No. 558-2Water Division No. 2

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

District

STATE WATER RESOURCES COMM.

PIERRE, SOUTH DAKOTA

**APPLICATION FOR PERMIT****To appropriate Water within the State of South Dakota**

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

1. Name of applicant Byron and Dorothy Bradford  
 Postoffice address Endaka, County JACKSON, State S. 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)

Work is accomplished~~(b) Cash on hand, \$~~~~(c) Treasury stock, \$~~~~(d) Bonds to be issued, \$~~~~(e) Other resources, \$~~

2. Name of diversion work Flying U Irrigation Project #2  
 3. Amount of water claimed 10.52 cubic feet per second 2210.43 A.D. Ft.  
 4. Source of water supply Surface runoff from local watersheds  
 5. Location of point of diversion See attached sheet #1  
on both banks Jackson County.  
 6. Annual period or periods during which water is to be used When ever available during annual period of use.  
 7. To be used for:

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

(a) Number of acres to be irrigated 736.01 acres.(b) Legal subdivisions to be irrigated See attached sheet #2

(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.)

## 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.  
~~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, \$200.00 (c) Pumping plant, \$-----  
 (c) Plumbing, \$----- (d) Canal earth, \$300.00 Rock, \$-----  
 (e) Other structures, Dams, Ditches, Dikes, etc., \$6000.00 Total, \$-----

9. Description of diversion works:

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

Dam, & a system of Ditch & Dikes are works used in irrigation by means of gravity

II. Dimensions of works:

(a) Dam: Height 24.0 feet; length at bottom 150.0 feet; length at top 27.9 feet; thickness at bottom 13.5 feet; thickness at top 12 feet; slope at front water face 3:1; slope at back face 2:1; material used in construction Earth  
 (b) Reservoir: Capacity when filled 35.0 acre feet. Surface area at highwater mark 4.0 acres.

| DEPTH AT OUTLET-Feet | SURFACE AREA AT EACH DEPTH AT OUTLET-ACRES | ACRE-Feet CAPACITY |
|----------------------|--------------------------------------------|--------------------|
| 0.0                  | 0.0                                        | 0.0                |
| 20.0                 | 4.0                                        | 35.0               |
|                      |                                            |                    |
|                      |                                            |                    |
|                      |                                            |                    |
|                      |                                            |                    |
|                      |                                            |                    |
|                      |                                            |                    |

(c) Head gate: Width 11 feet; Material Metal

(d) Canal: Total length 3 miles.

| LOCATION BELOW HEADGATE | DEPTH    | BOTTOM WIDTH | WIDTH AT WATER-LINE | GRADE PER MILE |
|-------------------------|----------|--------------|---------------------|----------------|
| At 0.0 Mile             | 2.0 feet | 4.0 feet     | 16.0 feet           | 5.28           |
| At 0.3 Mile             | 2.0 feet | 4.0 feet     | 16.0 feet           | 5.28           |
| 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 2 months

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

12. Choice of newspaper for publication of notice of intention to appropriate - Not required, A Vested right

STATE OF SOUTH DAKOTA

County of Faulkton

I, Bryan D. Bradford, 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

Subscribed and sworn to before me this 27th day of July 1924

Notary Public (or other qualified officer.)

\*Each diversion must have a headgate or measuring device.



Remarks by State Water Resources Commission:

"Vested Right Claimed"

This Permit Cancels Permit 338-2 (Enlargement)

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 Hughes } ss.

Pierre, South Dakota, April 19, 1960

This is to certify that the foregoing application was received by the Commission at 9:15 o'clock  
a m. upon the 30<sup>th</sup> day of September, 1959

State Water Resources Commission

By:

Dr. J. J. J. J.  
Chief Engineer, Executive Officer

Number of permit 558-2

Date of first receipt of application September 30, 1959

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 2.00 cfs from September 9, 1949, 19\_\_\_\_

1.00 cfs from August 17, 1951, 19\_\_\_\_

7.52 cfs from December 1954, 19\_\_\_\_

Approved April 19, 1960, Recorded in Book 6 Page 25

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 \_\_\_\_\_, 1960

2nd. The whole of said work is to be completed on or before \_\_\_\_\_, 1960

3rd. 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 to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 10.52 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 June 30, 1955; said water to be used during the following described annual period:

Whenever available during irrigation season

Witness my hand this 19<sup>th</sup> day of April, 1960

State Water Resources Commission

By:

J. J. J. J.  
Chief Engineer, Executive Officer

Certificate of Construction Issued APRIL 19, 1960

Water License Issued APRIL 19, 1960

Addendum to Form No. 20

| LOCATION                          | SECTION | TOWNSHIP | RANGE | ACRES |
|-----------------------------------|---------|----------|-------|-------|
| SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 28      | 3S       | 21E   | 1.60  |
| NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 28      | 3S       | 21E   | 1.80  |
| SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 28      | 3S       | 21E   | 36.50 |
| NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 28      | 3S       | 21E   | 1.00  |
| NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 28      | 3S       | 21E   | 0.52  |
| SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 28      | 3S       | 21E   | 31.74 |
| SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 28      | 3S       | 21E   | 35.00 |
| Lot 3                             | 33      | 3S       | 21E   | 1.20  |
| Lot 3                             | 33      | 3S       | 21E   | 28.12 |
| Lot 1                             | 33      | 3S       | 21E   | 35.99 |
| Lot 2                             | 33      | 3S       | 21E   | 23.26 |
| Lot 2                             | 33      | 3S       | 21E   | 8.00  |
| NW $\frac{1}{4}$ SW $\frac{1}{4}$ | 27      | 3S       | 21E   | 2.29  |
| NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 27      | 3S       | 21E   | 6.39  |
| SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 27      | 3S       | 21E   | 36.50 |
| SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 27      | 3S       | 21E   | 29.82 |
| NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 27      | 3S       | 21E   | 2.16  |
| SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 27      | 3S       | 21E   | 33.03 |
| SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 27      | 3S       | 21E   | 22.32 |
| Lot 1                             | 34      | 3S       | 21E   | 2.91  |
| NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 34      | 3S       | 21E   | 1.10  |
| SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 34      | 3S       | 21E   | 2.10  |
| NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 34      | 3S       | 21E   | 40.00 |
| NE $\frac{1}{4}$ NE $\frac{1}{4}$ | 34      | 3S       | 21E   | 40.00 |
| SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 34      | 3S       | 21E   | 38.50 |
| SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 34      | 3S       | 21E   | 27.20 |
| NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 34      | 3S       | 21E   | 1.20  |
| NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 34      | 3S       | 21E   | 3.20  |
| SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 26      | 3S       | 21E   | 28.10 |
| SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 26      | 3S       | 21E   | 20.10 |
| SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 26      | 3S       | 21E   | 2.80  |
| NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 35      | 3S       | 21E   | 40.00 |
| NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 35      | 3S       | 21E   | 40.00 |
| SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 35      | 3S       | 21E   | 33.20 |
| SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 35      | 3S       | 21E   | 31.60 |
| NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 35      | 3S       | 21E   | 35.60 |
| NE $\frac{1}{4}$ NE $\frac{1}{4}$ | 35      | 3S       | 21E   | 8.10  |
| SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 35      | 3S       | 21E   | 6.00  |

Question 5. Location of Points of Diversion;

Pt. #1--- 160.0 rods North 54 degrees and 45 minutes West  
of the Southeast Corner of Section 28-T3S-R21E, BHM

Pt. #2 --- 80.0 rods North 30 degrees and 00 minutes West of  
the Southeast Corner of Section 27-T3S-R21E, BHM

Pt. #3--- 150.0 rods North 33 degrees and 30 minutes East of the  
Southwest Corner of Section 28-T3S-R21E, BHM

Pt. #4 --- 124.9 rods North 17 degrees and 45 minutes East of  
the Southwest Corner of Section 27-T3S-R21E, BHM

