Right Permit Nos. 387-2, 666-2 and 946-2

Dear Ms. McMath:

This office represents Mr. Kenneth Wilson who recently purchased the SMS Ranch in Pennington County, South Dakota. In connection with that purchase we are requesting transfer of ownership of the way'r above referenced water permits. Lenclose for your reference your letter of May 18, 2000, addressed to 'he seller's attorney, Kenneth L. Heisterkamp.

I have also enclosed the Notice of Transfer of Ownership forms which have been completed and signed by the new owner, together with a check of \$7.50 for the transfer fees.

Please provide me with confirmation of transfer of the permits to Mr. Wilson. Thank you tor your consideration in this matter.

Very truly yours.

Curtis S. Jensen

DEMERSSEMAN JENSEN, LLP

CSJ:jms Enclosures

c: Kenneth L. Heisterkamp

\wilson-k\ltr\environ&nr



August 23, 2000

DEPARTMENT of ENVIRONMENT and NATURAL RESOURCES

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

www.state.sd.us/denr

Curtis S Jensen DeMersseman Jensen, LLP PO Box 1820 Rapid City, SD 57709-1820

RE: Water Right Nos. 387-2, 666-2 and 946-2

Dear Mr. Jensen:

Thank you for following up on the transfer of ownership for Water Right Nos. 387-2, 666-2 and 946-2. The transfers have been completed and the water rights, formerly owned by SMS Ranch Partnership, are now listed in the name of Kenneth Wilson, PO Box 869, Canton, NC 28716.

Enclosed are the Receipt Nos. 416609, 416610 and 416611 in the amounts of \$2.50 each. The fees were paid to cover the cost of filing each of the transfers.

If you have any questions concerning the water rights, please get in touch with me.

Sincerely,

Genny McMath

Environmental Scientist

Water Rights Program

(605) 773-3352

email: genny.mcmath@state.sd.us

Denny memath

enclosures

e: Kenneth Wilson

Kenneth L Heisterkamp



August 25, 2000

DEPARTMENT of ENVIRONMENT and NATURAL RESOURCES

ส**หน**ังเกียว จากการได้เกิดไ

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

www.state.sd.us/denr

387-2 946-2

Eugene Swenson PO Box 551 Stamford, TX 79553-0551

RE: SMS Ranch Partnership

Dear Mr. Swenson:

On August 23, 2000, Water Right Nos. 387-2, 666-2 and 946-2, for SMS Ranch Partnership, were transferred to Kenneth Wilson of Canton, North Carolina. It is my understanding that any irrigation done on the land during the 2000 crop season would have been done by SMS Ranch Partnership. Curt Jensen, the attorney for Mr. Wilson, suggested that I contact you with regard to this year's irrigation.

Yearly irrigation questionnaires are required for only two of the three water rights. I am enclosing irrigation questionnaires for Water Rig: Ios. 387-2 and 946-2. I have included the legal descriptions which correspond to each water right. Please complete the forms and return them to our office prior to December 1, 2000. I am enclosing a postage paid envelope for your convenience.

I am aware that you may or may not be done with irrigation for this crop year, but I wanted to get the forms out to you in advance. Next years forms will be directed to Kenneth Wilson. If you have any questions or need assistance in completing the forms, please get in touch with me.

Sincerely,

Genny McMath

Environmental Scientist

Water Rights Program

(605) 773-3352

email: genny.mcmath@state.sd.us

lenny townath

enclosures



JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

September 1, 2000

387-2 946-2

Eugene Swenson PO Box 551 Stamford, TX 79553-0551

RE: SMS Ranch Partnership

Dear Mr. Swenson:

Thank you for returning the "2000" irrigation questionnaires for Water Right Nos. 387-2 and 946-2.

I truly appreciate you taking the time to complete and return them so quickly. Next year's questionnaires will be directed to Kenneth Wilson for completion.

Sincerely,

. Genny McMath

Environmental Scientist

Water Rights Program

(605) 773-3352

email: genny.mcmath@state.sd.us

Senny me math

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Kathy McPherson, 15247 Alkali Rd, Sturgis SD 57785

DATE: November 1, 2006

TELEPHONE:

RE:

address for Rapid Creek Ranch

COMMENTS:

Mrs. McPherson called concerning the irrigation questionnaires she just received for Rapid Creek Ranch. The post office returned the original questionnaires to our office indicating their address had changed from Caputa to the Sturgis address listed above.

