

SUPPLEMENT A

LOCATION OF IRRIGATED LANDS & ACREAGES

LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	7	1 S	10 E	7.0
NW $\frac{1}{4}$ SE $\frac{1}{4}$	7	1 S	10 E	24.8
NE $\frac{1}{4}$ SE $\frac{1}{4}$	7	1 S	10 E	5.4
SE $\frac{1}{4}$ SW $\frac{1}{4}$	7	1 S	10 E	10.8
SW $\frac{1}{4}$ SE $\frac{1}{4}$	7	1 S	10 E	40.0
SE $\frac{1}{4}$ SE $\frac{1}{4}$	7	1 S	10 E	40.0
NE $\frac{1}{4}$ NW $\frac{1}{4}$	18	1 S	10 E	3.3
NW $\frac{1}{4}$ NE $\frac{1}{4}$	18	1 S	10 E	24.7
NE $\frac{1}{4}$ NE $\frac{1}{4}$	18	1 S	10 E	<u>32.2</u>
TOTAL				188.3

8. Estimated cost of work:

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

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

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

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

Rock, \$.....

(e) Other structures

Total, \$.....

9. Description of diversion works:

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

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 filledacre feet. Surface area at highwater mark.....acres.

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

(c)* Head gate: Width 24" DIAMETER feet; height feet;
Material STEEL

(d) Canal: Total length 1.1 miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	HAT OUT-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 ONE YEAR years.

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

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

STATE OF SOUTH DAKOTA

County of PenningtonI, Joe E. Sanders, 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 Joe E. SandersSubscribed and sworn to before me this 16day of January1961Josephine Drueker
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

MY COMMISSION EXPIRES FEB. 16th, 1969

Remarks by State Water Resources Commission:

"VESTED RIGHT" CLAIMED

STATE OF SOUTH DAKOTA

County of

HUGHES

ss.

Pierre, South Dakota,

JULY 8, 1965

This is to certify that the foregoing application was received by the Commission at 8:15 o'clock

a.m. upon the 18TH day of JANUARY, 1961

State Water Resources Commission

By:

for Chief Engineer, Executive Officer

Number of permit 652-2

Date of first receipt of application JANUARY 18, 1961

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application MAY 19, 1965

Date from which applicant may claim right 1900

Approved JULY 8, 1965, Recorded in Book 9 Page 19

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~~

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

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

COMPLETED

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 1.75 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 ~~was~~

and beneficially applied for irrigation on or before JUNE 30, 1955; said water to be used during the following described annual period:

APRIL THRU OCTOBER

Witness my hand this 8TH day of JULY, 1965

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Certificate of Construction Issued JULY 23, 1965

Water License Issued JULY 23, 1965

STATE OF SOUTH DAKOTA

WATER LICENSE No. 652-2

WHEREAS, On the 18th day of January A. D. 1961
Joe E. Sanders

of Caputa County of Pennington and State of
South Dakota duly made application (No. 652-2) to us for a Vested Right permit to use 1.75
cubic feet per second of the waters of Rapid Creek
County of Pennington, State of South Dakota, for irrigation
purposes; and later transferred to George F. Sanders; and

WHEREAS, On the 8th day of July A. D. 1965
Vested Right / Permit No. 652-2 was issued to said applicant recognizing
the completion of the works of diversion therein described ~~XXXXXX~~ the
and ~~XXXXXX~~ application to beneficial use of said
water ~~XXXXXX~~ and, ~~XXXXXX~~

WHEREAS, On the 19th day of May A. D. 1965
the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.75
cubic feet per second of said waters, as evidenced by our Certificate No. 652-2
dated July 8, 1965 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 1.75 cubic feet per second of water, with date of
priority of 1900 and,

WHEREAS, On the 19th day of May A. D. 1965
proof was duly made of the application to beneficial use of 1.75 cubic feet per second of said water;
for irrigating 123 acres in Sections 7 and 18, T1S, R10E

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 George F. Sanders
 of Caputa the holder and owner of Veried Right 652-2
 a water right, dating from 1900 to the use of 1.75
 cubic feet per second of the waters of Rapid Creek
 in the County of Fennington and State of South Dakota, or so much thereof as may be
 necessary for the purposes hereinbelow mentioned, to be diverted at a point 263.2 rods N 44° 30' W of
the NE corner of Section 7, T1S, R10E, BHM
 and conducted to and upon Sections 7 and 18, T1S, R10E, more specifically described in the
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 8th day of July A. D. Nineteen
Hundred and Sixty-Five.