-----Sheet #1-----

Question 7(I) b,

Subdivisions of lands irrigated;

|       |                |       |       |
|-------|----------------|-------|-------|
|       | SE 1/4 Sec. 28 | 1.60  | Acres |
|       | NE 1/4 " "     | 4.80  | "     |
|       | SE 1/4 " "     | 36.50 | "     |
|       | NW 1/4 " "     | 1.00  | "     |
|       | NE 1/4 " "     | 0.52  | "     |
|       | SW 1/4 " "     | 31.74 | "     |
|       | SE 1/4 " "     | 35.00 | "     |
| Lot 2 | NE 1/4 Sec. 33 | 1.20  | "     |
|       | NW 1/4 " "     | 28.46 | "     |
| Lot 1 | NE 1/4 " "     | 35.99 | "     |
| Lot 2 | SW 1/4 " "     | 23.26 | "     |
|       | SE 1/4 " "     | 8.00  | "     |
|       | NW 1/4 Sec. 27 | 2.29  | "     |
|       | NE 1/4 " "     | 6.39  | "     |
|       | SW 1/4 " "     | 26.50 | "     |
|       | SE 1/4 " "     | 29.82 | "     |
|       | NW 1/4 " "     | 2.46  | "     |
|       | SW 1/4 " "     | 33.03 | "     |
|       | SE 1/4 " "     | 22.32 | "     |
| Lot 1 | NE 1/4 Sec. 34 | 2.91  | "     |
|       | NW 1/4 " "     | 4.40  | "     |
|       | SE 1/4 " "     | 2.10  | "     |
|       | NW 1/4 " "     | 40.00 | "     |
|       | NE 1/4 " "     | 40.00 | "     |
|       | SW 1/4 " "     | 38.50 | "     |
|       | SE 1/4 " "     | 27.20 | "     |
|       | NE 1/4 " "     | 1.20  | "     |
|       | NW 1/4 " "     | 3.20  | "     |
|       | SW 1/4 Sec. 26 | 28.40 | "     |
|       | SE 1/4 " "     | 20.40 | "     |
|       | SW 1/4 " "     | 2.80  | "     |
|       | NW 1/4 Sec. 35 | 40.00 | "     |
|       | NE 1/4 " "     | 40.00 | "     |
|       | SW 1/4 " "     | 35.20 | "     |
|       | SE 1/4 " "     | 31.60 | "     |
|       | NW 1/4 " "     | 35.60 | "     |
|       | NE 1/4 " "     | 8.40  | "     |
|       | SW 1/4 " "     | 6.00  | "     |

Total 736.81 Acres

## STATE OF SOUTH DAKOTA

## WATER LICENSE No. 558-2

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

Byron & Dorothy Bradfield

of Yadon County of Jackson and State of

South Dakota duly made application (No. 558-2) to us for vested right permit to use 10.52

cubic feet per second of the waters of dry draws

County of Jackson, State of South Dakota, for irrigation

purposes; and

WHEREAS, On the 19th day of April A. D. 1960  
vested right recognizing

/Permit No. 558-2 was issued to said applicant for the diversion of said water, and provides for the

completion of the works of diversion therein described on or before the 1st day of

April and for the application to beneficial use of said

water on or before the 1st day of April

and,

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

vested right

the holder of said permit duly made proof of the completion of adequate works for the diversion of 10.52

cubic feet per second of said waters, as evidenced by our Certificate No. 558-2

dated April 19, 1960 confirming the completion of works of sufficient capacity for

diverting and conveying to the place of intended use 10.52 cubic feet per second of water, with date of

priority of 1949, 1951 and 1954 and,

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

proof was duly made of the application to beneficial use of 10.52 cubic feet per second of said water;

for irrigation of portions of Sections 26, 27, 28, 33, 34 and 35, T. 3S

R. 21E,

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 Byron and Dorothy Bradfield vested right  
 of Kadoka the holder... and owner... of said permit No. 558-2  
 a water right, dating from 1949, 1951 and 1954 to the use of 10.52  
 cubic feet per second of the waters of dry draws  
 in the County of Jackson and State of South Dakota, or so much thereof as may be  
 necessary for the purposes hereinbelow mentioned, to be diverted at 4 points, more specifically described  
in Certificate of Completion of Works.  
 and conducted to and upon 736.81 acres, more specifically described in Certificate of  
Completion of Works  
 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 19th day of April A. D. Nineteen  
 Hundred and sixty

State Water Resources Commission

By:

J.W. GRIMES,

Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. \_\_\_\_\_

To \_\_\_\_\_

Source of Supply \_\_\_\_\_

County \_\_\_\_\_

Ac't \_\_\_\_\_ c. f. s. \_\_\_\_\_

Point of Diversion \_\_\_\_\_

Place of Use \_\_\_\_\_

Purpose \_\_\_\_\_

Date of Priority \_\_\_\_\_

Recorded \_\_\_\_\_

in Book \_\_\_\_\_ of \_\_\_\_\_ Page \_\_\_\_\_

Permit No. 558-2Water Division No. 2 White River Water District

## Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Byron and Dorothy Bradfieldof Kadoka, County of Jackson, and State of South Dakota, the holder <sup>vested right</sup> of Permit No. 558-2, Issued upon ApplicationNo. 558-2, bearing date of priority of 1949, 1951 and 1954, authorizing the diversion of10.52 cu. ft. per second of the waters of dry drawsCounty of Jackson, State of South Dakota, at four points shownbelowfor irrigationpurposes, has <sup>B</sup> 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 <sup>vested right</sup> Permit; that said works are <sup>recognized as</sup> ~~found to be~~ satisfactory~~conditions~~ for diverting and conveying to the place of intended use 10.52 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:

Points of Diversion#1 N 54°15' W 160 rods from SE Cor. Sec. 28 T. 3S R. 21E#2 N 30°00' W 60 rods from SE Cor. Sec. 27 T. 3S R. 21E#3 N 33°30'E 150 rods from SW Cor. Sec. 28 T. 3S R. 21E#4 N 17°45' E 124.9 rods from SW Cor. Sec. 27 T. 3S R. 21ESEE ATTACHMENTWitness my hand this 19th day of April A. D. 1960

State Water Resources Commission

By:

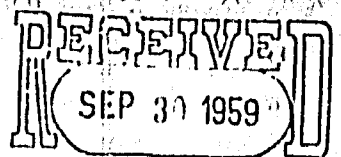
J.W. GRIMES,

Chief Engineer, Executive Officer

Location No. ....

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. Byron and Dorothy Bradfield, Jackson County, ranchers, Kadoka, 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. \_\_\_\_\_

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

Ans. Application for Permit to appropriate water being submitted along with "Vested Right, Form 24 which is Proof of Application of Water."

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

Ans. Source of supply is surface runoff from local watersheds. See attached sheet #1 for location of points of diversion.

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. Dam at Div. #4 is 378 feet long and 24 feet high. Ditch from dam is capable of conveying the maximum allowable. Name of this ditch is Div. Pt. #4 Main Supply Ditch. Date of completion of works was December of 1954.

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. Water is used for irrigation. See attached sheet #2 for place of use.

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. The minimum amount of water required is the maximum allowable of 2210.43 Ac. Ft. or the equivalent of 10.52 cfs...

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. Water is used whenever available during above period of use for irrigation of hay and grazing lands in the amount that is available to the extent of the maximum allowable of 2210.43 Ac. Ft. or the equivalent of 10.52 cfs. During flood flows, an excess of this amount may be used.

(Sign) Byron Bradfield

I hereby certify that the foregoing testimony was read to the above subscriber before his 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 Sioux Falls, County of Sioux State of South Dakota, on this 25th day of Sept A. D. 1957

Marvin H. Willert  
(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.

Witness: Marvin H. Willert  
Bill Strick

|                                                            |  |
|------------------------------------------------------------|--|
| Location No. _____                                         |  |
| <b>PROOF OF APPLICATION OF<br/>WATER TO BENEFICIAL USE</b> |  |
| <b>PETITION OF HOLDER</b>                                  |  |
| Amount of Water _____ c. f. s.                             |  |
| Source _____                                               |  |
| County _____                                               |  |
| Purpose _____                                              |  |
| Place of Use _____                                         |  |
| Date of recording _____                                    |  |
| Received and filed _____                                   |  |

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

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

339-2  
558-2

July 11, 1988

Byron Bradfield  
Bradfield Ranch  
Box 367  
Kadoka, SD 57543

Dear Mr. Bradfield:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Vested Water Right Claim Nos. 339-2 and 558-2. Please check over the forms and sign in the presence of a notary public. Upon completion of the forms, return it to our office with a required filing fee of \$2.50 each (total of \$5.00). The vested water right claims will then 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.

If you have any questions, please contact us.

Sincerely,

*Genny McMATH*

GENNY MCMATH  
Natural Resources Analyst  
605 773-3352

enclosure



NO. 558-2

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights  
Foss Building  
Pierre, SD 57501

Date: July 15, 1988

This is to notify you that the title to the lands described as follows:  
SW $\frac{1}{4}$  SW $\frac{1}{4}$ , E $\frac{1}{2}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  Section 28, Lots 1, 2 & 3 Section 33, SW $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SE $\frac{1}{4}$   
Section 27, Lot 1, E $\frac{1}{2}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , NW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 34, S $\frac{1}{2}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$   
Section 26, NW $\frac{1}{4}$ , N $\frac{1}{2}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 35, T35, R21E

formerly owned by Byron & Dorothy Bradfield, Box 367, Kadoka SD 57543

has been transferred to B.D. BRADFIELD RANCH, INC. Box 367, KADOKA, SD 57543  
(please include complete mailing address)

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

Water Right Permit No. 558-2 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 Jackson ) ss.

I, Byron and Dorothy Bradfield 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.

Byron Bradfield  
(Signed)

Dorothy Bradfield  
(Signed)

Subscribed and sworn to before me this 15th Day of July, 1988.

