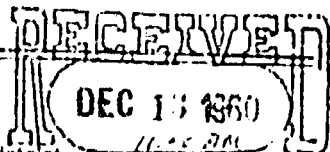


646-2

1. Considered (3-15, 1961
2. Name of Applicant P. C. Hamilton
3. Post Office Address Pineville
4. Amount of water claimed 1.00
5. Source of water supply Mud Run
6. Water to be used for irrigation
Acres to be irrigated 80.8
7. Water to be diverted and used in Stanley County about
3 miles N of Stanley
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved ✓
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:



No. 646-2
 Water Division No. 2 BAD RIVER
 (Blanks to be filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COM.
 914 225, 551 121, 551 672

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

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

1. Name of applicant P.C. Hamilton Estate
 Postoffice address 1402 E. Capitol, County Hughes, State S.D.

- 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)

Contract & Direct

(b) Cash on hand, \$ 1,000.00

(c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____

(e) Other resources, \$ _____

2. Name of diversion work Pump & Pipe

3. Amount of water claimed 1.00 cubic feet per second

4. Source of water supply Missouri River

5. Location of point of diversion 125' W of N.E. Corner - Sec 16 - T5N - R31E

_____ on West bank Stanley County.

6. Annual period or periods during which water is to be used April 1st To Nov. 1st

7. To be used for:

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

(a) Number of acres to be irrigated 78.8 (approx) acres

(b) Legal subdivisions to be irrigated All of lot 4, 25' portion of lot 3 & 26' of lot 5

(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 _____

MAP No 580-2

8. Estimated cost of work:

(a) Head Gates, \$-----

(b) Pumping plant, \$2500

(c) Fluming, \$-----

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

Rock, \$-----

(e) Other structures ----- \$-----

Total, \$-----

9. Description of diversion works:

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

Graded Pipe

II. Dimensions of works.

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

----- feet; thickness at bottom ----- feet; thickness at top -----

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

material used in construction -----

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

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

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

Material -----

(d) Canal: Total length ----- miles.

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ----- 5 ----- years.

11. Time required for complete application of water to the proposed beneficial use ----- 7 ----- years.

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

Fort Pierre Times

STATE OF SOUTH DAKOTA

County of Hughes } ss.

I, P. C. Hamilton, 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 13th day of December 1960

Alvin H. Allen
Notary Public (or other qualified officer:)