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

STATE OF SOUTH DAKOTA

Water License No.	
To	
Source of Supply	
County	
Am't c. f. s.	
Point of Diversion	
Place of Use	
Purpose	
Date of Priority	
Recorded	
In Book of Page	

Permit No. 652-2Water Division No. 2 Rapid Creek Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That George F. Sanders

of Caputa, County of Pennington, and State of South Dakota, the holder of Vested Right of Permit No. 652-2, issued upon Application No. 652-2, bearing date of priority of 1900, authorizing the diversion of 1.75 cu. ft. per second of the waters of Rapid Creek

County of Pennington, State of South Dakota, at a point 263.2 rods N, 44° 30' W of the NE corner of Section 7, T1S, R10E, BHM

for irrigation

purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are ~~XXXXXX~~ recognized as satisfactory ~~XXXXXX~~ for diverting and conveying to the place of intended use 1.75 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 Section 7, T1S, R10ENE $\frac{1}{4}$ SW $\frac{1}{4}$ 1 acreNW $\frac{1}{4}$ SE $\frac{1}{4}$ 24 "NE $\frac{1}{4}$ SE $\frac{1}{4}$ 2 "SE $\frac{1}{4}$ SW $\frac{1}{4}$ 4 "SW $\frac{1}{4}$ SE $\frac{1}{4}$ 33 "SE $\frac{1}{4}$ SE $\frac{1}{4}$ 22 "All Section 18, T1S, R10ENE $\frac{1}{4}$ NW $\frac{1}{4}$ 2 acresNW $\frac{1}{4}$ NE $\frac{1}{4}$ 4 "NE $\frac{1}{4}$ NE $\frac{1}{4}$ 30 "SE $\frac{1}{4}$ 1 1 "Total - 123 "

Witness my hand this 8th day of July A. D. 1965

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 DAKOTARECEIVED
JAN 18 1965
RETURNED FOR CORRECTION
CORRECTIONS REC'D.

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans. John P. _____

RECEIVED
MAY 19 1965STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

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. Installed 3 1900 No record of filing

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

Ans. Spring Creek 263rd Ave. N. 22nd St. W. corner

SEC'D, T1S, R12E

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. Cement piling and earthfill dams. French

are ditch capable of carrying 6 cfs. Water comes from creek and returns on this ranch.

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 APPLICATION FOR IRRIGATION

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

Ans. STORAGE DAM FOR POWER GENERATION

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

Ans. 2 cfs. 20 H.P. MINIMUM REQUIRED FOR POWER GENERATION

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. Original owner H. H. Sanders. Now by purchase to

Joe E. Sanders

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

Ans. Annually since 1900 and each year
especially in the early spring until the land was
irrigated on the creek below the law for me,

(Sign)

Joe E. Sanders

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

State of South Dakota, on this 16th day of January, A. D. 1901

Shirley L. Alrick
Bernard W. McRae

Witnesses.

Joe E. Sanders

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 knew of my own personal knowledge that the matters therein stated are true.

Walter E. Anderson

Clarence D. Wischart

Location No. _____

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

PETITION OF HOLDER

Amount of Water _____ c. f. s.

Source _____

County _____

Purpose _____

Place of Use _____

Date of recording _____

Received and filed _____

SUPPLEMENT A

LOCATION OF IRRIGATED LANDS & ACREAGES

LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	7	1 S	10 E	7.0
NW $\frac{1}{4}$ SE $\frac{1}{4}$	7	1 S	10 E	24.8
NE $\frac{1}{4}$ SE $\frac{1}{4}$	7	1 S	10 E	5.4
SE $\frac{1}{4}$ SW $\frac{1}{4}$	7	1 S	10 E	10.8
SW $\frac{1}{4}$ SE $\frac{1}{4}$	7	1 S	10 E	40.0
SE $\frac{1}{4}$ SE $\frac{1}{4}$	7	1 S	10 E	40.0
NE $\frac{1}{4}$ NW $\frac{1}{4}$	18	1 S	10 E	3.3
NW $\frac{1}{4}$ NE $\frac{1}{4}$	18	1 S	10 E	24.7
NE $\frac{1}{4}$ NL $\frac{1}{4}$	18	1 S	10 E	<u>32.2</u>
TOTAL				189.3

NOTICE OF TRANSFER OF WATER PERMIT

June 22, 1945

Office of State Water Resources Commission
Pierre, South Dakota

This is to notify you that George F. Sanders of Canuta, South Dakota

has acquired the land described below, previously owned by

~~X Who previously owned this land described below was George F. Sanders~~ Geo. F. Sanders

together with any rights to the beneficial use of water thereon as evidenced by State Water Permit No. 652-2

and as provided for in section 61.0141 of the SDC of 1939 and elsewhere R. 2-1, SE 1, Section 7

and NE 1 NW 1, N 1 NE 1, SE 1 NE 1, Section 18, all in T. 1 S., R. 10 E.