Janet Mackey  
(Notary Public)  
My Commission Expires 6-18-90

# RECEIPT

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

411819

Pierre, July 18, 1991, 19

RECEIVED OF \_\_\_\_\_, B. D. Bradfield Ranch Inc., Box 367, Kadoka SD  
the following amount in fees for services rendered as provided for by law: 57543

|                                                                                                                            |       |      |
|----------------------------------------------------------------------------------------------------------------------------|-------|------|
| 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 Permit No. 558-2                                                                              | 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 John Hatch  
Chief Engineer JOHN HATCH (MS)



# Department of Water & Natural Resources

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

WATER RIGHTS DIVISION  
(605) 773-3352

558-2  
339-2

July 19, 1988

B. D. Bradfield Ranch, Inc.  
Box 367  
Kadoka, South Dakota 57543

Dear Mr. Bradfield:

Enclosed are receipt Nos. 411319 and 411320 in the amount of \$2.50 each which you paid for transfer of Water Right Nos. 558-2 and 339-2.

Our records now show B. D. Bradfield Ranch, Inc. as the owner of these Water Rights.

Sincerely,

Maxine Stirling  
Secretary

ms/  
Enc. 2



 **Department of  
Water & Natural Resources**

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

September 21, 1988

NOTICE

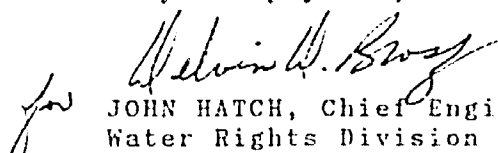
B.D. Bradfield Ranch, Inc.  
Box 367  
Kadoka SD 57543

Dear Sir:

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). 558-2 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





GREAT LACES. GREAT PLACES

November 18, 1991

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

558-2

Zack R Word Real Estate  
4825 Steamboat Circle  
Rapid City, SD 57702

Dear Mr. Word:

Enclosed, as you requested, is a partially completed "Notice of Transfer" form for use in filing an ownership change on Vested Water Right Claim No. 558-2. The claim is currently listed in the name of B D Bradfield Ranch, Inc.

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

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.

If you have any questions, please contact me.

Sincerely,

Genny McMath  
Natural Resources Analyst  
(605) 773-3352

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer  
Water Rights Division, DENR  
523 E. Capitol  
Pierre, SD 57502-3181

No. 558-2

Date: 12/20/91

I/We request that Vested Water Right Claim No. 558-2

formerly owned by: B D Bradfield Ranch, Inc

be transferred to: (name & address) John and Lisa Eisenbraun and  
Marvin Eisenbraun HC 1 Box 118, Kadoka, SD 57543  
(Telephone No.) 605-462-6266

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

SW 1/4 SW 1/4, E 1/2 SW 1/4, SE 1/4 Sec 28; Lots 1, 2 & 3, Sec 33; SW 1/4, NW 1/4 SE 1/4,  
S 1/2 SE 1/4 Sec 27; Lot 1, E 1/2 NW 1/4, NE 1/4, NE 1/4SW 1/4, NW 1/4SE 1/4, Sec 34; S 1/2  
SW 1/4, SW 1/4 SE 1/4 Sec 26; NW 1/4, N 1/2 NE 1/4, SW 1/4 NE 1/4 Sec 35, all in T3S, R21E

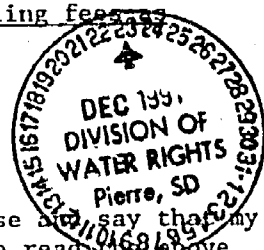
I/We understand that the validity of Vested Water Right Claim No. 558-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

STATE OF SOUTH DAKOTA )  
County of Jackson )

I/We John Eisenbraun 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 foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.



(Signed)

Subscribed and sworn to before me this 20 day of December, 1991.

Jack P. Wood  
(Notary Public)

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

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

# RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412973

Pierre, December 23, 1991

RECEIVED OF Zack R Word (John Eisenbraun) 4825 Steamboat Circle, Rapid City, SD 57702

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 <u>Vested Water Right No. 558-2</u>                                                           |       | 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 [Signature]  
Chief Engineer



January 2, 1992

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

No. 558-2

Zack R. Word  
4825 Steamboat circle  
Rapid City, SD 57702

Dear Mr. Word:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 558-2.

Our records now show John, Lesa, and Marvin Eisenbraun as the owner of Water Right No. 558-2.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cheryl F. Frost".

Cheryl F. Frost  
Secretary  
Water Rights Division  
605 773-3352

enclosure

cc: John, Lesa, and Marvin Eisenbraun



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

February 18, 1992

558-2  
339-2

Lesa Eisenbraun  
HC 1 Box 118  
Kadoka, SD 57543

Dear Ms. Eisenbraun:

Enclosed, as we discussed, are copies of Water Right No. 339-2 and Vested Water Right Claim No. 558-2.

No. 558-2, now listed in John, Lesa and Marvin Eisenbraun, is for irrigation from dry draws. No. 339-3, listed under BD Bradfield Ranch Inc., is for irrigation from the White River.

You indicated you may be interested in irrigation from the White River. I have enclosed application forms and an instruction sheet should you decide to apply for a permit.

I have also included a "Notice of Transfer" of ownership form for Water Right No. 339-2. If you now own the land described in the water right, please complete the form and return it to our office.

If I can answer any questions for you, please contact me.

Sincerely,

A handwritten signature in cursive script, reading 'Genny McMath', is written over a horizontal line.

Genny McMath  
Natural Resources Analyst  
(605) 773-3352

enclosures

## Water Rights Division - DWRNR

File No. 558-2

## Conversation or File Documentation

NAME OF PERSON OR FILE: B. D. Brundfield Ranch, Inc.ADDRESS: % Dave Valandry, Box 354 Kadoka SD <sup>57543</sup> COUNTY JacksonDATE: February 6, 1990 TELEPHONE 462-6285RE: Validation of Vested Right Claim No. 558-2

## COMMENTS:

On September 20, 1990, I made an investigation of Vested Right Claim No. 558-2. Mr. Dave Valandry accompanied me on the inspection. The project appeared to be as described on the original application and license with the exception of that fewer acres are now being irrigated. This is mainly due to not including some of the area that is between fields and changes in the river location. I also had a difficult time drawing in the section lines on the map since there were no clear location indicators to go from. Therefore, the legal descriptions could be slightly incorrect.

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

NAME: Kemi Schaal

The following lands are being irrigated by  
Vested Right Claim No. 558-2

|                     |                                   |   |        |
|---------------------|-----------------------------------|---|--------|
| Section 28-T35-R21E | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | - | 1 Acre |
|                     | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | - | 29     |
|                     | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | - | 32     |
|                     | SE $\frac{1}{4}$ SE $\frac{1}{4}$ | - | 31     |

|                     |       |   |    |
|---------------------|-------|---|----|
| Section 33-T35-R21E | Lot 1 | - | 38 |
|                     | Lot 2 | - | 36 |
|                     | Lot 3 | - | 16 |

|                     |                                   |   |    |
|---------------------|-----------------------------------|---|----|
| Section 27-T35-R21E | SW $\frac{1}{4}$ SW $\frac{1}{4}$ | - | 30 |
|                     | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | - | 22 |
|                     | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | - | 28 |
|                     | SE $\frac{1}{4}$ SE $\frac{1}{4}$ | - | 22 |

|                     |                                   |   |    |
|---------------------|-----------------------------------|---|----|
| Section 34-T35-R21E | Lot 1                             | - | 5  |
|                     | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | - | 20 |
|                     | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | - | 29 |
|                     | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | - | 10 |
|                     | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | - | 9  |
|                     | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | - | 10 |

|                     |                                   |   |    |
|---------------------|-----------------------------------|---|----|
| Section 26-T35-R21E | SW $\frac{1}{4}$ SW $\frac{1}{4}$ | - | 30 |
|                     | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | - | 31 |
|                     | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | - | 15 |

|                                   |                                   |    |    |
|-----------------------------------|-----------------------------------|----|----|
| Section 35-T35-R21E               | NW $\frac{1}{4}$ NW $\frac{1}{4}$ | -  | 35 |
|                                   | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | -  | 40 |
|                                   | SW $\frac{1}{4}$ NW $\frac{1}{4}$ | -  | 18 |
|                                   | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | -  | 36 |
|                                   | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | -  | 40 |
|                                   | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | -  | 15 |
| SW $\frac{1}{4}$ NE $\frac{1}{4}$ | -                                 | 13 |    |

Total = 641 Acres



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

April 15, 1992

**NOTICE**

**TO:** John and Lesa Eisenbraun & Marvin Eisenbraun  
HC 1, Box 118  
Kadoka SD 57543

**FROM:** John Hatch, Chief Engineer  
Water Rights Division  
605 773-3352

**SUBJECT:** Hearing to Consider Validation of Recognized Vested Right Claim No. 558-2

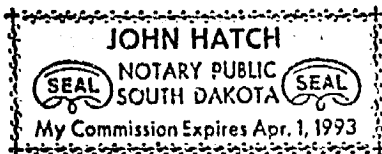
A Notice of Intent to validate Claim No. 558-2 was published on June 2 and 9, 1988 in the Kadoka Press, Kadoka SD. The Water Rights Division opposed validation of No. 558-2 for purposes of completing on on-site inspection of the claim. The inspection of Claim No. 558-2 was completed on September 20, 1990 by Tim Schaal, staff engineer. The inspection found that the number of acres being irrigated has been reduced from 736.81 acres to 641 acres due to acreage between fields not being irrigated and changes in the river location. The diversion rate is to be reduced, accordingly, from 10.52 cubic feet of water per second (cfs) to 9.16 cfs. This reduced diversion rate is based on the statutory application rate of 1 cfs per 70 acres (641 acres/70 = 9.16 cfs).