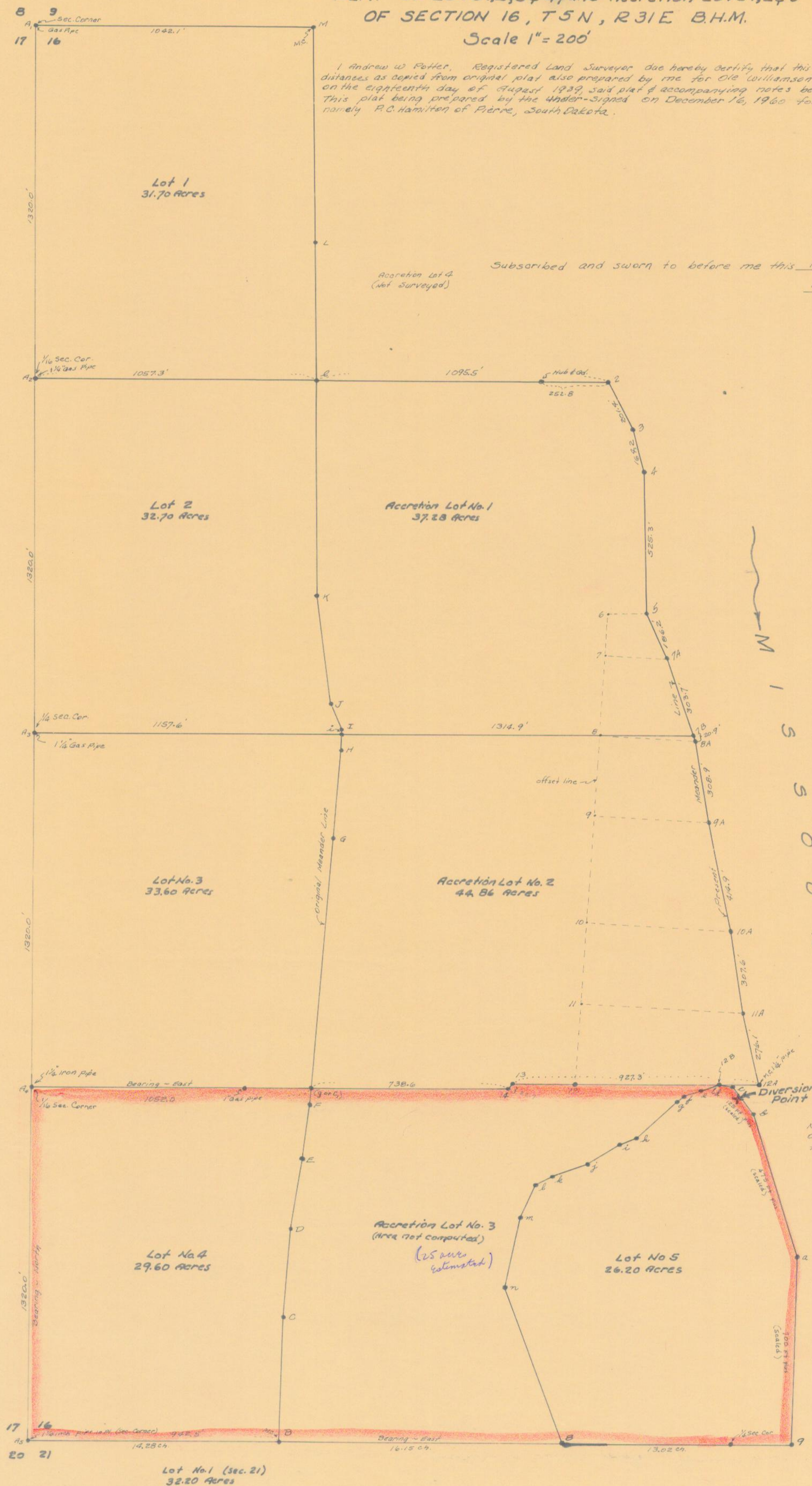
3-2-67

Scale 1" = 200'

Andrew W. Potter
Registered Land Surveyor

Subscribed and sworn to before me this 16 day of December, 1968.

Myrtle E. Rulgard
Notary Public



Note. See Field Notes that are on file at Stanley Co. Reg. of Deeds for detailed information shown on plot.

RIVER

MAP N^o 580-2
(APPL N^o 646-2)

STATE OF SOUTH DAKOTA

County of Hughes } ss.

Pierre, South Dakota, MARCH 17, 1961

This is to certify that the foregoing application was received by the Commission at 11:00 o'clock

a m. upon the 13TH day of December, 1960

State Water Resources Commission

By:

[Signature]
for Chief Engineer, Executive Officer

Number of permit 646-2

Date of first receipt of application December 13, 1960

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 December 13, 1960

Approved MARCH 15, 1961, Recorded in Book 6 Page 196

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 _____

September 15, 1963

2nd. The whole of said work is to be completed on or before: MARCH 15, 1966

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

MARCH 15, 1968

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 1.00 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 MARCH 15, 1968; said water to be used during the following described annual period:

April 1 to NOVEMBER 1

Witness my hand this 17TH day of MARCH, 1961

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued AUGUST 21, 1962

Water License Issued AUGUST 21, 1962

STATE OF SOUTH DAKOTA

WATER LICENSE No. 646-2

WHEREAS, On the 13th day of December A. D. 1960
P. C. Hamilton

of Pierre County of Hughes and State of
South Dakota duly made application (No. 646-2) to us for a permit to use 1.0
cubic feet per second of the waters of the Missouri River
County of Stanley, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 17th day of March A. D. 1961
Permit No. 646-2 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 15th day of
March A. D. 1966 and for the application to beneficial use of said
water on or before the 15th day of March A. D. 1968
and,

WHEREAS, On the 30th day of July A. D. 1962
the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.0
cubic feet per second of said waters, as evidenced by our Certificate No. 646-2
dated August 21, 1962 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 1.0 cubic feet per second of water, with date of
priority of December 13, 1960 and,

WHEREAS, On the 30th day of July A. D. 1962
proof was duly made of the application to beneficial use of 1.0 cubic feet per second of said water;
for irrigation of Lots 3, 4 and 5, comprising 80.8 acres in Section 16, T5N, R31E

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 P. C. Hamilton
of Pierre the holder and owner of said permit No. 646-2
a water right, dating from December 13, 1960 to the use of 1.0
cubic feet per second of the waters of the Missouri River
in the County of Stanley and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted at a point 125' W of the NE corner,
Section 16, T5N, R31E
and conducted to and upon Lots 3, 4 and 5, Section 16, T5N, R16E

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 21st day of August A. D. Nineteen
Hundred and Sixty-Two

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GRIMES

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. 646-2Water Division No. 2 Bad River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That P. C. Hamiltonof Pierre, County of Hughes, and State of South Dakotathe holder of Permit No. 646-2, issued upon Application No. 646-2, bearing date of priority of December 13, 1960authorizing the diversion of 1.0 cu. ft. per second of the waters of the Missouri RiverCounty of Stanley, State of South Dakota, at a point 125' W of the NE corner, Section 16, T5N, R31Efor irrigationpurposes, has 8 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 1.0 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: all in Section 16, T5N, R31ELot 3 25.0 acresLot 4 29.6 "Lot 5 26.2 "80.8 "Witness my hand this 21st day of August A. D. 1962