Mrs. McPherson said her husband was still the manager of the ranch (owned by Kenneth Wilson). Harvey and Kathy McPherson's personal address is at Sturgis but the ranch address is Caputa.

Any correspondence dealing with the water rights can be directed to:

Rapid Creek Ranch 16780 E Hwy 44 Caputa SD 57725

Genny McMath

Environmental Scientist



March 5, 2007

DEPARTMENT of ENVIRONMENT and NATURAL RESOURCES

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

Dear Water Right Holder;

Due to the ongoing drought I am advising Cheyenne River water right holders of the possibility of shutoff orders in 2007 for the river reach from Angostura Dam to the Belle Fourche River confluence. This is **not a shutoff order.**

As a result of the continuing lack of precipitation, tributary flows throughout the Cheyenne River basin remain well below the historical average. Angostura Reservoir ended February almost 21-feet below full and the forecast for improved conditions throughout the summer months is not favorable.

This letter is only intended to give you advanced warning that your ability to divert water may be cut short this year. If shut-off orders are issued, you will receive another letter from the department. In the meantime, water right holders can help by closely monitoring water usage and trying to avoid wasting water.

South Dakota water law gives the highest priority to domestic use, which includes livestock watering. There is generally adequate water available to meet both domestic use and other needs. However, once water availability reaches critical low levels, other uses, including irrigation, will begin to interfere with domestic use. If levels become critically low, the department must issue shut-off orders to protect domestic water uses. Once these orders are issued, the department will continue to monitor water availability and should conditions improve, the shutoff orders would be rescinded.

If you are interested, the US Geological Survey has an Internet site showing river flows at 150 stream gauging stations across the state. Go to **sd.water.usgs.gov** and click on "Realtime streamflow data via satellite".

Thank you for your cooperation. If you have any questions, please contact Mark Rath or Mike DeFea at (605) 773-3352.

Sincerely,

Garland Erbele, Chief Engineer

Water Rights Program

SD EForm - 0495LD V2

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: PMB 2020

DENR - Water Rights Program

523 E Capitol Ave

Water Right/Permit No. 387-2

3

| Pierre, SD 5 | | | Date: November 15, 201 | |
|---------------------------------------|---|--|-------------------------------------|---|
| I/We request that W | ater Right/Permit No. 387-2 | 2 | formerly own | ned by: |
| Kenneth Wilson / R | apid Creek Ranch | <u> </u> | | be transferred to: |
| New Owner Name: | Dallas Schott | | | |
| Address: | PO Box 560 | 1 | | |
| City, State, Zip | McLaughlin | SD | 57642 | Telephone No. <u>605-848-6221</u> |
| | g described land(s)/property l description of deeded land \$ 605-823-4407 | | | |
| transfer action. has the authority | to determine if a water right/ | idity, I und permit is v | derstand that or valid (see note | has not been determined by this ally the Water Management Board below.) |
| | e change of ownership. | ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, | арргорнаю п | e with the water Rights Frogram, |
| A fee of Fifty D | ollars (\$50.00) is included to | cover the | filing fee as r | required by SDCL 46-2-13. |
| I, Dallas Schott is true and correct. | | , | the new owner | , certify that the above information |
| | | | Dal | les Schuld |
| | | | (812) | ned by new owner) |

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

| | | | Date_ | | te | | 2/4 | ²⁰ 13 |
|---|---------------------------------------|------------------------------|------------|-------------------|----------|----|-------|-------------------------|
| ECEIVED OF First American Title | e Co PO | Box | 8181 | Rapid | City | SD | 57709 | |
| The following amoun | nt in fees for serv | ices re | ndered as | s provided fo | r by law | : | | |
| Fee for Application for Permit Noand to put water to beneficial use | | 1 | o Appropri | iate Water, to co | onstruct | | | |
| Fee for Application for Permit No. | · · · · · · · · · · · · · · · · · · · | to | Appropria | te Water for Fut | ure use | | | |
| Fee to retain Future Use Permit No | | after period of seven years. | | | n years. | | | |
| Fee for Inspecting Constructed Works, confirming beneficing | | | | | | | | |
| Fee for Filing Transfer Form 387-2 | | | | | | 50 | 00 | |
| Fee for | | | | | | | | |
| Fee for Issuing New Well Driller's License No. | | | | | | | | |
| Fee for Renewal of Well Driller's License No | | for C.Y. | | | | | | |
| Fee for Issuing Well Pump Installer's License No. | | for C.Y | | | | | | |
| Fee for Renewal of Well Pump Installer's License No. | | | f | or C.Y. | | | | |
| (Any Other Work Provided by Law) | | | | T | OTAL | | 50 | 00 |

