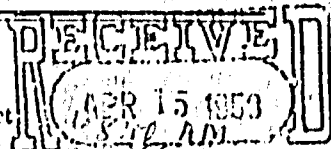


No. 481-2Water Division No. 2

(Blanks to be filled by the Engineer for the W. R. C.)

District White River

VESTED RIGHT

STATE WATER RESOURCES COMM.

PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE—Draw a _____ through items not applicable.)

1 Name of applicant L. O. and/or Joel Rickenbach
 Postoffice address Delrichs, County Fall River, State South Dak.

I. If a corporation _____

- (a) Name of same _____
 (b) Date and place of incorporation _____
 (c) Amount of capital stock _____
 (d) Amount paid in _____
 (e) Names and addresses of directors _____

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

completed

- (b) Cash on hand, \$ _____ (c) Treasury stock, \$ _____

not applicable

- (d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work Rickenbach Spreader System
 3. Amount of water claimed 1.06 cubic feet per second Or 833 acre-feet annually
 4. Source of water supply Middle Branch and School House Branch of Blacktail Creek (dry draws)
 5. Location of point of diversion see attachment
 _____ on both banks Fall River County.
 6. Annual period or periods during which water is to be used April to October inclusive
 7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?
- Spreader

- (a) Number of acres to be irrigated
- 285
- acres.

- (b) Legal subdivisions to be irrigated
- See attachment

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

- (c) Statement as to domestic use (giving location, etc.)
- stockwatering

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

- (a) Nature of use _____
-
- _____ Name any of the above uses claimed

- (b) Amount of power to be generated _____ horse power.

- (c) Amount claimed for engine cooling _____

- (d) Location of plant _____

- (e) Method of developing power _____

- (f) Point where water will be returned to stream _____

3. Estimated cost of work: and CMP

(a) Head Gates/\$. 1825

and leveling (b) Pumping plant, \$

(c) Fluming \$

(d) Canal-earth, \$ 4250

Rock, \$

(e) ~~Canal-earth~~ Dams

\$ 4250

Total, \$ 10,325

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

13 dams or dikes

II. Dimensions of works:

(a) Dam: Height feet; length at bottom feet; length at top

feet; thickness at bottom feet; thickness at top

feet; slope at front water face see attachment; slope at back face

material used in construction

(b) Reservoir: Capacity when filled see attachment acre feet. Surface area at highwater mark acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET—ACRES	FEET	ACRE-Feet CAPACITY
	see attachment		

(c) Head gate: Width feet; height feet;

Material

(d) Canal: Total length miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work completed years.

11. Time required for complete application of water to the proposed beneficial use completed years.

12. Choice of newspaper for publication of notice of intention to appropriate

STATE OF SOUTH DAKOTA

County of

Hughes

ss.

I,

L. O. Rickenbach

, 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, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed

L. O. Rickenbach

Subscribed and sworn to before me this

15th

day of

April

1958

Notary Public (or other qualified officer.)

My Commission Expires Feb. 20, 1959

*Each diversion must have a headgate or measuring device.

Remarks by State Water Resources Commission:

Vested Right claimed

The diversion rate limitation of 1 cubic foot per second for each 70 acres irrigated shall not apply to this Dry Draw Irrigation diversion during periods of flood flows, when such flows are in excess of the amount of water required to satisfy domestic use requirements and other water rights.

STATE OF SOUTH DAKOTA

County of

Blughes

ss.

Pierre, South Dakota,

April 15, 1958

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock

9 a.m. upon the 15 day of April, 1958

State Water Resources Commission

By:

John R. Miner

Chief Engineer, Executive Officer

Number of permit

481-2

Date of first receipt of application

April 15

1958

Date of return to applicant for correction, amendments or changes required as follows:

19

Date of receipt of corrected application

19

Date from which applicant may claim right

various 1927 to 1954
see attachment

19

Approved April 23, 1958, Recorded in Book

4

Page 221

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before

Completed, 19

2nd. The whole of said work is to be completed on or before

Completed

19

3d. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

Completed, 19

4th. The water appropriated shall be used for the purpose of

irrigation

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right in the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 406 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must 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 Completed, 19; said water to be used during the following described annual period:

April to October inclusive

Witness my hand this 23 day of April, 1958

State Water Resources Commission

By:

John R. Miner

Chief Engineer, Executive Officer

Certificate of Construction Issued

April 23, 1958

Water License Issued

April 23, 1958

DATE FROM WHICH APPLICANT MAY CLAIM RIGHT

0.01 c.f.s. from 1937

0.73 c.f.s. from 1942

0.12 c.f.s. from 1943

0.79 c.f.s. from 1946

0.24 c.f.s. from 1948

0.23 c.f.s. from 1949

0.45 c.f.s. from 1952

0.43 c.f.s. from 1953

1.06 c.f.s. from 1954

LOCATION OF DIVERSION POINTS

<u>Dam Number</u>	<u>Location</u>
#1	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, T 9S, R 8E
#10	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, T 9S, R 8E
#13	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. " " "
#11 & 12	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1, T 10S, R 8E
#2	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. " " "
#9	SW $\frac{1}{4}$ NE $\frac{1}{4}$ " " "
#3	SE $\frac{1}{4}$ NE $\frac{1}{4}$ " " "
#4	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10, T 10S, R 8E
# 5 & 6	NW $\frac{1}{4}$ SE $\frac{1}{4}$ " " "
#7	NE $\frac{1}{4}$ SE $\frac{1}{4}$ " " "
	or near center of the SE $\frac{1}{4}$ "
#8	SE $\frac{1}{4}$ SE $\frac{1}{4}$ " " "

Location and Acreage of Lands Irrigated

<u>Location</u>	<u>Number of Acres</u>
NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, T 9S, R 8E	0.5
NE $\frac{1}{4}$ SE $\frac{1}{4}$ " " "	2.
SE $\frac{1}{4}$ SE $\frac{1}{4}$ " " "	11.
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 36, T 9S, R 8E	6.
SE $\frac{1}{4}$ SW $\frac{1}{4}$ " " "	11.
Lots 3 & 4 and S $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 1, T 10S, R 8E	87.
Lots 1 & 2 and S $\frac{1}{2}$ NE $\frac{1}{4}$ " " "	79.
N $\frac{1}{2}$ SE $\frac{1}{4}$ " " "	13.
S $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 10, T 10S, R 8E	26.
SW $\frac{1}{4}$ NE $\frac{1}{4}$ " " "	0.5
NW $\frac{1}{4}$ SW $\frac{1}{4}$ " " "	1.
NE $\frac{1}{4}$ SW $\frac{1}{4}$ " " "	3.
SE $\frac{1}{4}$ " " "	45
TOTAL	<u>235 acres</u>