The Water Management Board will consider validation of Claim No. 558-2 at 9:30 am, May 6, 1992, in the Floyd Matthews Training Center, Joe Foss Building, 523 E Capitol, Pierre SD. The agenda time is an estimate. The actual time of the hearing may be later than 9:30 am due to prior agenda items.

Pursuant to the findings of the on-site inspection, validation of Claim No. 558-2 is recommended for a diversion rate of 9.16 cfs from dry draws to irrigate 641 acres. Following the hearing, the Board is authorized to 1) validate the claim as recommended for 641 acres and 9.16 cfs, 2) validate the claim as licensed prior to the on-site inspection, 3) validate the claim based on evidence presented at the public hearing, or 4) defer validation of the claim. Applicable provisions of the published notice of intent to validate Claim No. 558-3 will still apply at this hearing. A copy of the June 2 and 6, 1988, publication is available upon request.

This hearing is an adversary proceeding. You have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

cc: Diane Best, Assistant Attorney General



SOUTH DAKOTA

VESTED WATER RIGHT NO. 558-2 FOR IRRIGATION

Date of Receipt of Claim September 30, 1959.

Date of Validation May 6, 1992.

The Water Management Board validated Vested Water Right Claim No. 558-2 for irrigation purposes for John and Iesa Eisenbraun and Marvin Eisenbraun, HC 1, Box 118, Kadoka, SD, 57543 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 558-2 appropriates 9.36 cubic feet per second of water from dry draws to irrigate 641 acres. The points of diversion are located in the SW1/4, SE1/4 SEC 27, T3S, R21E and in the SW1/4, SE1/4 SEC 28, T3S, R21E. The irrigated lands are located in the S1/2 SW1/4 and SW1/4 SE1/4 SEC 26; S1/2 SW1/4, S1/2 SE1/4 SEC 27; E1/2 SW1/4, S1/2 SE1/4 SEC 28; Lots 1, 2 and 3 SEC 33; Lot 1, NE1/4, NW1/4 SE1/4 SEC 34 and NW1/4, N1/2 NE1/4, SW1/4 NE1/4 SEC 35 all in T3S, R21E.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. Water is to be used during the following annual period: January 1 to December 31.
3. The priority dates of the Vested Water Right are:  
September 19, 1949 - 2.00 cfs  
August 17, 1951 - 1.00 cfs  
December 1, 1954 - 6.16 cfs
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

The 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.

WATER MANAGEMENT BOARD

By: \_\_\_\_\_

  
Chief Engineer

JUN 29 1992

\_\_\_\_\_  
date

Division of Water Rights  
Dept. of Environment and Natural Resources

STATE OF SOUTH DAKOTA

VESTED RIGHT WATER LICENSE NO. 558-2 FOR IRRIGATION

(1) Byron and Dorothy Bradfield (B D Bradfield Ranch, Inc.) of Kadoka, SD 57543 made Application No. 558-2, September 30, 1959 for validation of a vested right claim to appropriate 10.52 cubic feet of water per second from dry draws, Jackson County, South Dakota for irrigation purposes. Vested Right Claim No. 558-2 was transferred December 23, 1991, to John and Lesa Eisenbraun and Marvin Eisenbraun. Vested Water right No. 558-2 was validated May 6, 1992 with priority dates of September 19, 1949, August 17, 1951, and December 1, 1954. Construction of the described water supply system and application of water to beneficial use has been completed and complies with applicable provisions of South Dakota State Law.

A field inspection of the water use system was conducted September 20, 1990. The inspection found the system existed as described in the original claim with the exception of a decrease in acres irrigated.

Based upon the inspection and subsequent validation of the vested right claim, the license is being reissued to reflect the acreage actually irrigated.

(2) The applicant is entitled to divert 9.16 cubic feet of water per second for beneficial use. The location of the diversion points are

Pt. #1---160.0 rods North 54 degrees and 45 minutes West of the Southeast Corner of Section 28-T3S-R21E, BHM

Pt. #2---60.0 rods North 30 degrees and 00 minutes West the Southeast Corner of Section 27-T3S-R21E, BHM

Pt. #3---150.0 rods North 33 degrees and 30 minutes East of the Southwest Corner of Section 28-T3S-R21E, BHM

Pt. #4---124.9 rods North 17 degrees and 45 minutes east of the Southwest Corner of Section 27-T3S-R21E, BHM

The location of the irrigated acreage is:

|                     |               |          |
|---------------------|---------------|----------|
| Section 28-T3S-R21E | NE 1/4 SW 1/4 | 1 Acre   |
|                     | SE 1/4 SW 1/4 | 29 Acres |
|                     | SW 1/4 SE 1/4 | 32 Acres |
|                     | SE 1/4 SE 1/4 | 31 Acres |
| Section 33-T3S-R21E | Lot 1         | 38 Acres |
|                     | Lot 2         | 36 Acres |
|                     | Lot 3         | 16 Acres |
| Section 27-T3S-R21E | SW 1/4 SW 1/4 | 30 Acres |
|                     | SE 1/4 SW 1/4 | 22 Acres |
|                     | SW 1/4 SE 1/4 | 28 Acres |
|                     | SE 1/4 SE 1/4 | 22 Acres |

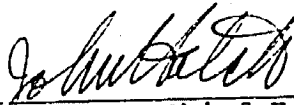
Section 34-T3S-R21E

|            |        |           |
|------------|--------|-----------|
|            | Lot 1  | 5 Acres   |
| NW 1/4     | NE 1/4 | 20 Acres  |
| NE 1/4     | NE 1/4 | 29 Acres  |
| SW 1/4     | NE 1/4 | 10 Acres  |
| SE 1/4     | NE 1/4 | 9 Acres   |
| NW 1/4     | SE 1/4 | 10 Acres  |
| SW 1/4     | SW 1/4 | 30 Acres  |
| SE 1/4     | SW 1/4 | 31 Acres  |
| SW 1/4     | SE 1/4 | 15 Acres  |
| NW 1/4     | NW 1/4 | 35 Acres  |
| NE 1/4     | NW 1/4 | 40 Acres  |
| SW 1/4     | NW 1/4 | 18 Acres  |
| SE 1/4     | NW 1/4 | 36 Acres  |
| NW 1/4     | NE 1/4 | 40 Acres  |
| NE 1/4     | NE 1/4 | 15 Acres  |
| SW 1/4     | NE 1/4 | 13 Acres  |
| Total----- |        | 641 Acres |

Section 26-T3S-R21E

Section 35-T3S-R21E

(3) Pursuant to Section 46-5-30.1 John and Lesa Eisenbraun and Marvin Eisenbraun of HC 1, Box 118, Kadoka, SD 57543 the holder(s) and/or owner(s) of Vested Water Right No. 558-2 is issued a license to appropriate 9.16 cubic feet of water per second from dry draws with priority dates of September 19, 1949 for 2.00 cfs, August 17, 1951 for 1.00 cfs, and December 1, 1954 for 6.16 cfs from the location specified in (2) of this license. The water is to be used for the purpose of irrigation. This license is subject to any limitations, conditions or qualifications listed in Vested Water Right No. 558-2 and subject to South Dakota State Law.

  
JOHN HATCH, Chief Engineer  
Water Rights Division  
Department of Environment and  
Natural Resources

JUN 29 1992



JUN 29 1992

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

John and Lesa Eisenbraun  
Marvin Eisenbraun  
HC 1, Box 118  
Kadoka SD 57543

Dear Sirs:

The Water Management Board has validated the enclosed Vested Water Right No. 558-2. This validation gives legal status to the claim and is the final document for your vested right. Enclosed is the reissued water license which reflects the acreage and diversion rate as validated by the Board.

