

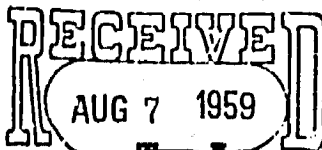
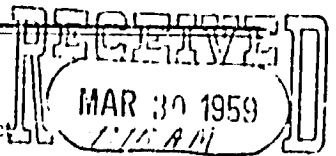
529-2

1/20/82

DONALD TAYLOR

NEEDS ADD'L PERMIT FOR
ADD'L ACREAGE, NOTIFIED 1/20/82.
LTR IN FILE 13A.

BETTY WESTLUND

No. 529-2Water Division No. 2 Rapid Creek District
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

(NOTE--Draw a line through items not applicable.)

1. Name of applicant Mrs. Harry R. MorrisPostoffice address Farmingdale, County Pennington, State S.D.I. ☐ 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)

Work has been done

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work

3. Amount of water claimed 50 cubic feet per second claimed in original location
notice4. Source of water supply Rapid Creek5. Location of point of diversion Request change of point of diversion from point of
notice in the NW 1/4 Sec 16 in twp 1 So 10 E BHM to point near SW corner of
NW 1/4 of NE 1/4 Sec 15, 1 So 10 E BHM on bank Pennington County.6. Annual period or periods during which water is to be used April 1 to October 1

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system Gravity irrigation(a) Number of acres to be irrigated 116 acres.(b) Legal subdivisions to be irrigated Portions of NW 1/4, SW 1/4, SE 1/4 of NE 1/4 Sec 15 and
(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.)
SW 1/4 of NW 1/4; NW 1/4 of SW 1/4; and NE 1/4 of SW 1/4, all in Sec 14, 18, 10E, BHM.

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

Some water for domestic use

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

(a) Nature of use Some use for stockwater

Name any of the above uses claimed

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

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

8. Estimated cost of work:

(a) Head Gates, \$Work is done

(b) Pumping plant, \$.....

(c) Fluming, \$.....

(d) Canal-earth, \$.....

Rock, \$.....

(e) Other structures \$.....

Total, \$.....

9. Description of diversion works:

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

Pumping

II. Dimensions of works:

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

.....feet; thickness at bottomfeet; thickness at top

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

material used in construction

(b) Reservoir: Capacity when filledacre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	ACRE-Feet CAPACITY

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

Material

(d) Canal: Total lengthmiles.

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 in 1949 years.

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

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

STATE OF SOUTH DAKOTA

County of Minnehaha ss.

I, Harry R. Kain, 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

Harry R. Kain

Subscribed and sworn to before me this

28

day of

March

19

Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission:

from Clint & Inez Higgins
Vested Right Claimed. A transfer of 1.64 c.f.s. is
recognized, and a change of diversion point from
the original Farmingdale Ditch to the present diversion
point. Priority date for the Farmingdale ditch was 1890
& this date is retained. Change of diversion point
was made in 1949.

STATE OF SOUTH DAKOTA

County of

Hughes

Pierre, South Dakota,

September 30, 1959

This is to certify that the foregoing application was received by the Commission at 9:15 o'clock

A. M. upon the 30th day of March, 1959.

State Water Resources Commission

By:

W. C. Oliver

Chief Engineer, Executive Officer

Number of permit

529-2

Date of first receipt of application

March 30

1959

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

April 27

1959

Date of receipt of corrected application

August 7

1959

Date from which applicant may claim right

1890

Approved

September 30, 1959

Recorded in Book

5

Page

222

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, 1959

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

Completed, 1959

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

Completed, 1959

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 to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 1.64 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, 1959; said water to be used during the following described annual period:

Witness my hand this

30th

day of

September

1959

State Water Resources Commission

By:

W. C. Oliver

Chief Engineer, Executive Officer

Certificate of Construction Issued

September 30, 1959

Water License Issued

September 30, 1959

Remarks by the Applicant:

This application is made for a change in the point of diversion, which has been practiced since 1949. The original application was filed in 1890 by the Farmingdale Canal and Development Company (Incorporated). The original Incorporation and related papers are presumed to be lost. The only information which appears available to the old company is incorporated in a report on the Rapid Valley Project, compiled by Raymond F. Lund in 1942.

In submitting this application for a change in point of diversion to serve lands which were formerly served by the Farmingdale Canal and Development Company, I wish to apply for only 5 sec, feet or 250 Miner's Inches.

The point of diversion was changed to reduce cost of ditch maintenance and eliminate what would otherwise involve flume repair. This ditch has been in continuous operation. Changing of the point of diversion does not add nor subtract from any of the lands previously irrigated.