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GRIMES

Affidavit of Publication

STATE OF SOUTH DAKOTA, County of Stanley

I, R. Hallock of said county being first duly sworn, on oath says that he is the publisher of the FORT PIERRE TIMES, a weekly newspaper printed in Fort Pierre, said County of Stanley, and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the APPROPRIATION OF WATER a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for FOUR successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

February 2	19 61	19
February 9	19 61	19
February 16	19 61	19
February 23	19 61	19
	19	19

that the full amount of the fees for the publication of the annexed notice is

\$ 13.02

Subscribed and sworn to before me this 23rd day of February

19 61

[Signature]
Notary Public

County of Stanley, South Dakota

LEGAL NOTICES

APPROPRIATION OF WATER
Office of State Water Resources Commission
Pierre, S. Dak. January 27, 1961
Notice is hereby given that P. O. Hamilton whose postoffice address is Pierre, S. Dak. has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.0 cubic feet of water per second of volume from the Missouri River through the Missouri River Diversion, the point of diversion of which is to be located on the West bank of said stream in Section 16, Township 16N, Range 31E. Said water to be used for the purpose of providing irrigation on the following described lots:
Lots 1 and 5, and accretion Lot 3, Section 16, Township 16N, Range 31E.
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of March, 1961.

RECEIVED
MAR 2 1961

STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTA

on or before
(First Publication February 17, 1961.)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., January 27, 1961.

Notice is hereby given that P. C. Hamilton whose postoffice address is Pierre S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.0 cubic feet of water per second of time from the Missouri River through the Missouri River Diversion, the point of diversion of which is to be located on the West bank of said stream in the accretion Lot 5 ~~Sec~~ Section 16 Twp. 5 N Range 31 E. Said water to be used for the purpose of providing irrigation on the following described land:

Lots 4 and 5, and accretion Lot 3, Section 16, T. 5 N., R. 31 E.

~~Notice~~ ~~is hereby~~ ~~given~~ ~~that~~ ~~the~~ ~~State~~ ~~Water~~ ~~Resources~~ ~~Commission~~ ~~at~~ ~~their~~ ~~office~~ ~~at~~ ~~Pierre~~ ~~for~~ ~~consideration~~ ~~upon~~ ~~the~~ ~~15th~~ ~~day~~ ~~of~~ ~~March~~ ~~1961~~ ~~at~~ ~~2:00~~ ~~P.M.~~ ~~All~~ ~~interested~~ ~~persons~~ ~~may~~ ~~appear~~ ~~and~~ ~~be~~ ~~heard.~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of March, 1961, at 2:00 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

cc: M.R. Hallock-Publisher
Fort Pierre Times
Fort Pierre, South Dakota

By:

~~Chief Engineer, Executive Officer~~
~~XXXXXXXXXXXXXXXXXXXX~~

Burton F. Jones
Water Rights Specialist

Permit No. 646-2
 Water Division No. 2 BAD RIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated _____
 19____, I have this day made a thorough examination of the diversion works constructed by _____
P.C. HAMILTON of PIERRE
HUGHES County, South Dakota, holder of Permit No. 646-2, issued
 upon Application No. 646-2, bearing date of priority of DECEMBER 13, 1960, authorizing the
 diversion of 1.0 cu. ft. per second of the waters of THE MISSOURI RIVER for IRRIGATION
 purposes. I have to report on the condition of the same as follows:

The diversion works comprise: PORTABLE TRAILER MOUNTED PUMP & ENGINE 8" GREEN MCHNEY PUMP #G125B & MO FAR ENGINE #8235. SYSTEM INCLUDES 1000' 8" PIPE, 2000' 6" PIPE, AND 1000' 6' GATED PIPE

and the system is in the following condition: EXCELLENT

The point of diversion is located 125' W OF THE NE CORNER OF SECTION 16, T5N R31E

The works are capable of diverting and conveying to the place of use 800 G.P.M. ~~per second~~ of water,
 which is to be used for IRRIGATION

The legal subdivisions to be irrigated are: LOTS 3, 4 & 5, SECTION 16, T5N R31E

comprising a total of 80.8 acres of land.

The domestic use intended comprises _____

NONE

The utilization for power, mining, or other beneficial uses comprises: _____

NONE

Witness my hand, this 30TH day of _____

July

A. D. 1962

—SEAL—

P. J. Hamilton

Examining Engineer
OFFICER



646-2

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

November 18, 1994

646-2

J Tipp Hamilton
Box 465
Ft Pierre, SD 57532

Dear Mr. Hamilton:

Enclosed, as we discussed, is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change on Water Right No. 646-2.