DESCRIPTION OF DAMS

<u>Dam Number</u>	<u>Description</u>
#1	Surface area 4 acres Max. water depth 8 feet Storage 12.8 acre feet Top length 330 feet Bottom length 270 feet Height 12 feet Top width 10 feet 2:1 & 3:1 ss Date constructed- 1952
#2	Surface area 20 acres Max water depth 7 feet Storage 56 acre feet Top length 840 feet Bottom length 450 feet Height 11 feet Top width 9 feet 2:1 & 3:1 ss Date Constructed-1946
#3	Surface area 25 acres Max. water depth 8 feet Storage 80 acre feet Top length 770 feet Bottom length 540 feet Height 12 feet Top width 10 feet 2:1 & 3:1 ss Date Constructed-1954
#4	Surface area 20 acres Max. water depth 7 feet Storage 56 acre feet Top length 470 feet Bottom length 430 feet Height 12 feet Top width 10 feet 2:1 & 3:1 ss Date constructed-1942
#5	Surface area 9 acres Max. water depth 6 feet Storage 21.6 acre feet Top length 420 feet Bottom length 230 feet Height 10 feet Top width 10 feet 2:1 & 3:1 ss Date Constructed-1952

Dam NumberDescription

#6

Surface area 4 acres
Max. water depth 6 feet
Storage 9.6 acre feet
Top length 270 feet
Bottom length 70 feet
Height 10 feet
Top width 10 feet
2:1 & 3:1 ss
Date constructed-1953

#7

Surface area 4 acres
Max. water depth 8 feet
Storage 12.8 acre feet
Top length 200 feet
Bottom length 100 feet
Height 12 feet
Top width 10 feet
2:1 & 3:1 ss
Date Constructed-1953

#8

Surface area 4 acres
Max. water depth 6 feet
Storage 9.6 acre feet
Top length 200 feet
Bottom length 90 feet
Height 12 feet
Top width 10 feet
2:1 & 3:1 ss
Date constructed-1953

#9

Surface area 8 acres
Max. water depth 6 feet
Storage 19.2 acre feet
Top length 370 feet
Bottom length 210 feet
Height 12 feet
Top width 10 feet
2:1 & 3:1 ss
Date constructed-1948

#10

Surface area 4 acres
Max. water depth 4 feet
Storage 6.4 acre feet
Top length 100 feet
Bottom length 30 feet
Height 8 feet
Top width 30 feet
2:1 & 2:1 ss
Date constructed-1943

Dam NumberDescription

#11

Surface area 1.5 acres
Max. water depth 6 feet
Storage 3.6 acre feet
Top length 200 feet
Bottom length 110 feet
Height 10 feet
Top width 18 feet
2:1 & 2:1 ss
Date constructed-1946

#12

Surface area 0.5 acres
Max. water depth 4 feet
Storage 0.8 acre feet
Top length 40 feet
Bottom length 12 feet
Height 8 feet
Top width 12 feet
2:1 & 3:1 ss
Date Constructed-1937

#13

Surface area 11 acres
Max. water depth 4 feet
Storage 17.6 acre feet
Top length 300 feet
Bottom length 250 feet
Height 5 feet
Top width 6 feet
2:1 & 3:1 ss
Date constructed-1949

STATE OF SOUTH DAKOTA

WATER LICENSE No. 431-2...

WHEREAS, On the 15th day of April A. D. 1958

L. O. and/or Isael Plickerbach

of Oelrichs County of Fall River and State of
South Dakota duly made application (No. 431-2) to us for Vested Right 4.06

cubic feet per second of the waters of Middle Branch and Schoolhouse Branch of Blacktail
Creek (dry draws)
 County of Fall River, State of South Dakota, for Irrigation
 purposes; and

WHEREAS, On the 23rd day of April A. D. 1958
Vested Right
 Permit No. 431-2 was issued to said applicants for the diversion of said water, and recognizing

completion of the works of diversion therein described xxxxxxx see attachment xxxxxx

xxxxxx and xxxxxx application to beneficial use of said
 water xxxxxxx xxxxxx see attachment xxxxxxx
 and,

WHEREAS, On the 15th day of April A. D. 1958
 the holders of said permit duly made proof of the completion of adequate works for the diversion of 4.06
4.06 cubic feet per second of said waters, as evidenced by our Certificate No. 431-2
 dated April 23, 1958 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 4.06 cubic feet per second of water, with date of
 priority of see attachment and,

WHEREAS, On the 15th day of April A. D. 1958
 proof was duly made of the application to beneficial use of 4.06 cubic feet per second of said water;
on 235 acres located in SE $\frac{1}{4}$ Sec. 35, T 9S, R 8E; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 36, T 9S,
R 8E; Lots 1, 2, 3, & 4, S $\frac{1}{2}$ W $\frac{1}{2}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ & N $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, T 10S, R 8E;
and Sec. 10, T 10S, R 8E more specifically described in Certificate
of Completion of Works No. 431-2.

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to L. O. and/or Joel Rickenbach
of Delricha. South Dakota the holderand and ownerof of said permit No. 1E1-2
a water right, dating from see attachment to the use of 4.06
cubic feet per second of the waters of Middle Branch and Schoolhouse Branch of Blacktail
in the County of Fall River Creek (dry draws) and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted at see attachment
and conducted to and upon SE1, Sec. 35, T 9S, R 8E; S1 SW1, Sec. 36 T 9S, R 8E;
Lots 1, 2, 3, 4 S1 SW1, S1 NE1 & N1 SE1, Sec. 1,
T 10S, R 8E; and Sec. 10, T 10S, R 8E more specifically described in
Certificate of Completion of Works No. 431-2.
for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 23rd day of April A. D. Nineteen
Hundred and fifty-eight

State Water Resources Commission
By:
J. W. GRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

DATE FROM WHICH APPLICANT MAY CLAIM RIGHT

0.01 c.f.s. from 1937
 0.73 c.f.s. from 1942
 0.12 c.f.s. from 1943
 0.79 c.f.s. from 1946
 0.24 c.f.s. from 1948
 0.23 c.f.s. from 1949
 0.45 c.f.s. from 1952
 0.43 c.f.s. from 1953
 1.06 c.f.s. from 1954

DAH NO.

LOCATION

#1	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, T 9S, R 8E
#10	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, T 9S, R 8E
#13	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, T 9S, R 8E
#11 & 12	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1, T 10S, R 8E
#2	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1, T 10S, R 8E
#9	SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1, T 10S, R 8E
#3	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1, T 10S, R 8E
#4	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10, T 10S, R 8E
# 5 & 6	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10, T 10S, R 8E
#7	NE $\frac{1}{4}$ SE $\frac{1}{4}$ or near the center of the SE $\frac{1}{4}$ Sec. 10, T 10S, R 8E
#8	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10, T 10S, R 8E

Permit No. 431-2

White
Water Division No. 2 River Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That E. O. and/or Joel Richmanbach

of DeRiense, County of Pall River, and State of South Dakota, to holders Vested Right of Permit No. 431-2 issued upon Application No. 431-2, bearing date of priority of see attachment, authorizing the diversion of 4.06 cu. ft. per second of the waters of Middle Branch and Schoolhouse Branch of Blacktail Creek (dry Draws) County of Pall River, State of South Dakota, at

see attachmentfor irrigation purposes

purposes, have fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 4.06 cu. ft. per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,

to-wit: <u>NW 1/4 SE 1/4</u>	<u>0.5 acres</u>
<u>NE 1/4 SE 1/4</u> all in Sec. 35, T-9S, R-8E	<u>2. acres</u>
<u>SE 1/4 SE 1/4</u>	<u>11. acres</u>
<u>SW 1/4 SW 1/4</u> all in Sec 36, T-9S, R-8E	<u>6. acres</u>
<u>SE 1/4 SW 1/4</u>	<u>11. acres</u>
<u>LOTS 3 & 4 AND S 1/2 NW 1/4</u>	<u>87. acres</u>
<u>LOTS 1 & 2 AND S 1/2 NE 1/4</u> all in Sec. 1, T-10S, R-8E	<u>79. acres</u>
<u>N 1/4 SE 1/4</u>	<u>13. acres</u>
<u>S 1/2 NW 1/4</u> all in Sec 20, T-10S, R-8E	<u>26. acres</u>
<u>SW 1/4 NE 1/4</u>	<u>0.5 acres</u>
<u>NW 1/4 SW 1/4</u>	<u>1. acres</u>
<u>NE 1/4 SW 1/4</u>	<u>3. acres</u>
<u>SE 1/4</u>	<u>45. acres</u>
Total	285. acres

Witness my hand this 23rd day of April A. D. 1958.