STATE OF SOUTH DAKOTA

WATER LICENSE No. 529-2

WHEREAS, On the 30th day of March A. D. 1959

Harry R. Morris

of Farmingdale County of Pennington and State of
South Dakota duly made application (No. 529-2) to us for a permit to use 1.64

cubic feet per second of the waters of Rapid Creek

County of Pennington, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 30th day of September A. D. 1952

Permit No. 529-2 was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described on or before the completed day of
A. D. 1952 and for the application to beneficial use of said
water on or before the completed day of completed A. D. 1952
and,

WHEREAS, On the 5th day of August A. D. 1959

the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.64
cubic feet per second of said waters, as evidenced by our Certificate No. 529-2
dated September 30, 1959 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 1.64 cubic feet per second of water, with date of
priority of 1890

WHEREAS, On the 5th day of August A. D. 1959

proof was duly made of the application to beneficial use of 1.64 cubic feet per second of said water;
in portions of Sec. 14 and 15 T 15 R 10E

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 Harry R. Morris
 of Farmingdale the holder and owner of said permit No. 529-2
 a water right, dating from 1890 to the use of 1.64
 cubic feet per second of the waters of Rapid Creek
 in the County of Pennington and State of South Dakota, or so much thereof as may be
 necessary for the purposes hereinbelow mentioned, to be diverted at the SW corner of the NW 1/4 NE 1/4 Sec.
15, T 1S R 10E
 and conducted to and upon portions of Sections 14 & 15, T 1S R 10E, more specifically
described in certificate of Completion of Works 529-2
 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 30th day of September A. D. Nineteen
 Hundred and fifty-nine

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 _____

Permit No. 529-2Water Division No. 2 Rapid Creek Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Harry R. Morris

of Farmington, County of Pennington, and State of
South Dakota, the holder of Permit No. 529-2, issued upon Application
 No. 529-2, bearing date of priority of 1890, authorizing the diversion of

1.64 cu. ft. per second of the waters of Rapid Creek
 County of Pennington, State of South Dakota, at a point at the SW
corner of the NW 1/4 NE 1/4 Sec. 15 T 1S R 10E

for irrigation
 purposes, has 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 1.64 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>Sec. 15 T 1S R 10E</u>	<u>NW 1/4 NE 1/4</u>	<u>10 acres</u>
---------------------------	----------------------	-----------------

	<u>SW 1/4 NE 1/4</u>	<u>30 acres</u>
--	----------------------	-----------------

	<u>SE 1/4 NE 1/4</u>	<u>30 acres</u>
--	----------------------	-----------------

<u>Sec. 14 T 1S R 10E</u>	<u>SW 1/4 NW 1/4</u>	<u>15 acres</u>
---------------------------	----------------------	-----------------

	<u>NW 1/4 SW 1/4</u>	<u>30 acres</u>
--	----------------------	-----------------

Witness my hand this 30th day of September A. D. 1959

State Water Resources Commission

By:

J.W. GRIMES,

Chief Engineer, Executive Officer

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
Pows Building
Pierre, South Dakota 57501

Date: April 7, 1978

This is to notify you that title to the lands described as follows:
that portion of Section 14 and 15, T1S, R10E, as described in Water License
Number 529-2

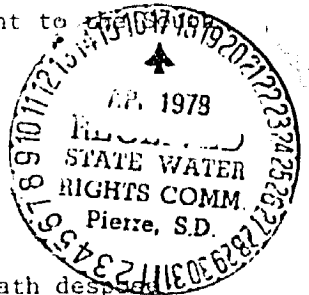
formerly owned by Mrs. Harry R. Morrishas been transferred to Don Taylor, Caputa, SD 57725

together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 529-2 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 "Notice of Transfer of Water
Permit" in its appropriate file at the Office of Water Rights Commission as
evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover
filing fees as required under Section 61.0159 of the 1960 Supplement to the
Dakota Code of 1939..

STATE OF SOUTH DAKOTA)
County of Pennington) SS.



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

Don Taylor
(Signed)

Subscribed and sworn to before me this 15 day of April19 78

Deane Magnus
(Notary Public)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6424

PIERRE, April 17 1978

RECEIVED OF Donald T. Taylor, Canuta, SD 57125
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and issuing Cert. of Construction No.		
Fee for Inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing transfer of W/R # 529-2	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

By: *W. A. R. Hatch*
Chief Engineer, Executive Officer
K0 HIN HATCH

July 7, 1965

Mr. Donald Taylor
Farmingdale
South Dakota 57740

Dear Mr. Taylor:

After our conversation of July 2, 1965, enclosed for your information are copies of the following, from Water Right File No. 529-2 of Harry R. Morris:

Application for Permit, Form 2;
Proof of Application of Water to Beneficial Use, Form 24;
Sketch map;
Certificate of Completion of Works, Form 20;
Water License No. 529-2, Form 26.