No. 06502

By Jeanne Horolman of Chief Engineer



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

January 15, 2014

Dallas Schott PO Box 560 McLaughlin SD 57642

RE: Water Right Nos. 387-2 & 666-2 and Water Permit Nos. 2452-2 & 2494-2

Dear Mr. Schott:

I am writing in regard to the transfer forms filed on December 4, 2013 for the above listed water permits and rights. The ownership changes have been completed. Water Right Nos. 387-2 & 666-2 and Water Permit Nos. 2452-2 & 2494-2 formerly held by Kenneth Wilson dba Rapid Creek Ranch are now listed in your name.

For informational purposes, each year irrigators in South Dakota are required to submit an irrigation questionnaire outlining how much water they diverted during that specific crop year. The forms will be sent out in October and are due back by the first week in December. I am enclosing a copy of one of the 2012 forms submitted by Kenneth Wilson. This will give you an idea of how to fill out the forms and what type of information to keep track of during the season. A yearly irrigation questionnaire for Water Right No. 666-2 is not required since the source of water is from dry draws and is diverted through a water spreading system.

The receipts for the filing fees paid for the ownership changes are being forwarded with a copy of this letter to the title company.

If you have any questions, please contact me.

Sincerely,

Genny McMath

Water Rights Program

(605) 773-3352

email: genny.mcmath@state.sd.us

c: First American Title Co, Rapid City SD w/Receipt No. 06504



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

January 16, 2015

NOTICE

TO:

DALLAS SCHOTT, PO BOX 560, MCLAUGHLIN, SD 57642

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) 387-2 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) 2452-2 & 2494-2 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) 2452-2 & 2494-2 in accordance with applicable provisions of SDCL 46-1-12;
- 2. Amend Permit No(s) 387-2 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 <u>March 4, 2015</u> 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.



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

February 26, 2015

387-2

2452-2

2494-2

Dallas Schott PO Box 560 McLaughlin SD 57642

Dear Mr. Schott:

I am writing to acknowledge receipt of the information for your 2014 irrigation questionnaires. You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right Nos. 3487-2, 2452-2 and 2494-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

In follow-up to our phone conversation, I am enclosing a couple copies of past irrigation questionnaires to give you an idea of what type of information you will need to keep track of during the irrigation season. They will also give you an idea of how to fill out the forms.

Basically we are after how much water is diverted from a particular source. The back side of the form is a worksheet for you to use to get enough information recorded to allow us to calculate water use. Even if you do not keep track of the days or hours the system ran, if you have the total inches of water applied through each system, we can gather water use from that information as well.

If you have any questions, please contact me.

Sincerely,

Genny McMath

Water Rights Program

(605) 773-3352

email: genny.mcmath@state.sd.us

387-2



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 15, 2016

NOTICE

TO:

DALLAS SCHOTT, PO BOX 560, MCLAUGHLIN, SD 57642

FROM:

Ron Duvall, Natural Resources Engineer

for Jeanne Goodman, Chief Engineer

Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaires

Our records indicate your 2015 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 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) 387-2 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) 2452-2 & 2494-2 qualification:

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

The hearing will be held at <u>Thursday</u>, <u>March 3</u>, <u>2016</u> at <u>9:30</u> am (<u>Central Time</u>) 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) 2452-2 & 2494-2 in accordance with applicable provisions of SDCL 46-1-12;
- 2. Amend Permit No(s) 387-2 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 <u>March 3, 2016</u> 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.



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

denr.sd.gov

January 20, 2016

387-2 2452-2 2494-2

Dallas Schott PO Box 560 McLaughlin SD 57642

Dear Mr. Schott:

Thank you for calling with the information for your 2015 irrigation questionnaires. I completed forms for you based on our conversation.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right No. 387-2 and Water Permit Nos. 2452-2 and 2494-2. 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

387-2



DEPARTMENT of ENVIRONMENT and NATURAL RESOURCES

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

denr.sd.gov

January 12, 2017

387-2

Dennis Wulf 14 Skyview Lane Morris MN 56267

Dear Mr. Wulf:

I am contacting you in regard to ownership of land described in Water Right No. 387-2. Dallas Schott, McLaughlin SD has notified our office that you now own the land described under this water right. Enclosed is a copy of the water right for your records.