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

Very truly yours,

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

enclosures

NOT TO SCALE



NOT TO SCALE

3-21  
127 L



|      |
|------|
| 60.3 |
| 57.6 |
| 56.4 |
|      |

Brakell



68

Brakfield

• 27

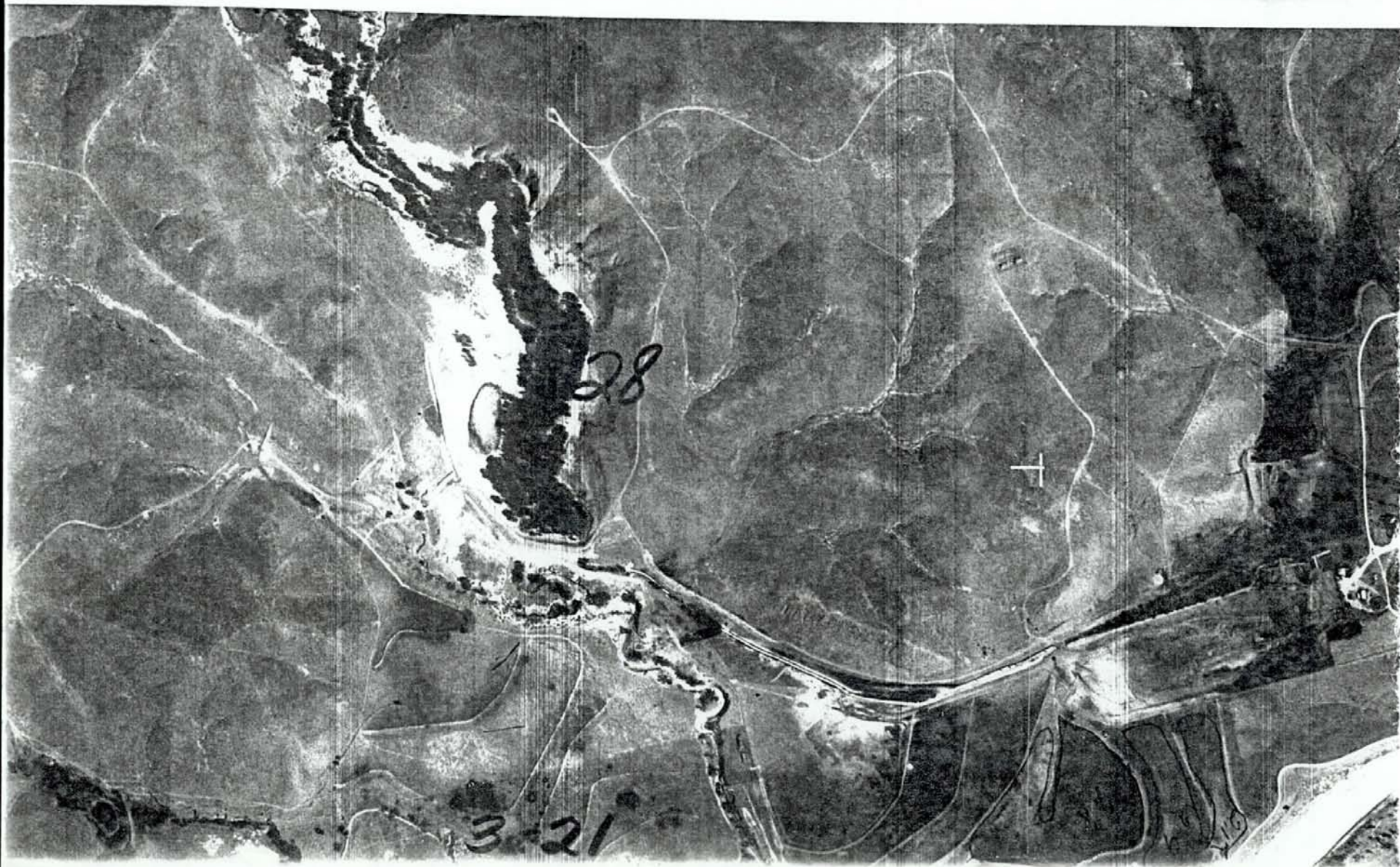




NOT TO SCALE



Bradfield



Br 6.1.16

NOT TO SCALE







26

3-21  
727 L  
273.8

6.8

6.9

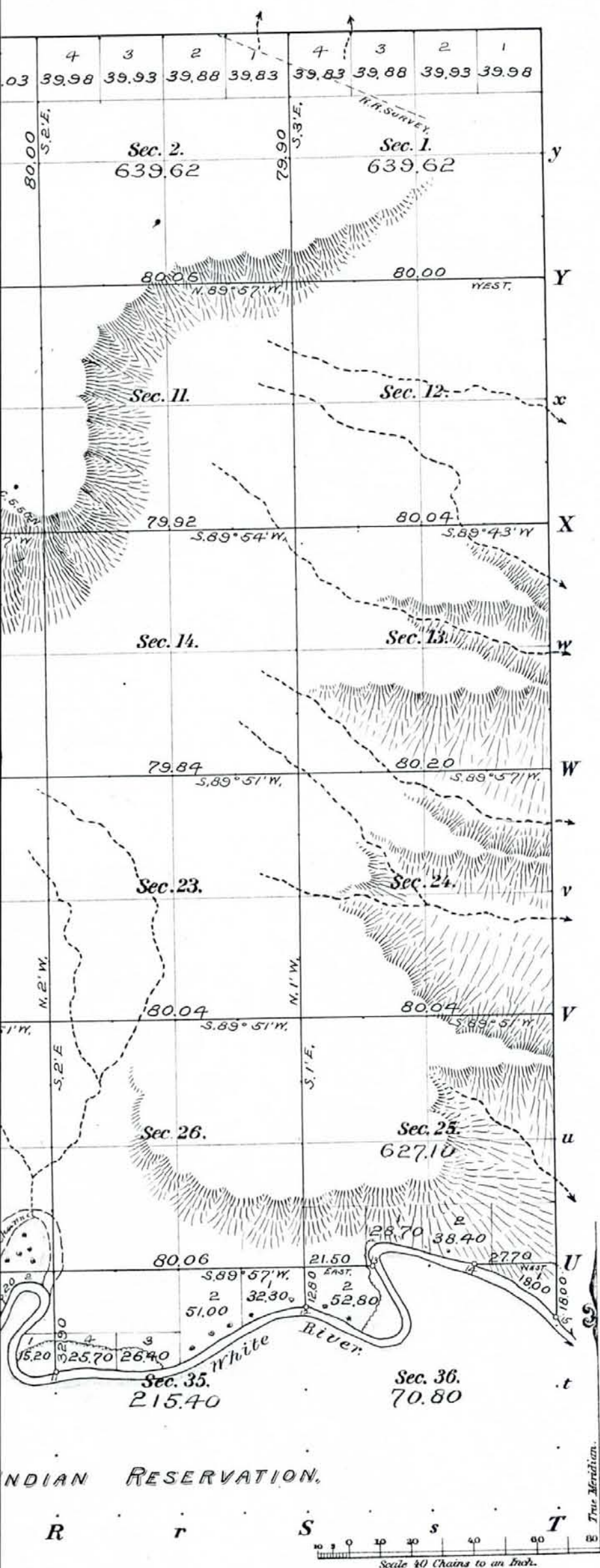
35

139.5

34.2



## Black Hills Meridian

$$C \qquad b \qquad B \qquad a \qquad A$$
[illegible]

The above Map, of Township N. 3 South, of Range N. 21 East of the Black Hills Meridian, South Dakota, is strictly conformable to the field notes of the survey thereof on file in this Office, which have been examined and approved.

Surveyor General's Office,  
Huron S. D. May 22, 1891.