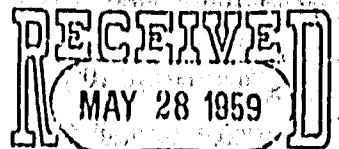
These documents are the "Vested Water Right" of Harry R. Morris. For your information, a "Vested Water Right" is a water right based on water use originating before July 1, 1955 for which an appropriative water right had not been obtained. These documents represent the written claim made by Mr. Harry R. Morris for this "Vested Right" and the record made by the Water Resources Commission of Mr. Morris' claim. The Commission does not approve or disapprove a "Vested Right" claim, but only records the claim.

You may transfer this "Vested Water Right" to your name by dating and signing before a Notary Public the enclosed form No. 25, "Notice of Transfer of Water Permit", and submitting it to this office, together with a filing fee of \$1.00.

Sincerely,

DONALD DRISCOLL
Deputy Chief Engineer

DD:BN
Encl.: As stated

Location No. 529.2

Water Division No. _____

Water District _____

STATE WATER RESOURCES COMM.

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. Morris, Harry R. Rancher
Farmingdale, S. Dak

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. NO

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

Ans. _____

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

Ans. Rapid Creek - 1/2 mile north on the west line of section 15, T. 15, R. 10E
The location is on the map which I sent your office

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they 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. We pump the water into the Farmingdale Ditch
because of the trouble the Flume caused in maintenance.

This has been done since 1944 - we have two ditches #1 - 4' at top to 1' at bottom 2' deep - 1/2 mile long #2 - 4' top to 2' deep - 3/4 mile long. Any left water 14' put into ditch.
 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. This is all drawn out on a map which was
traced from an aerial photo which I got
from the S.C.S. office in Rapid & I sent the
map in to the office. The water use is irrigation & stock.

1/2 Sec 15 - 1/2 Sec 16 Sec 15, 30 acres Sec 16, 30 acres Sec 17, 30 acres Sec 18, 30 acres Sec 19, 30 acres Sec 20, 30 acres Sec 21, 30 acres Sec 22, 30 acres Sec 23, 30 acres Sec 24, 30 acres

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

Ans. NO

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

Ans. 250 Min. inches

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. The new point of diversion was established in 1909 by the use of a well. Water from it passed by a 2 1/2 ft. electric siphon and ~~was pumped into the~~ original ditch which was ~~siphoned~~ ^{used} in 1890. The water is used to irrigate the acre of hay lands. This has been used each year. ~~provides to turn the water was used by getting it out of the original point of diversion~~

(Sign) Harry R. Harris

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 Rego City, County of Pennings

State of South Dakota, on this 5 day of August A. D. 1909

Witnesses.

H. R. Harris
Notary Public

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.

J. May
Charles H. Hammerquist

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 _____

NOTICE OF TRANSFER OF WATER PERMIT

..... 27 May 1959, 10.....

TO: Office of State Water Resources Commission
Pierre, South Dakota

This is to notify you that Clint & Inez Higgins of Farmingdale, S. Dak.

who previously owned the land described below has sold his interests to Harry R. Morris
Farmingdale, S. Dak.

together with any rights to the beneficial use of water thereon as evidenced by State Water Permit No.
and as provided for in section 61.0141 of the SDC of 1939 and elsewhere

Water permit for Farmingdale Ditch & Canal Company.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at
the OFFICE OF WATER RESOURCES COMMISSION as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 55.1806 of the SDC of 1939.

STATE OF SOUTH DAKOTA

County of Pennington } ss.

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

Signed

Harry R. Morris

Subscribed and sworn to before me this

27

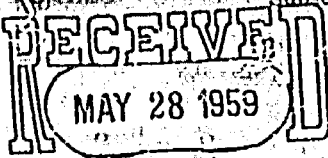
day of

May

19 59

Notary Public

H. R. Morris



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

J. W. Brimes, Chief Engineer
Water Resources Commission
State Office Building
Pierre, South Dakota

Dear Mr. Grimes:

I am submitting this application for a change of point of diversion of irrigation water in the Farmingdale Canal and Development Co. for irrigation of hay land on my ranch near Farmingdale, S. Dak.

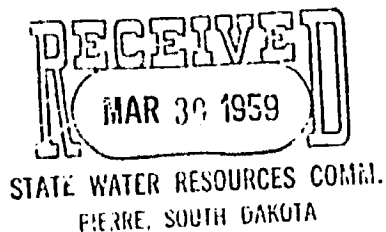
The map which is enclosed was made at the S. C. S. office in Rapid City. They traced it from an aerial photo, and measured the land in the 40 acre tracts which is shown on the map.

We have been working with Raymond Lund on the application. He contacted you by phone sometime ago about this, but both of us have been delayed because of the Winter Show in Rapid.