State Water Resources Commission

By

Chief Engineer, Executive Officer

J.W. ORINES,

DATE FROM WHICH APPLICANT MAY CLAIM RIGHT

0.01 c.f.s. from 1937
 0.73 c.f.s. from 1942
 0.12 c.f.s. from 1943
 0.79 c.f.s. from 1946
 0.24 c.f.s. from 1948
 0.23 c.f.s. from 1949
 0.45 c.f.s. from 1952
 0.43 c.f.s. from 1953
 1.06 c.f.s. from 1954

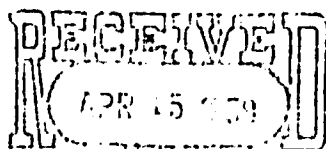
DAM NO.

LOCATION

#1	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, T 9S, R 8E
#10	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, T 9S, R 8E
#13	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, T 9S, R 8E
#11 & 12	NW $\frac{1}{4}$ N $\frac{1}{2}$ Sec. 1, T 10S, R 8E
#2	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1, T 10S, R 8E
#9	SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1, T 10S, R 8E
#3	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1, T 10S, R 8E
#4	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10, T 10S, R 8E
#5 & 6	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10, T 10S, R 8E
#7	NE $\frac{1}{4}$ SE $\frac{1}{4}$ or near the center of the SE $\frac{1}{4}$ Sec. 10, T 10S, R 8E
#8	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10, T 10S, R 8E

Location No. 481-2Water Division No. 2White
River

Water District

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. L. O. Rickenbach, Oelrichs, South Dakota (owner)

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. #1-May 27, 1952; #2-Oct. 17, 1949 (enlargement) #13-Oct 17, 1949;
#5-May 27, 1952

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Middle Branch and School house Branch of Blacktail Creek (dry draw)

See attachment for locations

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water the are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. See attachment for dams. In addition about 1-3/4 miles of
spreader ditches and about 200 acres of land leveling.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. Irrigation or spreading on 285 acres. See attachment for
descriptions.

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. _____

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 285 acre feet per season

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

Ques. 10. State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Ans. During the average year the entire flows of the draw are used.

At times the flows have exceed 4-5 feet per second. There have been times during Spring thaws and rains when water has run 4 ft. deep and 30 feet wide. For dates and acreages see attachment.

(Sign) L. P. Richebuck

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in PIERRE, County of Hughes

State of South Dakota, on this 15th day of April A. D. 1958

Alvin A. [Signature]
Witnesses. My Commission Expires Feb 29, 1959

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

Location No. _____

**PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE**

PETITION OF HOLDER

Amount of Water _____ c. f. s.

Source _____

County _____

Purpose _____

Place of Use _____

Date of recording _____

Received and filed _____

LOCATION OF DIVERSION POINTS

<u>Dam Number</u>	<u>Location</u>
#1	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, T 9S, R 8E
#10	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, T 9S, R 8E
#13	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. " " "
#11 & 12	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1, T 10N, R 8E
#2	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. " " "
#9	SW $\frac{1}{4}$ NE $\frac{1}{4}$ " " "
#3	SE $\frac{1}{4}$ NE $\frac{1}{4}$ " " "
#4	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10, T 10N, R 8E
#5 & 6	NW $\frac{1}{4}$ SE $\frac{1}{4}$ " " "
#7	NE $\frac{1}{4}$ SE $\frac{1}{4}$ " " "
#8	or near center of the SE $\frac{1}{4}$ " "
	SE $\frac{1}{4}$ SE $\frac{1}{4}$ " " "

Location and Acreage of Lands Irrigated

<u>Location</u>	<u>Number of Acres</u>
NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, T 9S, R 8E	0.5
NE $\frac{1}{4}$ SE $\frac{1}{4}$ " " "	2.
SE $\frac{1}{4}$ SE $\frac{1}{4}$ " " "	11.
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 36, T 9S, R 8E	6.
SE $\frac{1}{4}$ SW $\frac{1}{4}$ " " "	11.
Lots 3 & 4 and S $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 1, T 10S, R 8E	87.
Lots 1 & 2 and S $\frac{1}{2}$ NE $\frac{1}{4}$ " " "	79.
N $\frac{1}{2}$ SE $\frac{1}{4}$ " " "	13.
S $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 10, T 10S, R 8E	26.
SW $\frac{1}{4}$ NE $\frac{1}{4}$ " " "	0.5
NW $\frac{1}{4}$ SW $\frac{1}{4}$ " " "	1.
NE $\frac{1}{4}$ SW $\frac{1}{4}$ " " "	3.
SE $\frac{1}{4}$ " " "	45
TOTAL	285 acres

DESCRIPTION OF DAMS

Dam Number

Description

#1

Surface area 4 acres
 Max. water depth 8 feet
 Storage 12.8 acre feet
 Top length 330 feet
 Bottom length 270 feet
 Height 12 feet
 Top width 10 feet
 2:1 & 3:1 ss
 Date constructed - 1952

#2

Surface area 20 acres
 Max water depth 7 feet
 Storage 56 acre feet
 Top length 840 feet
 Bottom length 450 feet
 Height 11 feet
 Top width 9 feet
 2:1 & 3:1 ss
 Date Constructed - 1946

#3

Surface area 25 acres
 Max. water depth 8 feet
 Storage 80 acre feet
 Top length 770 feet
 Bottom length 540 feet
 Height 12 feet
 Top width 10 feet
 2:1 & 3:1 ss
 Date Constructed - 1954

#4

Surface area 20 acres
 Max. water depth 7 feet
 Storage 56 acre feet
 Top length 470 feet
 Bottom length 430 feet
 Height 12 feet
 Top width 10 feet
 2:1 & 3:1 ss
 Date constructed - 1942

#5

Surface area 9 acres
 Max. water depth 6 feet
 Storage 21.6 acre feet
 Top length 420 feet
 Bottom length 230 feet
 Height 10 feet
 Top width 10 feet
 2:1 & 3:1 ss
 Date Constructed - 1952

Dam NumberDescription

#6

Surface area 4 acres
Max. water depth 6 feet
Storage 9.6 acre feet
Top length 270 feet
Bottom length 70 feet
Height 10 feet
Top width 10 feet
2:1 & 3:1 ss
Date constructed-1953