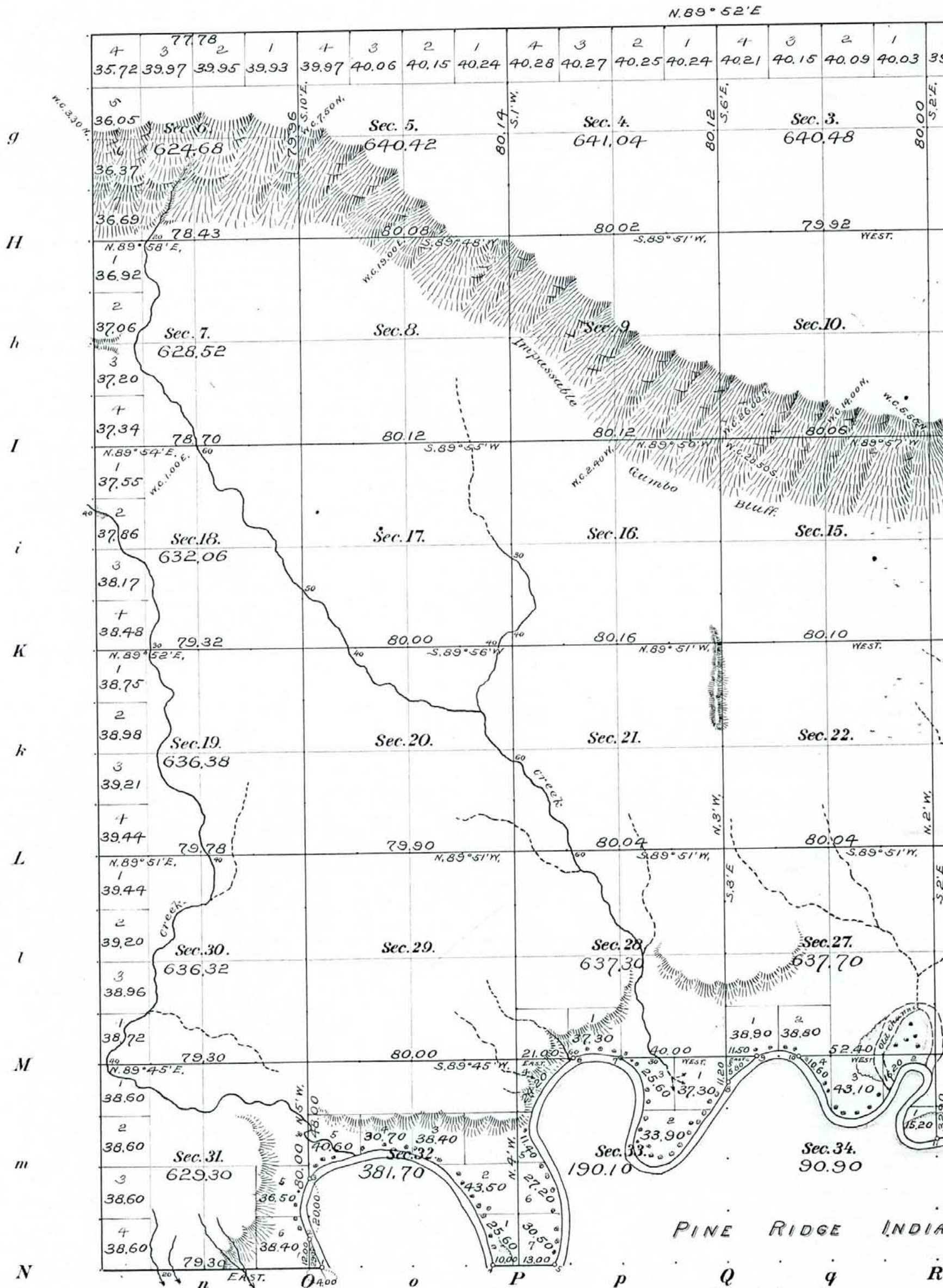
Dortchus N. Sullivan  
Sur.<sup>t</sup> Gen.<sup>t</sup>

Commissioner's letter "E"  
dated May 28, 1891



Township N<sup>o</sup> 3 South , Range N<sup>o</sup> 21 East , Black

G f F e E d D c C



| Surveys Designated | By Whom Surveyed | Date of Contract | Amount of Surveys<br>M. Ch. Lk. | When Surveyed | Mean Decl. East. |
|--------------------|------------------|------------------|---------------------------------|---------------|------------------|
| Township lines     | Gell B. Piper    | May 5. 1890      |                                 | July 1890     |                  |
| Subdivisions       | " " "            | " " "            | 56 67 41                        | Sept. 23-28 " | 13° 56'          |
| Meanders           | " " "            | " " "            | 8 75 66                         | " " " "       |                  |



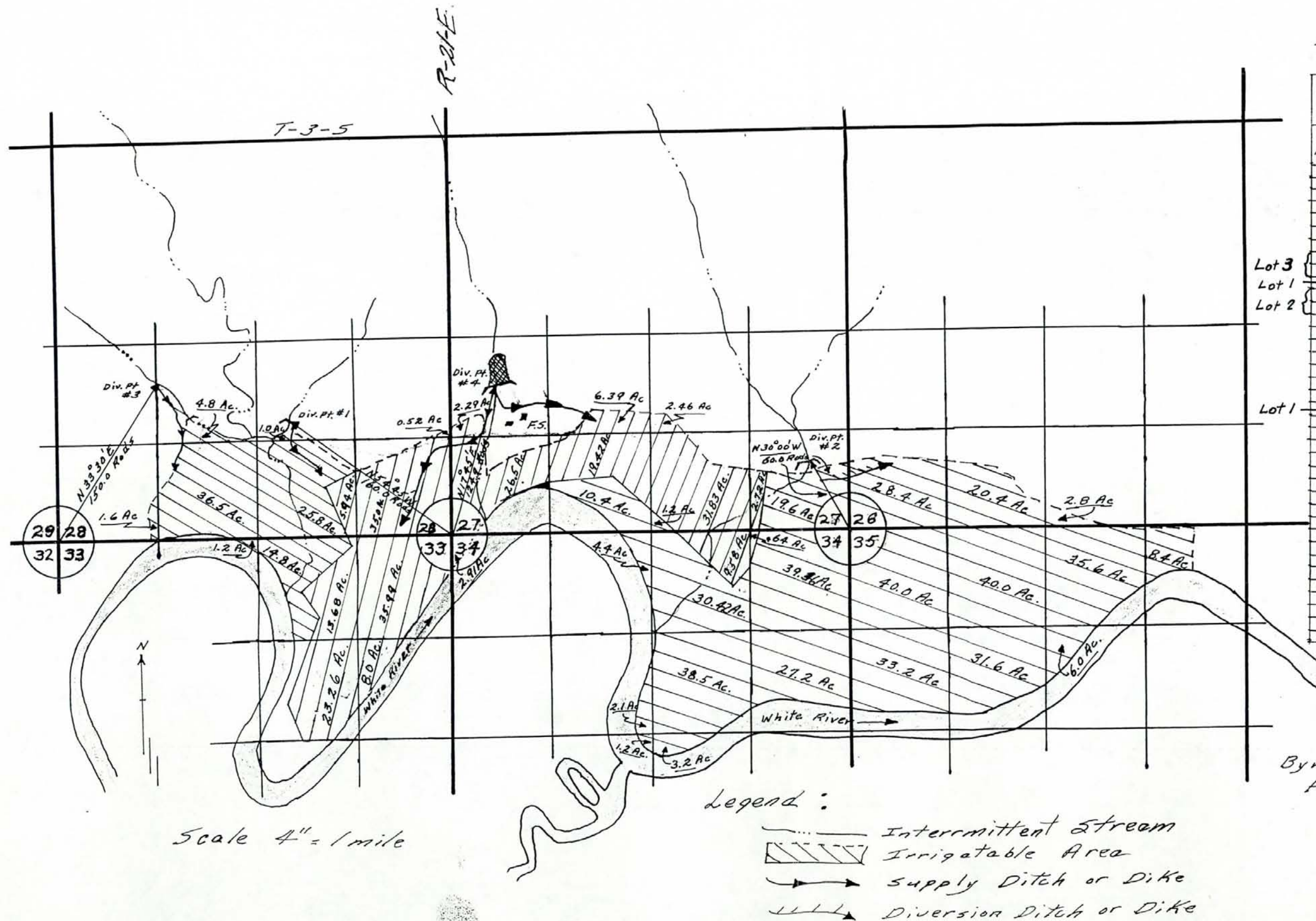
- 558-2
- 338-2 Enlargement
- 339-2
- Original Boundary

(Appl # 558-2)

Ryan K. [unclear]