Thank you for any help you can give us on this application.

Very truly yours,

Harry R. Morris
Harry R. Morris



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

No. 527-2

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

November 25, 1986

Eddie Taylor
HCR 36, Box 60
Caputa, South Dakota 57725

Dear Mr. Taylor:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

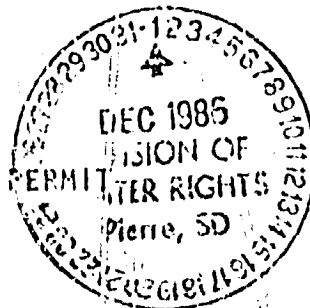
Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.



NO. 529-2

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 11-29-86

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

1.5 Acres - W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{2}$ NE $\frac{1}{4}$ Section 15, SW $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{2}$ SW $\frac{1}{4}$ Section 14, all in

T.S., R10E

formerly owned by Donald T. Taylor, Caputa

has been transferred to Eddie Taylor, HCR 36, Box 60, Caputa, SD 57725

(please include complete mailing address)

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

Water Right Permit No. 529-2 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
County of Pennington) ss.

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

Eddie Taylor
(Signed)

Subscribed and sworn to before me this 29th Day of November, 1986.

James Hammesquist
(Notary Public)

Commission expires July 24, 1993

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre,

December 1

19 86

410632

RECEIVED OF Eddie Taylor, HCR 36, Box 60, Caputa SD 57725

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____

Fee for Filing Transfer Form for Permit No. 529-2

2 50

Fee for Filing Extension Request _____

Fee for Certified Copy of _____

Fee for Print Copy of Map _____

Fee for Certifying _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

By

Chief Engineer

JOHN HATCH

(ks)

South Dakota Department of
Water & Natural Resources

Joe Foss Building

Water Rights Division

Pierre, South Dakota 57501

Phone (605) 773-3352

December 4, 1986

Eddie Taylor
HCR 36, Box 60
Caputa, South Dakota 57725

Dear Mr. Taylor:

Enclosed is receipt No. 410632 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 529-2.

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

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

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

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

September 21, 1988

NOTICE

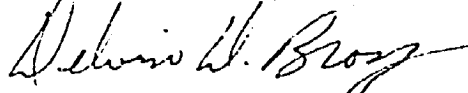
Eddie Taylor
HCR 36, Box 60
Caputa SD 57725

Dear Mr. Taylor:

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). 529-2 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,



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



 **Department of
Water & Natural Resources**

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

December 1, 1988

Vested Water Right
Claim No. 529-2

Eddie Taylor
HCR 36, Box 60
Caputa SD 57725

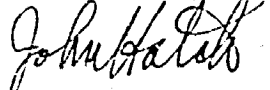
Dear Mr. Taylor:

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



Water Rights Division - DWR
Conversation or File Documentation

File No. 529-2

NAME OF PERSON OR FILE: Eddie Taylor

ADDRESS: Caputa SD

COUNTY Pennington

DATE: 10-4-90

TELEPHONE 393-2697

RE: Vested right inspection

COMMENTS:

Accompanied by Mr. Taylor, the area ~~vested~~ under
vested water right claim was inspected. The acreage seemed
to be the same as stated on water license # 529-2 and
The Certificate of Completion of Works

* Recommend validation

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: NP Shadi

529-2

SOUTH DAKOTA

VESTED WATER RIGHT NO. 529-2 FOR IRRIGATION

Date of Receipt of Claim March 30, 1959.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 529-2 for irrigation purposes for Eddie Taylor, HCR 36, Box 60, Caputa, SD, 57725 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 529-2 appropriates 1.64 cubic feet per second of water from Rapid Creek for stock watering and to irrigate 115 acres. The point of diversion is located in the NW1/4 NE1/4 Section 15, T1S, R10E. The irrigated lands are located in the SW1/4 NW1/4, NW1/4 SW1/4 Section 14; NW1/4 NE1/4 and S1/2 NE1/4 Section 15 all in T1S, R10E.
2. The appropriation may not exceed the amount of water needed for beneficial use for stock watering and 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 to October 1.
3. The priority date of the Vested Water Right is January 1, 1890.
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 Batlett
Chief Engineer

MAR 12 1993

date

Division of Water Rights
Dept. of Environment and Natural Resources

529-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 12 1993

Eddie Taylor
HCR 36, Box 60
Caputa SD 57725

Dear Mr. Taylor:

The Water Management Board has validated the enclosed Vested Water Right No. 529-2. 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 cursive script, appearing to read 'John Hatch', is written over the typed name.