#7

Surface area 4 acres
Max. water depth 8 feet
Storage 12.8 acre feet
Top length 200 feet
Bottom length 100 feet
Height 12 feet
Top width 10 feet
2:1 & 3:1 ss
Date Constructed-1953

#8

Surface area 4 acres
Max. water depth 6 feet
Storage 9.6 acre feet
Top length 200 feet
Bottom length 90 feet
Height 12 feet
Top width 10 feet
2:1 & 3:1 ss
Date constructed-1953

#9

Surface area 8 acres
Max. water depth 6 feet
Storage 19.2 acre feet
Top length 370 feet
Bottom length 210 feet
Height 12 feet
Top width 10 feet
2:1 & 3:1 ss
Date constructed-1948

#10

Surface area 4 acres
Max. water depth 4 feet
Storage 6.4 acre feet
Top length 100 feet
Bottom length 30 feet
Height 8 feet
Top width 30 feet
2:1 & 2:1 ss
Date constructed-1943

Dam Number

Description

#11

Surface area 1.5 acres
Max. water depth 6 feet
Storage 3.6 acre feet
Top length 200 feet
Bottom length 110 feet
Height 10 feet
Top width 18 feet
2:1 & 2:1 ss
Date constructed-1946

#12

Surface area 0.5 acres
Max. water depth 4 feet
Storage 0.8 acre feet
Top length 40 feet
Bottom length 12 feet
Height 8 feet
Top width 12 feet
2:1 & 3:1 ss
Date Constructed-1937

#13

Surface area 11 acres
Max. water depth 4 feet
Storage 17.6 acre feet
Top length 300 feet
Bottom length 250 feet
Height 5 feet
Top width 6 feet
2:1 & 3:1 ss
Date constructed-1949

Water Rights Division - DWNR

File No. 481-2

Conversation or File Documentation

NAME OF PERSON OR FILE: Joel RickenbachADDRESS: Delrichs, S.D. COUNTY Fall RiverDATE: Feb. 7, 1985 TELEPHONE _____RE: Location Notices 830-2, 831-2, 832-2, 5935-2 & 5934-2

COMMENTS:

The above listed location notices were found on
microfilm. The diversion points described in the notices
are also described in Vested Right 481-2. The notices
should be included in the file for VR 481-2.

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.

4/82

NAME:

Delwin H. Booz, P.E.
Hydrologist

LOCATION NOTICE

Fall River

County

1949

Program Year

837-2

Dry Draw Number

47-024- 5C-256

ACP Farm Serial No.

KNOW ALL MEN BY THESE PRESENTS:

That Jeol Rickenbach

Whose post office is Oelrichs, South Dakota, a citizen of the United State, above the age of 21 years, being in possession of the land covered by the above ACP farm serial number, of which the land upon which the works described below are to be constructed is a part, in Fall River County, South Dakota, availing him self of the right granted him under the provisions of Section 61.0133 South Dakota Code of 1939, has located and claims the right to construct a certain dam across a dry draw situated in the SE 1/4 of the SW 1/4 of Section 36 Township 9 Range 8, and has located and claims the right to construct ditches and flumes for the purpose of directing flood waters from said dam for irrigation of the land first above described and for Live Stock Purposes, and claims the right of way across any land for the purpose of conveying water for said purposes.

Said locator claims for the above purpose _____ acre feet of water annually.

The location of the point of diversion of che reservoir is as follows:

From the SE SE SW corner of Sec. 36-9-8, 20 rods North and 10 rods West to the point of diversion.

The ditch es will run in a Southeastern direction to and on said land for distance of 1593.0 feet.

Said location was made on the 29th day of August 19 49.
Witness my hand and seal this 14th day of October 19 49.

s/Joel Rickenbach
Locator

Herewith is enclosed one dollar for filing in the State Engineer's Office as required under Section 55.1806 of the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA,)
) SS.
County of Fall River)

On the 14th day of October, 19 49, before me Clara M. Clay, a Notary Public in and for the County and State aforesaid, personally appeared Joel Rickenbach to me personally known to be the person who executed the foregoing instrument and acknowledged that he executed the same for the use and purposes therein set forth.

Witness my hand and official seal the day and date above written.

s/Clara M. Clay
Notary Public

My commission expires 8-19-53.

I hereby certify that the above is a full, true and correct copy of a Location Notice filed in this office. Original Microfilm copy on Roll 1.

John Hatch 2-15-85
JOHN HATCH, Chief Engineer (date)

LOCATION NOTICE

Fall River

County

1949

Program Year

831-2

Dry Draw Number

47-024- 5C-256

ACP Farm Serial No.

KNOW ALL MEN BY THESE PRESENTS:

That Joel Rickenbach

Whose post office is Oelrichs, South Dakota, a citizen of the United State, above the age of 21 years, being in possession of the land covered by the above ACP farm serial number, of which the land upon which the works described below are to be constructed is a part, in Fall River County, South Dakota, availing him self of the right granted him under the provisions of Section 61.0133 South Dakota Code of 1939, has located and claims the right to construct a certain dam across a dry draw situated in the NW 1/4 of the SE 1/4 of Section 1 Township 10 Range 8, and has located and claims the right to construct ditches and flumes for the purpose of directing flood waters from said dam for irrigation of the land first above described and for Live Stock Purposes, and claims the right of way across any land for the purpose of conveying water for said purposes.

Said locator claims for the above purpose _____ acre feet of water annually.

The location of the point of diversion of the reservoir is as follows:

From the NE NW SE corner of Sec. 1-10-8, 50 ft. South and 20 feet West to the point of diversion.

The ditch _____ will run in a _____ direction to and on said land for distance of _____ feet.

Said location was made on the 15th day of August 19 49.

Witness my hand and seal this 14th day of October 19 49.

s/Joel Rickenbach

Locator

Herewith is enclosed one dollar for filing in the State Engineer's Office as required under Section 55.1806 of the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA,)
) SS.
County of Fall River)

On the 4th day of October, 19 49, before me Clara M. Clay, a Notary Public in and for the County and State aforesaid, personally appeared Joel Rickenbach to me personally known to be the person who executed the foregoing instrument and acknowledged that he executed the same for the use and purposes therein set forth.

Witness my hand and official seal the day and date above written.

s/Clara M. Clay

Notary Public

My commission expires 8-19-53.

I hereby certify that the above is a full, true and correct copy of a Location Notice filed in this office. Original Microfilm copy on Roll # 1.

John Hatch 2-15-85
JOHN HATCH, Chief Engineer (date)

LOCATION NOTICE

Fall RiverCounty1949Program Year832-2Dry Draw Number47-024- 5C-256ACP Farm Serial No.

KNOW ALL MEN BY THESE PRESENTS:

That Joel Rickenbach
 Whose post office is Oelrichs, South Dakota, a citizen of the United State, above the age of 21 years, being in possession of the land covered by the above ACP farm serial number, of which the land upon which the works described below are to be constructed is a part, in Fall River County, South Dakota, availing him self of the right granted him under the provisions of Section 61.0133 South Dakota Code of 1939, has located and claims the right to construct a certain dam across a dry draw situated in the NW 1/4 of the NE 1/4 of Section 1 Township 10 Range 8, and has located and claims the right to construct ditches and flumes for the purpose of directing flood waters from said dam for irrigation of the land first above described and for Live Stock Purposes, and claims the right of way across any land for the purpose of conveying water for said purposes.