| Flying U<br>Irrigation Project #2 |     |       |       |        |
|-----------------------------------|-----|-------|-------|--------|
| Location                          | Sec | Twshp | Range | Acre   |
| SW <sup>4</sup> SW <sup>4</sup>   | 28  | 35    | 21E   | 1.60   |
| NE <sup>4</sup> SW <sup>4</sup>   | "   | "     | "     | 4.80   |
| SE <sup>4</sup> SW <sup>4</sup>   | "   | "     | "     | 36.50  |
| NW <sup>4</sup> SE <sup>4</sup>   | "   | "     | "     | 1.00   |
| NE <sup>4</sup> SE <sup>4</sup>   | "   | "     | "     | 0.52   |
| SW <sup>4</sup> SE <sup>4</sup>   | "   | "     | "     | 31.74  |
| SE <sup>4</sup> SE <sup>4</sup>   | "   | "     | "     | 35.00  |
| NE <sup>4</sup> NW <sup>4</sup>   | 39  | "     | "     | 1.20   |
| NW <sup>4</sup> NE <sup>4</sup>   | "   | "     | "     | 28.48  |
| NE <sup>4</sup> NE <sup>4</sup>   | "   | "     | "     | 35.99  |
| SW <sup>4</sup> NE <sup>4</sup>   | "   | "     | "     | 23.26  |
| SE <sup>4</sup> NE <sup>4</sup>   | "   | "     | "     | 8.00   |
| NW <sup>4</sup> SW <sup>4</sup>   | 27  | "     | "     | 2.29   |
| NE <sup>4</sup> SW <sup>4</sup>   | "   | "     | "     | 6.39   |
| SW <sup>4</sup> SW <sup>4</sup>   | "   | "     | "     | 26.50  |
| SE <sup>4</sup> SW <sup>4</sup>   | "   | "     | "     | 29.82  |
| NW <sup>4</sup> SE <sup>4</sup>   | "   | "     | "     | 2.46   |
| SW <sup>4</sup> SE <sup>4</sup>   | "   | "     | "     | 33.03  |
| SE <sup>4</sup> SE <sup>4</sup>   | "   | "     | "     | 22.32  |
| NW <sup>4</sup> NW <sup>4</sup>   | 34  | "     | "     | 2.91   |
| NE <sup>4</sup> NW <sup>4</sup>   | "   | "     | "     | 4.40   |
| SE <sup>4</sup> NW <sup>4</sup>   | "   | "     | "     | 2.10   |
| NW <sup>4</sup> NE <sup>4</sup>   | "   | "     | "     | 40.00  |
| NE <sup>4</sup> NE <sup>4</sup>   | "   | "     | "     | 40.00  |
| SW <sup>4</sup> NE <sup>4</sup>   | "   | "     | "     | 38.50  |
| SE <sup>4</sup> NE <sup>4</sup>   | "   | "     | "     | 37.20  |
| NE <sup>4</sup> SW <sup>4</sup>   | "   | "     | "     | 1.20   |
| NW <sup>4</sup> SE <sup>4</sup>   | "   | "     | "     | 3.20   |
| SW <sup>4</sup> SW <sup>4</sup>   | 26  | "     | "     | 28.40  |
| SE <sup>4</sup> SW <sup>4</sup>   | "   | "     | "     | 20.40  |
| SW <sup>4</sup> SE <sup>4</sup>   | "   | "     | "     | 2.80   |
| NW <sup>4</sup> NW <sup>4</sup>   | 35  | "     | "     | 40.00  |
| NE <sup>4</sup> NW <sup>4</sup>   | "   | "     | "     | 40.00  |
| SW <sup>4</sup> NW <sup>4</sup>   | "   | "     | "     | 33.20  |
| SE <sup>4</sup> NW <sup>4</sup>   | "   | "     | "     | 31.60  |
| NW <sup>4</sup> NE <sup>4</sup>   | "   | "     | "     | 35.60  |
| NE <sup>4</sup> NE <sup>4</sup>   | "   | "     | "     | 8.40   |
| SW <sup>4</sup> NE <sup>4</sup>   | "   | "     | "     | 6.00   |
| TOTAL                             |     |       |       | 736.81 |

(Appl. # 558-2)



558-2

# WEST RIVER LAND LLC

928 LAZELLE STREET, STURGIS, SD 57785 • CELL: 605.641.6882 • FAX: 605.720.8888  
www.westriverland.com

RECEIVED

APR - 1 2015

WATER RIGHTS  
PROGRAM

Eric Gronlund  
DENR – Water Rights Program  
523 E Capitol Ave  
Pierre, SD 57501-3182

March 30, 2015

Dear Eric,

We closed the real estate transaction on the John and Lesa Eisenbraun Ranch.. Most of the ranch was purchased by Stromberger Farms, Inc. and a small portion purchased by Supreme Investments, L.L.C., Both entities owned by Bart Stromberger.

I have enclosed six water rights transfers, a copy of both warranty deeds, a \$300.00 check and a plat map of the ranch. I carefully went through the water rights and took off any land that was not being purchased. I really feel that I have them all correct, but it is possible that I have made errors.

If you have any questions about these transfer forms, please feel free to call me and I will assist more. Please call me at any time. 605-641-6882 cell, [steve@stevesatterlee.com](mailto:steve@stevesatterlee.com) e-mail.

Thanks for your previous help with these. Hope you are having a good week.

Sincerely,



Steve Satterlee Broker/Owner 605-641-6882 cell  
West River Land LLC  
928 Lazelle St  
Sturgis, SD 57785

PREPARED BY:  
Cheryl Nankivel  
First American Title Company  
801 Mt. Rushmore Road Ste 100  
P.O. Box 8181  
Rapid City, SD 57701  
(605) 348-4200

RECEIVED

APR - 1 2015

WATER RIGHTS  
PROGRAM

WARRANTY DEED

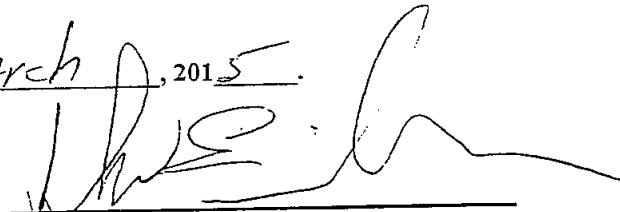
JOHN M. EISENBRAUN A/K/A JOHN EISENBRAUN AND LESA J. EISENBRAUN A/K/A LESA EISENBRAUN, husband and wife, Grantors, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, GRANTS, CONVEYS AND WARRANTS, TO SUPREME INVESTMENTS LLC, a Nebraska limited liability company, Grantee, of \_\_\_\_\_, the following described real estate in the County of JACKSON, State of SOUTH DAKOTA:

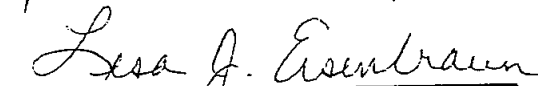
Township 3 South, Range 21 East of the Black Hills Meridian, Jackson County, South Dakota:  
Section 24: SE1/4.

Township 3 South, Range 22 East of the Black Hills Meridian, Jackson County, South Dakota:  
Section 18: Lots 1, 2, 3 and 4.  
Section 19: Lots 1, 2, 3, 4, E1/2W1/2, W1/2NE1/4, lying west of Highway and W1/2SE1/4,  
EXCEPTING therefrom Lots H-1, H-2, H-3, H-4, H-5 and H-6.

Subject to easements, restrictions, covenants and reservations of record.

Dated this 25 day of March, 2015.

  
\_\_\_\_\_  
JOHN M. EISENBRAUN  
A/K/A JOHN EISENBRAUN

  
\_\_\_\_\_  
LESA J. EISENBRAUN  
A/K/A LESA EISENBRAUN

PREPARED BY:  
Cheryl Nankivel  
First American Title Company  
801 Mt. Rushmore Road Ste 100  
P.O. Box 8181  
Rapid City, SD 57701  
(605) 348-4200

RECEIVED  
APR - 1 2015  
WATER RIGHTS  
PROGRAM

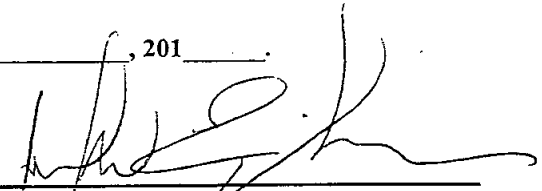
WARRANTY DEED

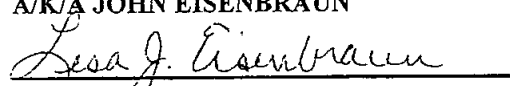
JOHN M. EISENBRAUN, A/K/A JOHN EISENBRAUN, AND LESA J. EISENBRAUN, A/K/A LESA EISENBRAUN, husband and wife, Grantors, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, GRANTS, CONVEYS AND WARRANTS, TO STROMBERGER FARMS INC., a Nebraska corporation, Grantee, of PO Box 787  
Imperial, NE 69033, the following described real estate in the County of JACKSON, State of SOUTH DAKOTA:

See Exhibit A attached hereto and made a part hereof.

Subject to easements, restrictions, covenants and reservations of record.

Dated this 25 day of March, 2015.

  
\_\_\_\_\_  
JOHN M. EISENBRAUN  
A/K/A JOHN EISENBRAUN

  
\_\_\_\_\_  
LESA J. EISENBRAUN  
A/K/A LESA EISENBRAUN

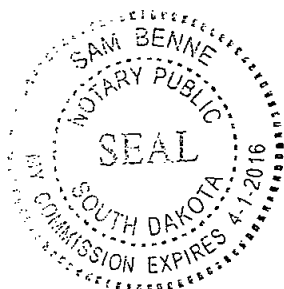
STATE OF S.D.

COUNTY OF Pennington

} ss.

On this the 25 day of March, 2015, before me, the undersigned officer, personally appeared JOHN M. EISENBRAUN, A/K/A JOHN EISENBRAUN, AND LESA J. EISENBRAUN, A/K/A LESA EISENBRAUN known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he/she has executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.