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

enclosure

529-2



DEPT.
OF THE
INTERIOR

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 57760-0226

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 M. 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



529-2
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 20, 2005

NOTICE

TO: EDDIE TAYLOR, BOX 60, CAPUTA, SD 57725

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire

Our records indicate that the 2004 Irrigation Questionnaire has not been submitted for Permit No. 529-2. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 2, 2005, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No. 529-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. 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 is received in this office on/or before February 25, 2005, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire, please contact Genny McMath at (605) 773-3352.

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.



529-2

Track & Confirm

Current Status

You entered 2301 3460 0000 8516 1886

Your item was delivered at 9:02 am on January 22, 2005 in CAPUTA, SD 57725. The item was signed for by E TAYLOR.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email

[What is this?](#)

[Go >](#)

▶ Request Proof of Delivery

[What is this?](#)

[Go >](#)



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Preserving the Trust

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Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8516 1886

EDDIE TAYLOR
BOX 60
CAPUTA SD 57725

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail®
☐ Package Services

PS Form 153, July 2001

(See Reverse)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 31, 2005

529-2

Eddie Taylor
Box 60
Caputa SD 57725

Dear Mr. Taylor:

I am writing to acknowledge receipt of your 2004 irrigation questionnaire. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 529-2.

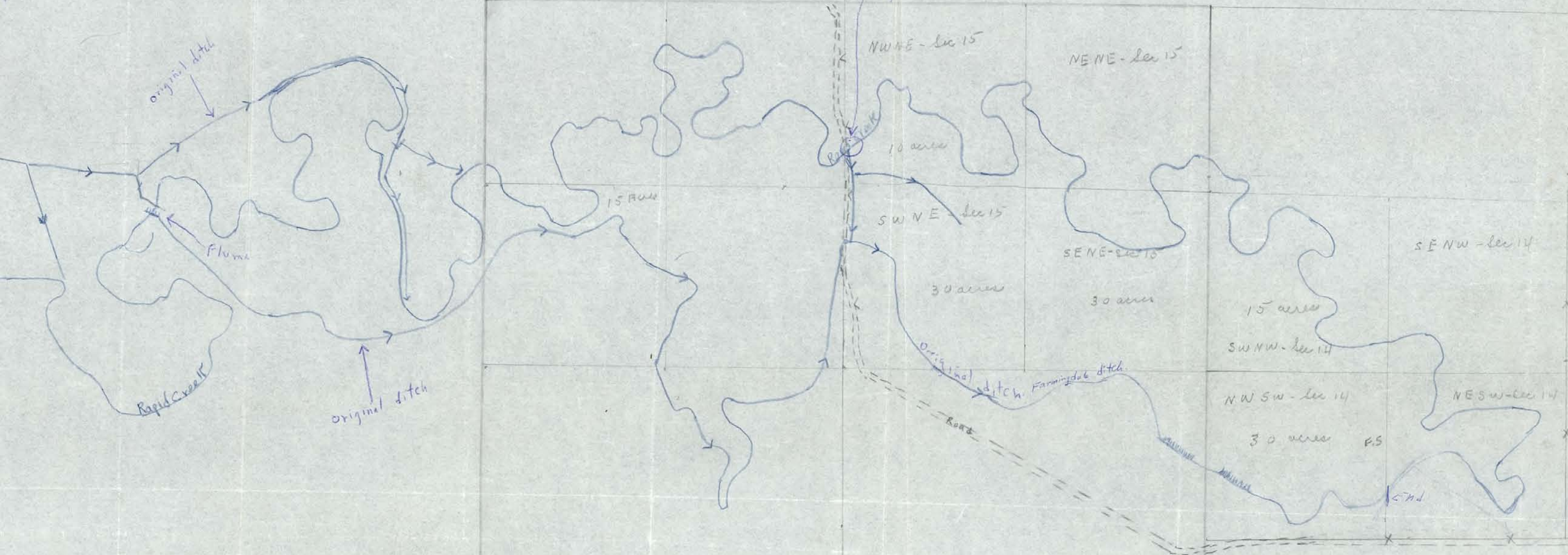
The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

Point of
Farmingdale Ditch



16 15

15 14

Appl

529-2

Donald Taylor

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

MAY - 5 2017

WATER RIGHTS
PROGRAM

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

Water Right/Permit No. 529-2Date: May 1, 2017

I/We request that Water Right/Permit No. 529-2 formerly owned by:
Edward E. Taylor and Judy R. Taylor be transferred to:

New Owner Name: Hewey R. Clemmons, III and Jill Clemmons
Address: PO BOX 2213
City, State, Zip Rapid City SD 57709-2213 Telephone No. 605-381-5998