Said locator claims for the above purpose _____ acre feet of water annually.

The location of the point of diversion of the reservoir is as follows:

From the SW NW NE corner of Sec. 1-10-8, 4 rods East and 2 Rods North to the point of diversion.

The ditch _____ will run in a _____ direction to and on said land for distance of _____ feet.

Said location was made on the 22nd day of August 19 49.
 Witness my hand and seal this 14th day of October 19 49.

s/Joel Rickenbach
 Locator

Herewith is enclosed one dollar for filing in the State Engineer's Office as required under Section 55.1806 of the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA,)
) SS.
 County of Fall River)

On the 14th day of October, 1949, before me Clara M. Clay, a Notary Public in and for the County and State aforesaid, personally appeared Joel Rickenbach to me personally known to be the person who executed the foregoing instrument and acknowledged that he executed the same for the use and purposes therein set forth.

Witness my hand and official seal the day and date above written.

s/Clara M. Clay
 Notary Public

My commission expires 8-19-53.

I hereby certify that the above is a full, true and correct copy of a Location Notice filed in this office. Original Microfilm copy on Roll # 1.

John Hatch 2-15-85
 CHIEF ENGINEER (date)

LOCATION NOTICE

Fall River

County

1952

Program Year

5935-2

Dry Draw Number

47-024 51-114

ACP Farm Serial No.

KNOW ALL MEN BY THESE PRESENTS:

That L.O. Rickenbach

Whose post office is Oelrichs, South Dakota, a citizen of the United State, above the age of 21 years, being in possession of the land covered by the above ACP farm serial number, of which the land upon which the works described below are to be constructed is a part, in Fall River County, South Dakota, availing him self of the right granted him under the provisions of Section 61.0133 South Dakota Code of 1939, has located and claims the right to construct a certain dam across a dry draw situated in the NW 1/4 of the SE 1/4 of Section 10 Township 10 Range 8, and has located and claims the right to construct ditches and flumes for the purpose of directing flood waters from said dam for irrigation of the land first above described and for Live Stock Purposes, and claims the right of way across any land for the purpose of conveying water for said purposes.

Estimated surface of storage basin 6.0 acres.

Said locator claims for the above purpose 11.2 acre feet of water annually. Estimated drainage area 1000 acres.

The location of the point of diversion of the reservoir is as follows:

From the

From SE Corner Sec 10-10-8, 110 rods North 140 rods West

The ditch will run in a southeast direction to and on said land for distance of 500 feet.

Said location was made on the 22nd day of April 19 52.

Witness my hand and seal this 13th day of May 19 52.

s/L.O. Rickenbach

Locator

Herewith is enclosed onedollar for filing in the State Engineer's Office as required under Section 55.1806 of the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA,)

Fall River) SS.

County of)

On the 13th day of May, 19 52, before me Clara M. Clay, a Notary Public in and for the County and State aforesaid, personally appeared L.O. Rickenbach to me personally known to be the person who executed the foregoing instrument and acknowledged that he executed the same for the use and purposes therein set forth.

Witness my hand and official seal the day and date above written.

s/Clara M. Clay

Notary Public

My commission expires 8-19-53.

I hereby certify that the above is a full, true and correct copy of a Location Notice filed in this office. Original Microfilm copy on Roll # 3.

John Hatch 2-15-85
JOHN HATCH, Chief Engineer (date)

LOCATION NOTICE

Fall River

County

1952

Program Year

5934-2

Dry Draw Number

47-024 (illegible)

ACP Farm Serial No.

KNOW ALL MEN BY THESE PRESENTS:

That Jool Rickenbach

Whose post office is Oelrichs, South Dakota, a citizen of the United State, above the age of 21 years, being in possession of the land covered by the above ACP farm serial number, of which the land upon which the works described below are to be constructed is a part, in Fall River County, South Dakota, availing him self of the right granted him under the provisions of Section 61.0133 South Dakota Code of 1939, has located and claims the right to construct a certain dam across a dry draw situated in the SE 1/4 of the SE 1/4 of Section 35 Township 9 Range 8, and has located and claims the right to construct ditches and flumes for the purpose of directing flood waters from said dam for irrigation of the land first above described and for Live Stock Purposes, and claims the right of way across any land for the purpose of conveying water for said purposes.

Estimated surface area of storage basin 3.1 acres

Estimated surface area of storage basin 3.1 acres
Said locator claims for the above purpose 9.4 acre feet of water
annually. Estimated drainage area 3200 acres.

The location of the point of diversion of the reservoir is as follows:

From the

South East corner of Sec. 35-9-8; 75 rods North & 29 rods East

The ditch _____ will run in a _____ direction to and on said land for distance of _____ feet.

Said location was made on the 22nd day of April 1952.
Witness my hand and seal this 13th day of May 1952.

Said location was made on the 2nd day of May 1952.
Witness my hand and seal this 13th day of May 1952.

s/Joel Rickenbach

Locator

Herewith is enclosed one dollar for filing in the State Engineer's Office as required under Section 55.1806 of the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA,)
County of Fall River) SS.

On the 13th day of May, 1952, before me Clara M. Clay, a Notary Public in and for the County and State of California, personally appeared Joel Rickenbach to me personally known to be the person who executed the foregoing instrument and acknowledged that he executed the same for the use and purposes therein set forth.

Witness my hand and official seal the day and date above written.

s/Clara M. Clay

Notary Public

My commission expires 8-23-53.

I hereby certify that the above is a full, true and correct copy of a Location Notice filed in this office. Original Microfilm copy on Roll # 3.

John Hatch 2-15-85
JOHN HATCH, Chief Engineer (date)

 **Department of
Water & Natural Resources**

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

September 21, 1988

NOTICE

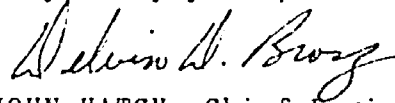
L.O. & Joel Richenbach
Box 97
Oelrichs SD 57763

Dear Sirs:

I am writing to notify you that pursuant to the Notice of Intent to Validate Vested Water Right Claims dated June 20, 1988 that I intend to oppose validation of your water right claim No(s). 481-2 until a field inspection has been completed. The claim has either never been inspected or an inspection was conducted so long ago that a new inspection is needed. An inspection is needed to determine the current state of your vested water right claim.

A staff member from the Division of Water Rights will be contacting you and scheduling an inspection of your water project. If we can answer any questions, please contact us.

Very truly yours,


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



**SOUTH Dakota Department of
Water & Natural Resources**

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

December 1, 1988

Vested Water Right
Claim No. 481-2

L.O. & Joel Richenbach
Box 97
Oelrichs SD 57763

Dear Sirs:

Enclosed is a copy of a letter received from the U.S. Department of Interior, Bureau of Reclamation. The Bureau of Reclamation is opposing those vested water right claims in Pennington, Perkins, Butte and Fall River counties which have never been investigated by the Division of Water Rights. Earlier, you received a letter stating that I was opposing your claim until an investigation can be completed.