  
\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

Exhibit A

Township 3 South, Range 21 East of the Black Hills Meridian, Jackson County, South Dakota:

- Section 1: S1/2SE1/4, EXCEPTING therefrom the NE1/4SW1/4SE1/4, and also EXCEPTING therefrom the N1/2N1/2SE1/4SW1/4SE1/4, and also EXCEPTING therefrom any Railroad Right of Way.
- Section 7: Lot 4, SE1/4SW1/4 and SW1/4SE1/4.
- Section 10: SW1/4SW1/4.
- Section 12: W1/2E1/2, EXCEPTING therefrom any Railroad Right of Way.
- Section 13: NW1/4NE1/4, W1/2 and SE1/4.
- Section 14: ALL, EXCEPTING therefrom any Railroad Right of Way.
- Section 15: ALL, EXCEPTING therefrom any Railroad Right of Way.
- Section 18: Lots 1, 2, 3, 4, E1/2W1/2 and NE1/4, EXCEPTING therefrom any Railroad Right of Way.
- Section 19: Lots 1, 2, 3, 4 and E1/2W1/2 and SW1/4SE1/4.
- Section 20: N1/2NW1/4 and E1/2.
- Section 21: N1/2 and N1/2SW1/4.
- Section 22: N1/2.
- Section 23: N1/2, NE1/4SW1/4, N1/2SE1/4 and SE1/4SE1/4.
- Section 24: N1/2.
- Section 25: N1/2NE1/4 and the SE1/4NE1/4, EXCEPTING therefrom Lot 1 of Whidby Ranch Subdivision, as shown on the plat filed in Plat Book E, Page 14.
- Section 26: S1/2SW1/4.
- Section 27: Lots 1, 2, N1/2SW1/4, NW1/4SE1/4 and S1/2SE1/4.
- Section 28: Lot 1, SW1/4SW1/4 and S1/2SE1/4.
- Section 29: S1/2SE1/4.
- Section 32: Lots 1, 2, 3, NW1/4NE1/4 and E1/2NE1/4.
- Section 33: Lots 1, 2, 3, 4, 5, 6 and 7.
- Section 34: Lots 1, 2, 3 and 4.
- Section 35: Lots 1, 2, 3, 4 and the N1/2NW1/4.
- Section 36: Lots 1 and 2.

Township 4 South, Range 21 East of the Black Hills Meridian, Jackson County, South Dakota:

- Section 4: Lot 1.
- Section 5: Lot 1.

Township 3 South, Range 22 East of the Black Hills Meridian, Jackson County, South Dakota:

- Section 6: Lots 3 and 4, E1/2SW1/4 and SE1/4, EXCEPTING therefrom any Railroad Right of Way and also EXCEPTING therefrom Lot H-1.
- Section 7: Lots 1, 2, 4 and the NE1/4NW1/4, EXCEPTING therefrom Highway Right of Way.
- Section 30: Lots 1, 2, 3, 5, 6, E1/2NW1/4 and W1/2NE1/4, EXCEPTING therefrom Lot 1 of Whidby Ranch Subdivision from said Lots 2, 3 and 5, as shown on the plat filed in Plat Book E, Page 14.
- Section 30: That portion of Lot 7 lying West of Highway 73 right of way, EXCEPTING therefrom Lots H-1, H-2, H-3, H-4 and H-5.
- Section 31: Lots 1, 2, 3, 4, 5 and 6.

Lot 1 of Whidby Ranch Subdivision located in Section 25-T3S-R21E BHM and in Section 30-T3S-R22E BHM, Jackson County, South Dakota, as shown on the plat filed in Plat Book E, Page 14.

Township 3 South, Range 21 East of the Black Hills Meridian, Jackson County, South Dakota:

- Section 26: SE1/4NW1/4 and SW1/4NE1/4.

RECEIVED

APR - 1 2015

WATER RIGHTS  
PROGRAM

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

Water Right/Permit No. 558-2

Date: \_\_\_\_\_

I/We request that Water Right/Permit No. 558-2 formerly owned by:  
John and Lesa Eisenbraun be transferred to:

New Owner Name: Bart Stromberger, Stromberger Farms, Inc.Address: PO Box 787City, State, Zip Imperial ☒ NE ☒ 69033 Telephone No. 308-883-2525

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

Section 28, NESW 1 ac (Forest Permit), Lot 1 29 ac, SWSE 32 ac, SESE 31 ac; Section 33, Lot 1 37.3 ac, Lot 2 33.9 ac, Lot 3 16 ac; Section 27, Lot 1 30 ac, Lot 2 22ac, SWSE 28 ac, SESE 22 ac; Section 34, Lot 1 14 ac, Lot 3 30 ac, Lot 2 16.2 ac; Section 26, SWSW 30 ac, SESW 31 ac, SWSE 15 ac (Forest Permit); Section 35, NWNW 35 ac, NENW 40 ac, Lot 4 18 ac, Lot 3 26.4 ac, Lot 2 53 ac, Lot 1 15 ac; All in T3S, R21E, Jackson County, SD

☒ I understand that the validity of Water Right/Permit No. 558-2 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, BART STROMBERGER, 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.

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 4/1, 20 15

RECEIVED OF First American Title Co PO Box 8181 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>558-2</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. 07331

By

James Goodman  
Chief Engineer



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

August 12, 2015

558-2  
633-2

Bart Stromberger  
Stromberger Farms Inc  
PO Box 787  
Imperial NE 69033

Dear Mr. Stromberger:

I am writing to confirm the transfer of ownership of Water Right No. 558-2 and 633-2.

The ownership changes have been processed as follows:

- **No. 558-2** transferred from John and Lesa Eisenbraun to Bart Stromberger, Stromberger Farms Inc.; and
- **No. 633-2:** transferred from Julian Whidby to Bart Stromberger, Stromberger Farms Inc.

For informational purposes, you will receive an annual irrigation questionnaire for three of the water rights recently transferred to you. They would be the systems with diversion from the White River as authorized under Nos. 305-2, 339-2 and 633-2. The forms are mailed out in mid-October each year and are due back by December 1<sup>st</sup>. The forms request information on how much water was pumped during the season. When you receive them, if you have questions on how to fill them out or are unsure what is required, please give me a call and I can walk you through the process.

The Receipts for the filing fees are being forwarded by copy of this letter to First American Title Company in Rapid City, SD.

Sincerely,

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

c: First American Title Company w/Receipts, PO Box 8181, Rapid City SD 57709  
Steve Satterlee, West River Land LLC, 928 Lazelle St, Sturgis SD 57785

RECEIVED

MAY 07 2018

WATER RIGHTS  
PROGRAM

SD EForm - 0495LD V2

## NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

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

Water Right/Permit No. 558-2Date: 3-9-2018

I/We request that Water Right/Permit No. 558-2 formerly owned by:  
Bart Stromberger, Stromberger Farms, Inc. be transferred to:

New Owner Name: Mitchell-Slovek Ranch, LLLPAddress: 20901 Slovek RoadCity, State, Zip Philip, SD 57567Telephone No. 605-488-0257

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

Section 28, NESW 1 ac (Forest Permit), Lot 1 29 ac, SWSE 32 ac, SESE 31 ac; Section 33, Lot 1 37.3 ac, Lot 2 33.9 ac, Lot 3 16 ac; Section 27, Lot 1 30 ac, Lot 2 22ac, SWSE 28 ac, SESE 22 ac; Section 34, Lot 1 14 ac, Lot 3 30 ac, Lot 2 16.2 ac; Section 26, SWSW 30 ac, SESW 31 ac, SWSE 15 ac (Forest Permit); Section 35, NWNW 35 ac, NENW 40 ac, Lot 4 18 ac, Lot 3 26.4 ac, Lot 2 53 ac, Lot 1 15 ac; All in T3S, R21E, Jackson County, SD

☒ I understand that the validity of Water Right/Permit No. 558-2 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, Mitchell-Slovek Ranch, LLLP, the new owner, certify that the above information is true and correct.

William C. Slovek, general partner  
(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.

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date May 7, 20 18

RECEIVED OF First American Title Company of SD PO Box 8881 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 _____ 558-2                                                                       |       |    |
| 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. _____                                             | 50    | 00 |
| 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 |    |

No. **08673**

By

Jeanne Goodman  
Chief Engineer



558-2  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.denr.sd.gov](http://www.denr.sd.gov)

September 26, 2018

William C Slovek, General Ptr  
Mitchell-Slovek Ranch LLLP  
20901 Slovek Rd  
Philip SD 57567

RE: Water Right Nos. 305-2, 339-2, 558-2, 842-2 and 943-2

Dear Mr. Slovek:

The transfer of ownership for the above referenced Water Rights has been completed. The water rights formerly held by Stromberger Farms Inc. are now listed in the name of Mitchell-Slovek Ranch LLLP.

The ownership change for Water Right No. 633-2 is still being processed. We are currently working through your attorney to determine if the entire water right should be transferred or if portions of the land are under separate ownership.

The receipts for filing fees for Nos. 305-2, 339-2, 558-2, 842-2 and 943-2 are being sent to First American Title Company of SD with a copy of this letter. Each receipt is in the amount of \$50.

If you have any questions, please contact me.

Sincerely,

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

c: First American Title Company of SD, PO Box 8181, Rapid City SD 57709