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

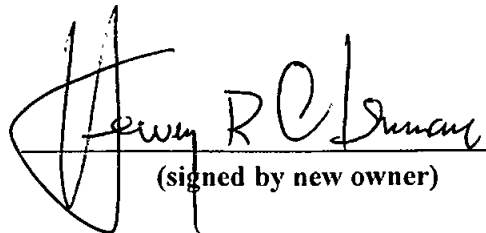
LAND IN SECTIONS 14 AND 15 IN TOWNSHIP 1 SOUTH OF RANGE 10 EAST OF THE BLACK HILLS MERIDIAN, PENNINGTON COUNTY, SOUTH DAKOTA, AS SHOWN ON A PLAT FILED IN PLAT BOOK 2, PAGE 58, WHICH INCLUDES THE LAND SOUTHWEST OF THE RAILROAD RIGHT-OF-WAY AND EAST AND NORTH OF THE HIGHWAY RIGHT-OF-WAY (SHOWN ON SAID PLAT) IN THE S1/2NW1/4NW1/4 AND THE S1/2NW1/4 AND THE N1/2SW1/4 OF SAID SECTION 14 AND IN THE N1/2SE1/4 AND THE NE1/4 OF SAID SECTION 15, AND ALSO INCLUDES THAT

☐ I understand that the validity of Water Right/Permit No. 529-2 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, Hewey R. Clemmons and Jill Clemmons, the new owner, certify that the above information is true and correct.


(signed by new owner)

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

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

 [Search Again](#)

Permit No:	529-2	Status:	LICENSE	Link:	PDF image of permit/right file			
Name/Business:	EDDIE TAYLOR	County:	PENNINGTON					
Type of use:	IRRIGATION	Priority Date:	1/1/1890					
Pump Rate:	1.64	cubic feet per second		If Irrigation (acres):	115			
Legal Description:	Sec	15	Tw	1	S	Rng:	10	E
Basin:	UPPER CHEYENNE RIVER BASIN							
Source:	RAPID CREEK							
Aquifer:								
Comments:								

A TRANSFER FROM CLINT & INEZ HIGGINS OF 1.64 CFS IS RECOGNIZED AND A CHANGE OF DIVERSION POINT FROM THE ORIGINAL FARMINGDALE DITCH TO THE PRESENT DIVERSION POINT PRIORITY DATE FOR THE FARMINGDALE DITCH WAS 1890 & THIS DATE IS RETAINED CHANGE OF DIVERSION POINT WAS MADE IN 1949

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 5/5, 20 17

RECEIVED OF Clemmons Valley Angus Ranch PO Box 2213 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	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>529-2</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. **08244**

By J. R. Holman
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

May 9, 2017

529-2

Hewey R & Jill Clemmons
PO Box 2213
Rapid City SD 57709 2213

Dear Mr. & Mrs. Clemmons:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Vested Water Right No. 529-2.

The ownership change has been completed. Vested Water Right No. 529-2, formerly held by Edward and Judy Taylor is now listed under "Hewey R Clemmons III and Jill Clemmons".

Every year in October, irrigation questionnaires are mailed to irrigators in South Dakota for reporting water use. I am enclosing copies of the 2015 and 2016 irrigation questionnaires for your review. This will give you an idea of what the forms look like and what type of information to keep track of during the irrigation season.

Enclosed for your records is Receipt No. 08244 in the amount of \$50 which you paid for filing the ownership change. If I can answer any questions for you, please let me know.

Sincerely,

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

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

enclosures: copy of Vested Water Right No. 529-2, irrigation questionnaires, receipt