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

If you have any questions concerning the water right or completion of the transfer form, please let me know.

Sincerely,

Genny McMath

Water Rights Program

(605) 773-3352

email: genny.mcmath@state.sd.us

enclosures



DEPARTMENT of AGRICULTURE and NATURAL RESOURCES

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

November 5, 2021

387-2 666-2 2452-2

Quentin Riggins Gunderson Palmer Law Firm PO Box 8045 Rapid City SD 57709

RE: Registered Agents for Cheyenne River Ranch LLC

Dear Mr. Riggins:

Thank you for visiting with me about the change in ownership for water rights listed under Dallas Schott. I have included a copy of each of the water rights in the event you do not have them.

Also enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing ownership changes. They need to be completed and signed by the new owner. Once completed, they should be returned to our office with a required filing fee of \$50 each (\$150 total) The check or money order for the fee can be made payable to the Water Rights Program.

The reason for even checking into these water rights was because the former owner of the property returned this year's irrigation questionnaires with a note that he sold the land last year. I have included the yellow forms for either you or the new owner to complete and get back to us by December 3rd. Submission of the questionnaires are required every year. A questionnaire is **NOT** required for Water Right No. 666-2 because the source of water is from dry draws and the type of system listed is a spreader system.

If you have any questions concerning any of the enclosed information, please give me a call.

Sincerely,

Genny McMath Water Rights Program 605 773-3352

Genny.mcmath@state.sd.us

enclosures





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U S SO

ARTICLES OF ORGANIZATION

Secretary of State 500 E. Capitol Ave Pierre, SD 57501-5070 (605) 773-4845

DOMESTIC LIMITED LIABILITY COMPANY SDCL 47-34A-203, 212

> Please Type or Print Clearly in Ink Please submit one Original Make payable to the SECRETARY OF STATE

Filing Fee: \$150

Total Fee: \$150

Article I

The name of the Company: Cheyenne River Ranch, LLC

Article II

The address of the initial designated office in or out of the State of South Dakota where the company conducts its business:

Actual Street Address

506 SIXTH ST.

RAPID CITY, SD 57701

Mailing Address PO BOX 8045

RAPID CITY, SD 57709

Article III

SDCL 59-11-6

The South Dakota Registered Agent's Name:

South Dakota law permits the registered agent to be either (a) a noncommercial registered agent or (b) a commercial registered agent.

(b) The South Dakota Commercial Registered Agent's name & CRA#

CRA: GUNDERSON PALMER REGISTERED AGENTS, LLC (0000023)

Actual Street Address in this State

Mailing Address in this State

506 6TH ST

RAPID CITY, SD 57701-2726

PO BOX 8045

RAPID CITY, SD 57709

Article IV

The name and address of each organizer

Name Address **Quentin Riggins** 506 Sixth Street, Rapid City, SD 57701

Article V

The duration of the company if other than perpetual is: Perpetual

If the document is not to be effective upon filing by the Secretary of State, the delayed effective date is:

342-1078



Article VI

B0160-4595

12/01/2020

12:16PM Rec'd

уd

SOS

| ✓ Member-Managed | |
|------------------|--|
|------------------|--|

Article VII

Beneficial Owners (optional): A beneficial owner is a person who has or in some manner controls an equity security. Please consult an attorney for legal advice if you have any questions concerning this entry. Any question under this heading is considered a request for legal advice and the secretary of state's office is, by statute, not permitted, to provide legal advice.

Signature/Authorization

The Articles of Organization must be executed by the organizers.

No person may execute this report knowing it is false in any material respect. Any violation may be subject to a criminal penalty (SDCL 22-39-36).

Quentin Riggins Quentin Riggins 12/01/2020 PRINTED NAME SIGNATURE DATED TITLE

State of South Dakota

Office of the Secretary of State

Certificate of Organization

Domestic Limited Liability Company

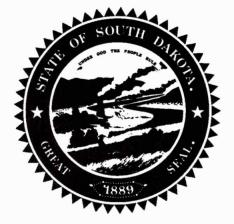
I, Steve Barnett, Secretary of State of the State of South Dakota, hereby certify that the ARTICLES OF ORGANIZATION for

Cheyenne River Ranch, LLC

BUSINESS ID# DL192007

with an effective date of: December 1, 2020, duly signed and verified, SDCL 47-34A-203, 212 has been received in this office and is found to conform to law.