After the investigation has been completed, you and the Bureau of Reclamation will be notified as to the date, place and time of the hearing on your vested water right claim. At that time all parties of record will have an opportunity to testify on the validation.

If we can answer any questions, please contact us.

Very truly yours,



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

cc: Bruce Laymon, Bureau of Reclamation



Conversation or File Documentation

NAME OF PERSON OR FILE: L.O. & Joel RickenbachADDRESS: Box 97, Delrichs, SD 57763 COUNTY Fall RiverDATE: July 6, 1989 TELEPHONE _____RE: Validation of Vested Right Claim No. 481-2

COMMENTS:

I discussed and inspected this claim with Joel Rickenbach on June 30, 1989. The systems were constructed and operate as filed on the claim.

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.

4/82

NAME:

Delois W. Broag, P.E.
Hydrologist



481-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 20, 1992

L.O. and Joel Rickenbach
Box 97
Oelrichs SD 57763

Dear Joel:

The original Notice of Intent to Validate Vested Water Right Claims was published with an error. The lands irrigated in the NE 1/4 SW 1/4 Section 10-T10S-R8E were not included in the notice. Therefore, the notice needs to be readvertised to correct the error. The Readvertisement of the Notice of Intent to Validate Vested Water Right Claims has been sent to the Publisher of the Hot Springs Star printed at Hot Springs SD. For your information, a copy of the notice is enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

The cost of publication of this notice will be paid by the Division of Water Rights. Please contact us if you have any questions.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

Form 8 - Proof of Publication

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Fall River) ss.

I, James R. Shanks

certify that the attached printed Notice was taken
from the Hot Springs Star

A newspaper which during the whole time of publication of
said notice herein after stated, has been and is printed and
published in the Hot Springs Star

City of Hot S
County of Fall River and Sta
that the said notice was published in said
following two dates:

September 1, 19

September 8, 19

(Signature)

Publisher

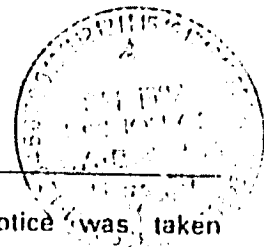
(Title)

September 8,

(Date Signed)

Cost of Printing: \$74.47

5-88



READVERTISEMENT OF NOTICE OF INTENT TO VALIDATE VESTED WATER RIGHT CLAIMS

Notice is given that the following vested water right claims in Fall River County are eligible for validation by the Water Management Board pursuant to SDCL 46-2A-17 without a hearing unless a petition to oppose the validation is filed pursuant to SDCL 46-2A-22. Readvertisement of the original notice of intent to validate these claims, as published on June 7 and 14, 1988 in the Hot Springs Star, is necessary to correct errors in the previously published notice.

Vested Water Right No. 481-2, L.O. and Joel Rickenbach, Box 97, Oelrichs SD 57763 appropriates 4.06 cubic feet of water per second (cfs) from dry draws located in the SE 1/4 SE 1/4 Section 35; S 1/2 SW 1/4 Section 36; all in T9S-R8E: NW 1/4 NW 1/4, NW 1/4 NE 1/4, S 1/2 NE 1/4 Section 1; SW 1/4 NW 1/4, N 1/2 SE 1/4, SE 1/4 SE 1/4 Section 10; all in T10S-R8E. The location of the 285 acres irrigated is the N 1/2 SE 1/4, SE 1/4 SE 1/4 Section 35; S 1/2 SW 1/4 Section 36; all in T9S-R8E: Lots 1, 2, 3 & 4, S 1/2 NW 1/4, S 1/2 NE 1/4, N 1/2 SE 1/4 Section 1; SW 1/4 NW 1/4, NW 1/4 SW 1/4, SE 1/4, S 1/2 NW 1/4, NE 1/4 SW 1/4 Section 10; all in T10S-R8E. The priority dates are as follows: 0.01 cfs - 1/1/1937, 0.73 - 1/1/1942, 0.12 - 1/1/1943, 0.79 - 1/1/1946, 0.24 cfs - 1/1/1948, 0.23 cfs - 1/1/1949, 0.45 cfs - 1/1/1952, 0.43 cfs 1/1/1953, 1.06 cfs - 1/1/1954.

Vested Water Right No. 1872-2, Melvin Schumacher, Box 25, Oelrichs SD 57763, appropriates 0.94 cfs from Duck Creek into a 30 acre-foot storage dam located in the NE 1/4 NW 1/4 Section 2 to irrigate 65.8 acres located in the NE 1/4 NW 1/4, SE 1/4 NW 1/4, S 1/2 NE 1/4, NE 1/4 SE 1/4 Section 2 and the SW 1/4 NW 1/4, NW 1/4 SW 1/4 Section 1; all in T12S-R6E. The priority date is 1/1/1906.

Vested Water Right No. 1873-2, William R. Filtzner, Rt 1, Box 78, Oral SD 57765, appropriates 0.8 cfs from Hay Canyon located in the NE 1/4 NW 1/4, SW 1/4 NW 1/4; SW 1/4 NE 1/4 Section 1 to irrigate 56 acres located in the NW 1/4, W 1/2 NE 1/4 Section 1; all in T8S-R8E. The priority date is 1/1/1909.

Vested Water Right No. 1879-2, Dora R. Henderson, Apt #265, 5141 Indian River

Drive, Las Vegas NV 89103, appropriates 25.3 cfs from Coal Creek located in the NE 1/4 NE 1/4 Section 23-T10S-R2E to irrigate 1,772 acres. The irrigated lands are located in the SW 1/4 Section 14; S 1/2 NW 1/4, SW 1/4 S 1/2 NE 1/4, SE 1/4 Section 15; NW 1/4, SW 1/4, S 1/2 NE 1/4, SE 1/4 Section 16; SW 1/4 NW 1/4, SE 1/4 SW 1/4, SE 1/4 Section 17; NW 1/4, S 1/2 NE 1/4, NE 1/4 SE 1/4 Section 18; NE 1/4 NE 1/4 Section 21; NW 1/4, NE 1/4 SW 1/4, NE 1/4, SE 1/4 Section 22; SW 1/4, NW 1/4 Section 23; NW 1/4 NW 1/4 Section 26; all in T10S-R3E. The priority date is 10/4/1945.

Vested Water Right No. 1716-2, Melvin Porter, Wyo. Rt. 1, Box 17, Edgemont SD 57735 appropriates 0.14 cfs from Moss Agate Creek (storage dam) located in the SW 1/4 SE 1/4 Section 11 to irrigate 10 acres located in the W 1/2 SE 1/4 Section 11; all in T8S-R1E. The priority date is 1/1/1943.

Vested Water Right No. 1813-2, Robert & Mark Tubbs, Box 563, Edgemont SD 57735, appropriates 4.4 cfs from Moss Agate Creek and dry draw, between in the NW 1/4 NW 1/4 Section 1-T8S-R1E to SE 1/4 SW 1/4 Section 6-T8S-R2E to irrigate 308 acres located in the NE 1/4 NW 1/4, NE 1/4, NE 1/4 SE 1/4 Section 1-T8S-R1E and the NW 1/4, SW 1/4 Section 6-T8S-R2E. The priority date is 1/1/1908.