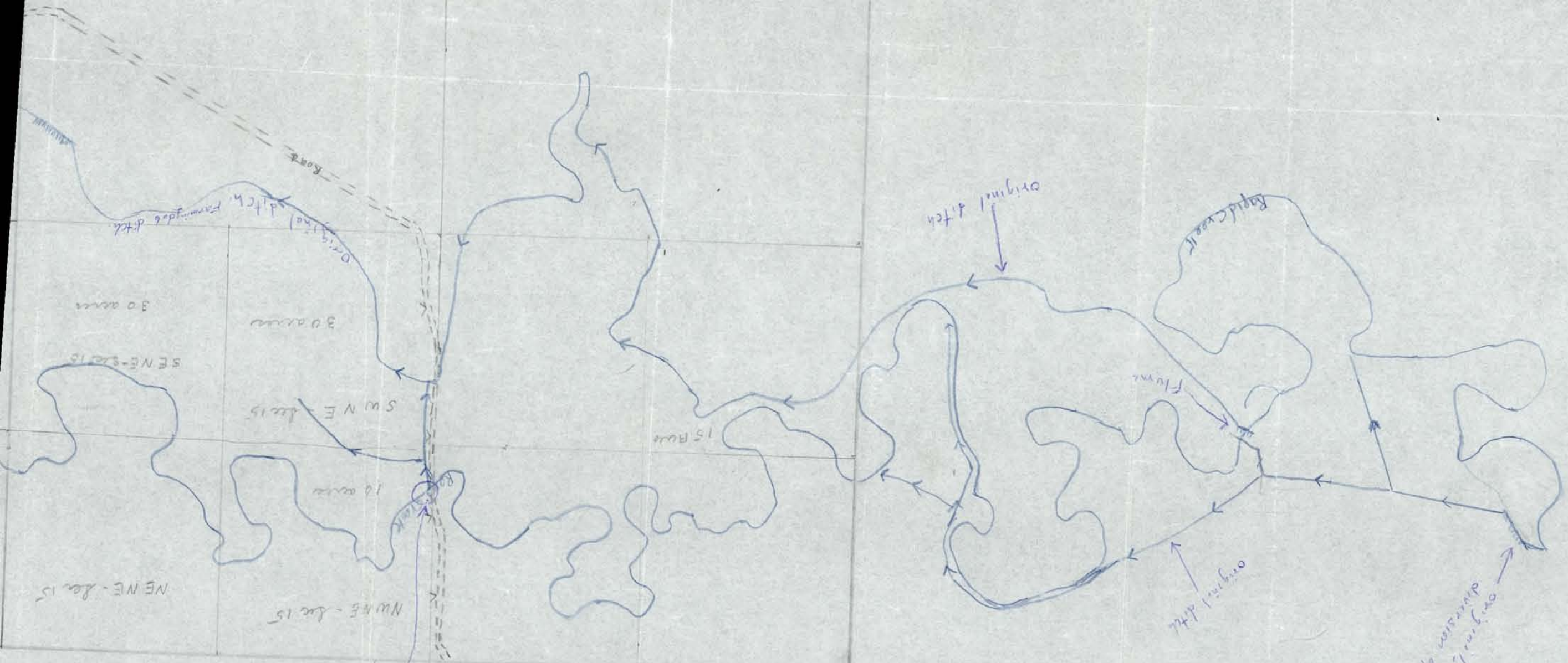
McMath, Genny

From: Quissell, Steve
Sent: Tuesday, April 25, 2017 8:39 AM
To: Beck, Lynn
Cc: McMath, Genny
Subject: John McMahon 1692A-2

Lynn

I drove by the McMahon property (SE ¼ S20 T1S R8E) on Friday 4/21/17. The dam which was identified in the license as being the water supply for the pumped irrigation system was totally dry and looked like it has not had any appreciable water in recent times. I doubt if John will be doing any more irrigation (93 yrs old) although he may have the place leased. Anyway this drainage gets pretty sparse runoff and any irrigation would be hit and miss since the dam has little storage volume.

Steven Quissell
Water Right Inspector
SD Department of Environment and Natural Resources
Water Rights Program
Phone: (605) 394-6763
Fax: (605) 394-5317



original and present point of diversion of Farmingdale ditch

Point of diversion of
for irrigation of hay
land - Since 1949



529-2
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 18, 2013

NOTICE

TO: EDDIE TAYLOR, 15820 HAMMERQUIST RD, CAPUTA, SD 57725

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire has not been submitted for Permit No(s) 529-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **8:30 am, March 7, 2013**, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 529-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. 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 on/or before **March 4, 2013**, 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.

529-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 25, 2013

529-2

Eddie Taylor
15820 Hammerquist Rd
Caputa SD 57725

Dear Mr. Taylor:

I am writing to acknowledge receipt of your 2012 irrigation questionnaire.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right No. 529-2. 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



529-2
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 24, 2014

NOTICE

TO: EDDIE TAYLOR, 15820 HAMMERQUIST RD, CAPUTA, SD 57725

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaire(s)

Our records indicate that the 2013 Irrigation Questionnaire has not been submitted for Permit No(s) 529-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 18, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **9:00 am, March 6, 2014**, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 529-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. 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 on/or before **March 3, 2014**, 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 31, 2014

529-2

Eddie Taylor
15820 Hammerquist Rd
Caputa SD 57725

Dear Mr. Taylor:

I am writing to acknowledge receipt of your 2013 irrigation questionnaire.

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Right No. 529-2. 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

DEMERSSEMAN JENSEN
TELLINGHUISEN & HUFFMAN, LLP
LAWYERS

PO BOX 1820, RAPID CITY, SD 57709-1820
516 FIFTH STREET, RAPID CITY, SD 57701

MICHAEL B. DEMERSSEMAN
CURTIS S. JENSEN
MICHAEL V. WHEELER
RICHARD E. HUFFMAN
GREGORY J. SPERLICH
ROGER A. TELLINGHUISEN

October 26, 2015

529-2
RECEIVED
OCT 28 2015
WATER RIGHTS
PROGRAM

TELEPHONE
605-342-2814

FAX
605-342-0732

Department of Natural Resources
523 E. Capitol
Pierre, SD 57501

RE: Water Rights

To whom it may concern:

Please be advised that I am working with Edward E. Taylor and his wife as pertains to their ranch lying in parts of Section 10, 14 and 15, Township 1 South, Range 10 East of the Black Hills Meridian. Ed tells me that he has water rights and I am trying to figure out the exact permit number and water rights he has. Please feel free if you have to send me a PDF file to send it to my email listed below.