ACCORDINGLY, and by virtue of the authority vested in me by law, I hereby issue this Certificate of Organization and attach hereto a duplicate of the ARTICLES OF ORGANIZATION.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of South Dakota, in Pierre, the Capital City, this day, December 1, 2020.

Steve Barnett

12/01/2020 12:16 PM

Steve Barnett Secretary of State



GUNDERSON | PALMER | NELSON | ASHMORE LLP

RECEIVED

NOV 15 2021

WATER RIGHTS PROGRAM 506 Sixth Street Post Office Box 8045 Rapid City, South Dakota 57709 Main: (605) 342-1078

www.gpna.com

Fax: (605) 342-9503

Quentin L. Riggins Email: qriggins@gpna.com Direct Dial: (605) 719-3436

November 10, 2021

Genny McMath Department of Agriculture & Natural Resources Joe Foss Building 523 E. Capitol Ave. Pierre, SD 57501

Re: Formation of Cheyenne River Ranch, LLC

GPNA File No. 15116.0009

Dear Ms. McMath:

Please find enclosed three completed Notice of Transfer of Ownership forms and two irrigation questionnaires along with our check in the amount of \$150.00 for your filing fees. Please feel free to contact me with any questions or concerns you may have regarding the above forms. Thank you.

Sincerely,

Quentin L. Riggins

Querthe of Jugar

QLR:mck Encl.

cc: Adam Hendry Tessa Frank

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date November 15, 2021 RECEIVED OF Gunderson Palmer Nelson & Ashmore LLP PO Box 8045 Rapid City SD 57709 The following amount in fees for services rendered as provided for by law: Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use 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 387-2 \$50.00 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 trie Gronlund
Chief Engineer

PAID NOV 15 2021 Ck# 99922

NOTICE OF TRANSFER OF OWNERSHIP

| To: | Chief Engineer Water Rights Program, DANR | RECEIVED | No. | 387-2 | |
|--------------------------------|---|--|----------------|-------------------------|------|
| | 523 E. Capitol Pierre, SD 57501-3181 | NOV 1 5 2021 | Date: | | |
| | 1 lefte, 3D 37301-3161 | WATER RIGHTS PROGRAM | | | |
| I/We | request that Water Right No. | 387-2 | | | |
| forme | rly owned by: Dallas Schott | | | | |
| Sha Que | nsferred to: (name & address) Lom on the Range Truentin L. Riggins, 185 the following described land(s)/proper | trustee Te | | ugh 0. 605-342-1 | 1078 |
| 269.2 | acres in portions of the S ½ and Lor ortions of the S ½ and Lots 8, 9 & 1 | ts 9, 10, 11 & 12, Section 1; 1 | | | |
| I/We un transfer Board h | derstand that the validity of Water Rig action. If I/We have any questions of as the authority to determine if a wate requested to file this "Notice of Transe of the change of ownership. | ght No. 387-2 hon validity, I/We understand r permit/right is valid (see not | that only te). | | |
| | Fifty Dollars (\$50.00) is required to ust be signed by the new owner. | o cover the filing fees as req | uired und | er SDCL 46-2-13. This | |
| I/We (| | ne new owner, certify that the rect. | he above | information is true and | |

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:

(Signed by new owner)

- 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

November 15, 2021

387-2 666-2 2452-2

Quentin L Riggins Gunderson Palmer Law Firm PO Box 8045 Rapid City SD 57709

RE: Cheyenne River Ranch LLC

Dear Mr. Riggins:

Thank you for sending in the irrigation questionnaires, transfer forms and filing fees for Water Right Nos. 387-2, 666-2 and 2452-2.

The ownership changes have been completed. The above listed water rights formerly held by Dallas Schott are now listed as follows:

 Cheyenne River Ranch LLC by Shalom on the Range Trust, its member through Quentin L Riggins, its Trustee, PO Box 8045, Rapid City SD 57709

Receipts for the filing fees that were paid are enclosed. If you have any questions, please give me a call.

Sincerely,

Genny McMath

Water Rights Program

605 773-3352

Genny.mcmath@state.sd.us

enclosures