Any person who wishes to oppose validation of any of the readvertised vested right claims shall file a petition of intent to oppose the validation by September 18, 1992 with the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources, Joe Foss Building, 523 East Capitol, Pierre, SD 57501-3181 (605 773-3352) and with the vested water right holder at the listed address. The petition may be informal, but it must include a statement describing the petitioner's interest in the vested water right claim, the reasons for the petitioner's opposition to the claim, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained.

If a petition of intent to oppose the validation of a recognized vested water right claim is filed, the Water Management Board will conduct a hearing on the opposed claim at 10:00 am, September 30, 1992, Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD. The September 30, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by September 18, 1992.

If no person opposes validation of a recognized vested water right claim pursuant to SDCL 46-2A-16, the Water Management Board will issue an order pursuant to SDCL 46-2A-17, validating the vested water right claim.

These validations are made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-16 thru 46-2A-18, 46-2A-22; 46-5-1 thru 46-5-6.1, 46-5-8.2, 46-5-13 thru 46-5-15, 46-5-30.2 thru 46-5-37.1, 46-5-46, 46-5-49; 46-6-1 thru 46-6-3, 46-6-6, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-7-1 thru 46-7-5.3, 46-7-12, 46-7-14, 46-7-15 and Board Rules ARSD 74.02.01.01 thru 74.02.01.05.03 and 74.02.01.20 thru 74.02.01.22.

Contact Eric Gronlund by September 18, 1992, at the above Water Rights Division address to: 1) request copies of information pertaining to a vested right claim or a copy of the vested water right claim list for another county; 2) obtain a summary of South Dakota Water and Water Rights Information; 3) to assure access to the hearing by the handicapped; or 4) obtain an interpreter for the hearing impaired.

Robert E. Roberts, Secretary, Department of Environment and Natural Resources

SOUTH DAKOTA

VESTED WATER RIGHT NO. 481-2 FOR IRRIGATION

Date of Receipt of Claim April 15, 1958.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 481-2 for irrigation purposes for L. O. and Joel Rickenbach, Box 97, Oelrichs SD 57763 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 481-2 appropriates 4.06 cubic feet of water per second (cfs) from dry draws located in the SE 1/4 SE 1/4 Section 35, S 1/2 SW 1/4 Section 36; all in T9S-R8E: NW 1/4 NW 1/4, NW 1/4 NE 1/4, S 1/2 NE 1/4 Section 1; SW 1/4 NW 1/4, N 1/2 SE 1/4, SE 1/4 SE 1/4 Section 10; all in T10S-R8E. The location of the 285 acres irrigated is the N 1/2 SE 1/4, SE 1/4 SE 1/4 Section 35, S 1/2 SW 1/4 Section 36; all in T9S-R8E: Lots 1, 2, 3 & 4, S 1/2 NW 1/4, S 1/2 NE 1/4, N 1/2 SE 1/4 Section 1, SW 1/4 NE 1/4, NW 1/4 SW 1/4, SE 1/4, S 1/2 NW 1/4, NE 1/4 SW 1/4 Section 10; all in T10S-R8E.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. Water is to be used during the following annual period: April 1 - October 31.
3. The priority dates of the Vested Water Right are:

0.01 cfs - January 1, 1937	0.73 cfs - January 1, 1942
0.12 cfs - January 1, 1943	0.79 cfs - January 1, 1946
0.24 cfs - January 1, 1948	0.23 cfs - January 1, 1949
0.45 cfs - January 1, 1952	0.43 cfs - January 1, 1953
1.06 cfs - January 1, 1954	
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: John Hatch

John Hatch, Chief Engineer

OCT 28 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources



OCT 28 1992

481-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

L. O. and Joel Rickenbach
Box 97
Oelrichs SD 57763

Dear Sirs:

The Water Management Board has validated the enclosed Vested Water Right No. 481-2. This validation gives legal status to the claim and is the final document for your vested right.

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

Very truly yours,

A handwritten signature in dark ink, appearing to read 'John Hatch', is written over a faint, larger version of the same signature.

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

enclosure



WTR 4.10
BF-430

WTR 4.10
BF-430

United States Department of the Interior

BUREAU OF RECLAMATION

Great Plains Region
Belle Fourche Projects Office
P.O. Box 226
Newell, South Dakota 57769-0226

AUG 18 1993



Mr. John Hatch, Chief Engineer
Water Rights Division
South Dakota Department of Water and Natural Resources
523 E. Capitol
Pierre SD 57501-3181

Subject: Vested Water Right Claims in Western South Dakota (Your Letter
Dated April 20, 1993) (Water Rights)

Dear Mr. Hatch,

We have reviewed the vested water right claims located in Perkins, Pennington, Fall River, and Butte Counties as listed in your letter dated April 20, 1993. We have also discussed these rights with contract water users. We appreciate the assistance of your staff in providing documentation of inspections and validation proceedings for specific claims as we requested.

We are satisfied with all of the actions taken by the board. Our intent in opposing validation of the water rights was to assure that all of the rights were reviewed prior to validation. That review has been completed by your staff. Thank you for notifying us of the board's actions and extending the opportunity to reconsider the actions if it would have been deemed necessary. We understand that future notification will be made in advance of board actions.

If we can be of further assistance, please contact Craig Kjar or me at (605) 456-2695.