Thanking you for your attention, I remain

Very truly yours,

/s/ Richard E. Huffman

Richard E. Huffman reh@demjen.com
DEMERSSEMAN JENSEN
TELLINGHUISEN & HUFFMAN, LLP

REH/tlm

10/28/15 emailed file for 529-2 to Mr. Huffman
Genny

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

Water Right/Permit No. 529-2Date: May 1, 2017

I/We request that Water Right/Permit No. 529-2 formerly owned by:
Edward E. Taylor and Judy R. Taylor be transferred to:

New Owner Name: Hewey R. Clemmons, III and Jill ClemmonsAddress: PO BOX 2213City, State, Zip Rapid City SD 57709-2213 Telephone No. 605-381-5998

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

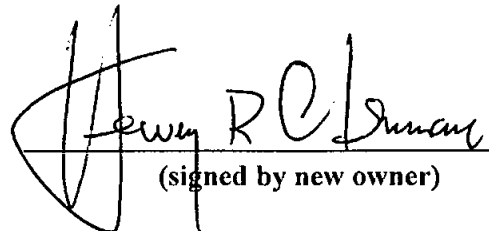
LAND IN SECTIONS 14 AND 15 IN TOWNSHIP 1 SOUTH OF RANGE 10 EAST OF THE BLACK HILLS MERIDIAN, PENNINGTON COUNTY, SOUTH DAKOTA, AS SHOWN ON A PLAT FILED IN PLAT BOOK 2, PAGE 58, WHICH INCLUDES THE LAND SOUTHWEST OF THE RAILROAD RIGHT-OF-WAY AND EAST AND NORTH OF THE HIGHWAY RIGHT-OF-WAY (SHOWN ON SAID PLAT) IN THE S1/2NW1/4NW1/4 AND THE S1/2NW1/4 AND THE N1/2SW1/4 OF SAID SECTION 14 AND IN THE N1/2SE1/4 AND THE NE1/4 OF SAID SECTION 15, AND ALSO INCLUDES THAT

☐ I understand that the validity of Water Right/Permit No. 529-2 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, Hewey R. Clemmons and Jill Clemmons, the new owner, certify that the above information is true and correct.


(signed by new owner)

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

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

 [Search Again](#)

Permit No:	529-2	Status:	LICENSE	Link:	PDF image of permit/right file
Name/Business:	EDDIE TAYLOR	County:	PENNINGTON		
Type of use:	IRRIGATION	Priority Date:	1/1/1890		
Pump Rate:	1.64	cubic feet per second		If Irrigation (acres):	115
Legal Description:	Sec	15	Twtn	1	S Rng: 10 E
Basin:	UPPER CHEYENNE RIVER BASIN				
Source:	RAPID CREEK				
Aquifer:					
Comments:					

A TRANSFER FROM CLINT & INEZ HIGGINS OF 1.64 CFS IS RECOGNIZED AND A CHANGE OF DIVERSION POINT FROM THE ORIGINAL FARMINGDALE DITCH TO THE PRESENT DIVERSION POINT PRIORITY DATE FOR THE FARMINGDALE DITCH WAS 1890 & THIS DATE IS RETAINED CHANGE OF DIVERSION POINT WAS MADE IN 1949

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 5/5, 20 17

RECEIVED OF Clemmons Valley Angus Ranch PO Box 2213 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	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>529-2</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. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. **08244**

By

J. R. Holman
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

May 9, 2017

529-2

Hewey R & Jill Clemmons
PO Box 2213
Rapid City SD 57709 2213

Dear Mr. & Mrs. Clemmons:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Vested Water Right No. 529-2.

The ownership change has been completed. Vested Water Right No. 529-2, formerly held by Edward and Judy Taylor is now listed under "Hewey R Clemmons III and Jill Clemmons".

Every year in October, irrigation questionnaires are mailed to irrigators in South Dakota for reporting water use. I am enclosing copies of the 2015 and 2016 irrigation questionnaires for your review. This will give you an idea of what the forms look like and what type of information to keep track of during the irrigation season.

Enclosed for your records is Receipt No. 08244 in the amount of \$50 which you paid for filing the ownership change. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures: copy of Vested Water Right No. 529-2, irrigation questionnaires, receipt