Please review the form for accuracy and complete where necessary. You will need to sign the form in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

If you have any questions, please contact me.

Sincerely,

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 646-2

Date: 11-21-94

I/We request that Water Right No. 646-2

formerly owned by: P C Hamilton, later owned by Mrs. P C Hamilton

be transferred to: (name & address) J. Tiggs Hamilton
P.O. Box 465 Fort Pierre, S.D. 57532 (Telephone No) 605-227-2915

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

Lots 3, 4 & 5 Section 16, T5N, R31E (80.8 acres)

I/We understand that the validity of Water Right No. 646-2 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 as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Stanley)

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

J. Tiggs Hamilton
(Signed)

Subscribed and sworn to before me this 21st day of November, 19 94.

Janice Hauge
(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

414342

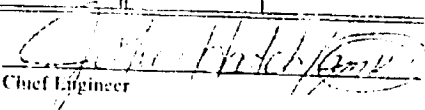
South Dakota Department of Environment and Natural Resources

Pierre, November 23, 19 94

RECEIVED OF ~~XXXXXXXXXXXXXXXXXXXX~~ Timp Hamilton, PO Box 366, Ft. Pierre, SD 57532
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 646-2</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By 
Chief Engineer

646-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 3, 1995

No. 646-2

J. Tipp Hamilton
P.O. Box 465
Ft. Pierre, SD 57532

Dear Mr. Hamilton:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 646-2.

Our records now show you as the owner of Water Right No. 646-2.

Sincerely,

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

enclosure

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

J TIPP HAMILTON
 PO BOX 465
 FT PIERRE SD 57532 0465

4a. Article Number

646-2
 P 378081308

4b. Service Type

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

7. Date of Delivery

2-10-92

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

[Signature]

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



646-2

February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: J TIPP HAMILTON, PO BOX 465, FT PIERRE, SD 57532-0465

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Water Permit No(s) 2306-2, 646-2 and 1996 Irrigation Questionnaire Requirements

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 2306-2, 646-2. The request for the Questionnaires was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 646-2 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2306-2 qualification:

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

The hearing will be held at 2:30 pm, March 5, 1997 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2306-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 646-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaires are received in this office on/or before February 28, 1997, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 20, 1997

646-2
2306-2

J Tipp Hamilton
1201 Hamilton Ct
Ft Pierre, SD 57532

Dear Mr. Hamilton:

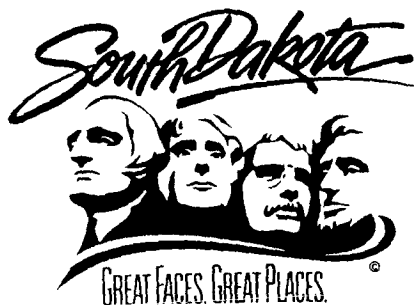
I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, Notice of Violation of Water Permit and 1996 Irrigation Questionnaire Requirements.

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

Thank you and if you have any questions, please contact me.

Sincerely,

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



646-2
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 20, 2001

646-2 and 2306-2

Cullen Deis
1271 Hamilton Court
Ft. Pierre SD 57532

Dear Mr. Deis:

On September 20, 2001 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 2306-2, was completed by Mark Rath, a staff engineer with our program. The final water right document, the water license, can now be issued.

The applicable portions of Water Right No. 646-2 will be incorporated into Water Permit No. 2306-2.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license.

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

Also, enclosed are *Notice of Transfer of Ownership* forms. The forms need to be completed, signed by the owner, notarized and returned with a \$2.50 filing fee each. The check or money order for the fees (\$55.00) should be made payable to the "Water Rights Program".

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program

enclosures

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

No 416993

Pierre, November 28, 2001

RECEIVED OF Deis Enterprises, LLC, 1271 Hamilton Court, Ft. Pierre, SD 57532

The following amount in fees for services rendered as provided for by law: (Tipp Hamilton)

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

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

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

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

Fee for Filing Transfer Form 646-2

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By

Harland Ebele

Chief Engineer

No. 646-2

Date: 11-27-01

be transferred to: (name & address) Deis Enterprises, LLC, 1271 Hamilton
Court Ft. Pierre SD 57532 Telephone No. 605-223-2525

Lots 3, 4 & 5 Section 16-T5N-R31W.

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

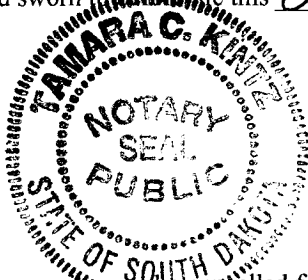
County of Stanley

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

Cullen D.

(Signed)

Subscribed and sworn to before me this 27 day of July, 2001



Samara C. Kintz
(Notary Public)

(Notary Public)

См. № 9207

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.