Sincerely,

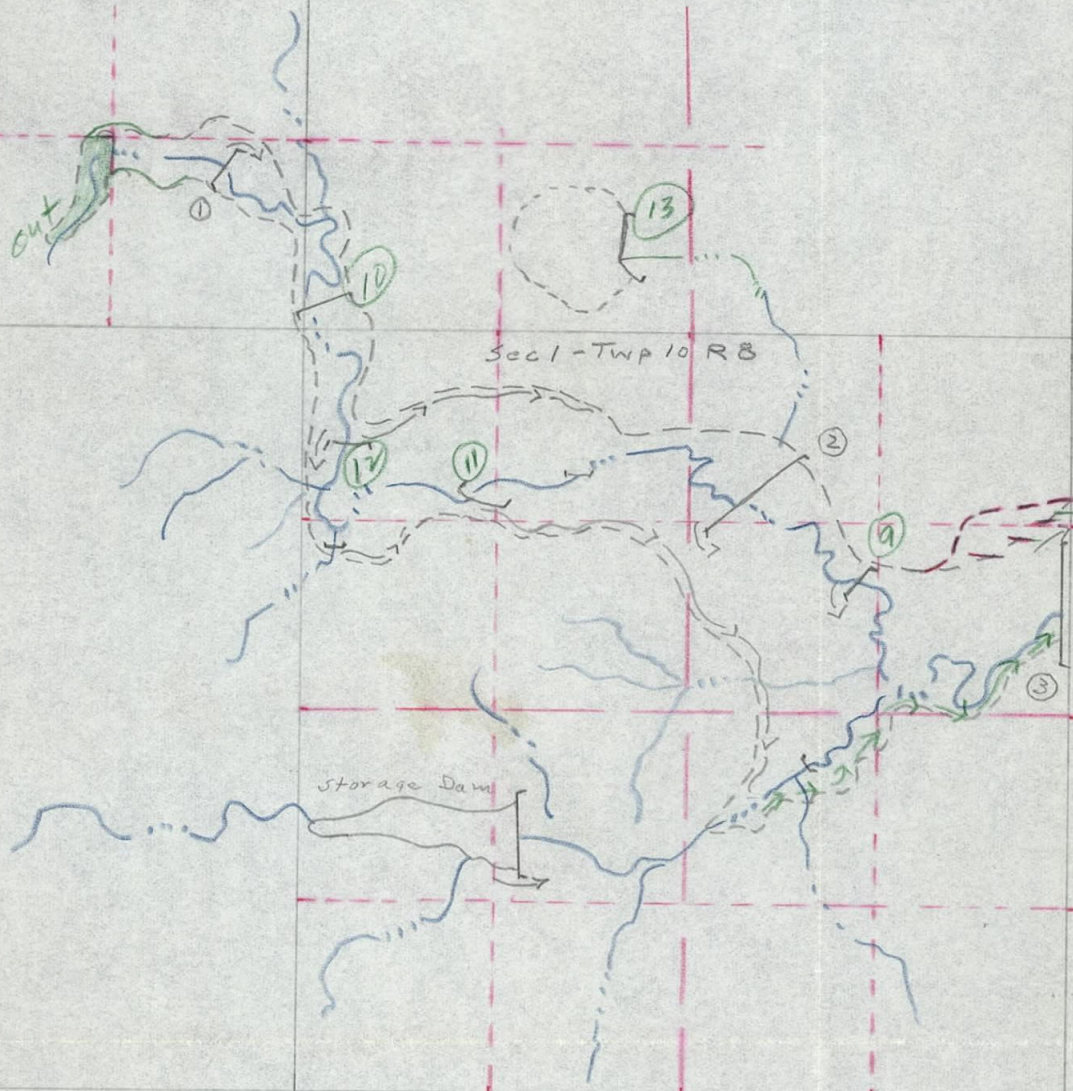
Bruce H. Laymon
Bruce H. Laymon
Project Manager

cc: Mr. Joe Kramer, Manager
Angostura Irrigation District
PO Box 346
Oral SD 57766

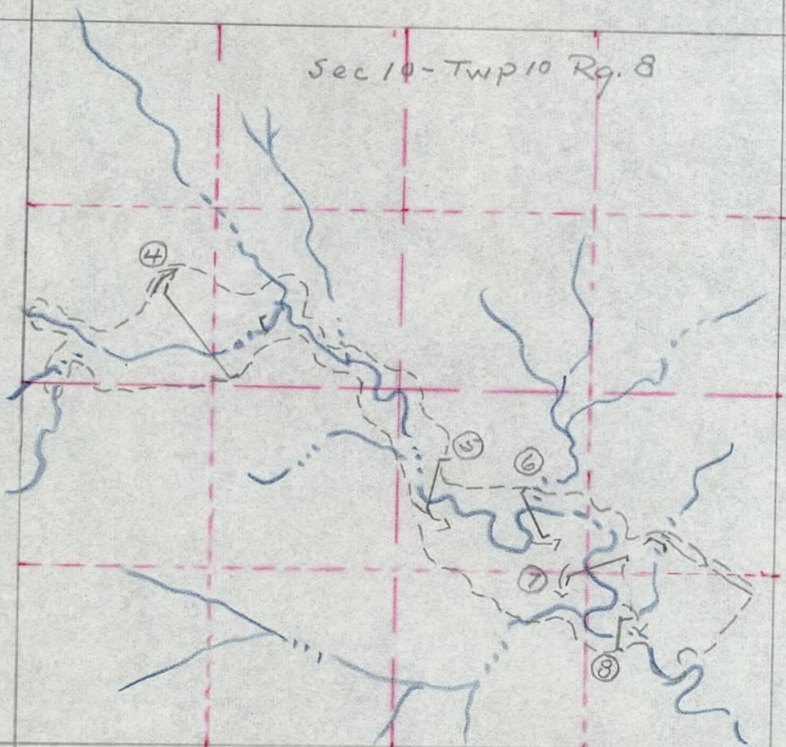
Mr. James E. Winterton, Project Manager
Belle Fourche Irrigation District
PO Box 225
Newell SD 57760

Sec. 35 - Twp 95 R8E

sec 36



Sec 10 - Twp 10 Rg. 8



L. O. Rickenbach

Scale 4" = 1 MI

Dams 1-8 Inc. Detention type.
Other structures - small
Dikes & Ditches

Map # None

RECEIVED
APR 15 1958

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

(APP 1 # 481-2
Rickenbach)

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

Water Right/Permit No. 481-2Date: February 4, 2015

I/We request that Water Right/Permit No. 481-2 formerly owned by:
LO / Joel Rickenbach be transferred to:

New Owner Name: Juniper Cattle Company LLCAddress: Box 103City, State, Zip Oelrichs SD 57763 Telephone No. 605-535-6305

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

SE1/4SE1/4 Sec 35 T9S R8E

☒ I understand that the validity of Water Right/Permit No. 481-2 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

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

I, Joel S Rickenbach MEM/MLR JUNIPER, the new owner, certify that the above information is true and correct.
CATTLE CO

JUNIPER CATTLE COMPANY LLC
Joel S Rickenbach MEM/MLR
(signed by new owner)

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

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



481-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

May 26, 2015

481-2
668-2

Joel S Rickenbach
Juniper Cattle Company LLC
PO Box 103
Oelrichs SD 57763 0103

Dear Mr. Rickenbach:

I am writing in follow-up to our phone conversation last week pertaining to ownership of land described in Vested Water Right No. 481-2 and Water Right No. 668-2. Enclosed are copies of both water rights. You may keep them for your records.

The "transfer of ownership" forms you recently submitted only listed a portion of the land authorized under each water right. It is my understanding from our phone conversation all of the land is still within the family and is part of the ownership change for Vested Water Right No 481-2 and Water Right No. 668-2.

The only thing remaining to complete the ownership changes is payment of the filing fee as required by SDCL 46-2-13. A fee of \$50 is required for each ownership change. Please remit a total of \$100 to our office by return mail. The check or money order for the fee can be made payable to the Water Rights Program.

I have enclosed a postage paid envelope for your convenience in returning the fee. If you have any questions, please give me a call.

Sincerely,

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

enclosure

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 6/16, 20 15

RECEIVED OF Juniper Cattle Co PO Box 103 Oelrichs SD 57763

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>481-2</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 07425

By

Jeanne Headman
Chief Engineer



481-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

June 16, 2015

481-2
668-2

Joel S Rickenbach
Juniper Cattle Company LLC
PO Box 103
Oelrichs SD 57763 0103

Dear Mr. Rickenbach:

I am writing to acknowledge receipt of the fees you submitted for filing ownership changes on Vested Water Right No. 481-2 and Water Right No. 668-2.

The ownership changes have been completed. Vested Water Right No. 481-2 formerly held by "L O and Joel Rickenbach" and Water Right No. 668-2 formerly held by "Joel Rickenbach" are now listed in the name of Juniper Cattle Company LLC.

Enclosed are Receipt Nos. 07425 and 07426 in the amount of \$50 each which you paid for filing the ownership changes. If you have any questions, please contact me.

Sincerely,

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

enclosures