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

A fee of one dollar is hereto attached to cover filing fees as required under Section 55.1800 of the SDC of 1939

STATE OF SOUTH DAKOTA

County of Pennington

} ss.

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

Signed

George F. Sanders

Subscribed and sworn to before me this 22 day of June, 1945

Notary Public

**Department of
Water & Natural Resources**

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

September 21, 1988

NOTICE

George F. Sanders
Box 9
Caputa SD 57725

Dear Mr. Sanders:

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() 652-2 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
JOHN HATCH, Chief Engineer
Water Rights Division
665 773-3352



South Dakota

Department of Water & Natural Resources

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

December 1, 1988

Vested Water Right
Claim No. 652-2

George F. Sanders
Box 9
Caputa SD 57725

Dear Mr. Sanders:

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

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

If we can answer any questions, please contact us.

Very truly yours,

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

cc: Bruce Laymon, Bureau of Reclamation



Water Rights Division - DVNR

File No. 652-2

Conversation or File Documentation

NAME OF PERSON OR FILE: George F. SandersADDRESS: Capula 55 COUNTY PenningtonDATE: Jan 14, 1965 TELEPHONE 393-2113RE: Verified good water right

COMMENTS:

1/14/65, Accompanied by Royce Olson, Mr. Sanders' son-in-law

inspected the land claimed under WR claim # 652-2.

Mr. Olson is also operator of Mr. Sanders' irrigation.

The land seemed to be the same as on water license

the license and the Certificate of Completion of Works.

of Recommended Validation

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

NAME: MPA had

652-2

File No. 652-2

Water Rights Division - DENR
Conversation or File Documentation

NAME OF PERSON OR FILE: George Sanders

ADDRESS: 1001 1st St.

COUNTY: Pennington

DATE: 8/15/90

TELEPHONE: 393-2113

RE: 1001 1st St. - 1001 1st St.

COMMENTS: On August 10, 1990, I visited with Mr. Sanders regarding his water rights. On the irrigation questionnaire, Mr. Sanders had indicated that he irrigates more than 123 acres, which was the claimed line. On August 15, 1990, I inspected the claim and found that he irrigates 123 acres as shown on the map attached with the claimed application. Mr. Sanders agreed that the map was correct.

Use to document the other party was told; why action or

M. Rassool Ahadi

M. RASSOOL AHADI

Natural Resources Engineer III
DENR, Water Rights Division

STATE OF SOUTH DAKOTA

VESTED RIGHT WATER LICENSE NO. 652-2 FOR IRRIGATION

(1) George F. Sanders of Box 9, Caputa, SD 57725, made Application No. 652-2, January 18, 1961 for validation of a vested right claim to appropriate 1.75 cubic feet of water per second from Rapid Creek, Pennington County, South Dakota, for irrigation purposes. Vested Water Right No. 652-2 was validated September 30, 1992 with a priority date of January 1, 1900. 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.

The original water license, issued on July 8, 1965, contained an error in the legal description of the diversion point. Based upon the inspection of the water use system and subsequent validation of the vested right claim, the license is being reissued to correct the error in the diversion point.

(2) The vested right owner is entitled to divert 1.75 cubic feet of water per second for beneficial use. The location of the diversion point is: a point 263.2 rods N 44 degrees, 30 minutes W of the SE corner Section 7, T1S, R10E (SE 1/4 NW 1/4).

The location of the irrigated acreage is:

T1S, R10E	Section 7	NE 1/4 SW 1/4	1 acre
		SE 1/4 SW 1/4	4 acres
		NW 1/4 SE 1/4	24 acres
		NE 1/4 SE 1/4	2 acres
		SW 1/4 SE 1/4	33 acres
		SE 1/4 SE 1/4	22 acres
	Section 18	NE 1/4 NW 1/4	2 acres
		NW 1/4 NE 1/4	4 acres
		NE 1/4 NE 1/4	30 acres
		SE 1/4 NE 1/4	1 acre
	Total		123 acres

652-2

Vested Right Water License No. 652-2
George F Sanders
Page 2

(3) Pursuant to Section 46-5-30.1 George F Sanders of Box 9, Caputa, SD 57725 the holder and/or owner of Vested Water Right No. 652-2 is issued a license to appropriate 1.75 cubic feet of water per second from Rapid Creek with a priority date of January 1, 1900 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. 652-2 and subject to South Dakota State Law.



JUN 11 1993

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

652-2

SOUTH DAKOTA

VESTED WATER RIGHT NO. 652-2 FOR IRRIGATION

Date of Receipt of Claim January 18, 1961.

Date of Validation September 30, 1993.

The Water Management Board validated Vested Water Right Claim No. 652-2 for irrigation purposes for George P. Sanders, Box 9, Caputa, SD, 57725 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 652-2 appropriates 1.75 cubic feet per second of water from Rapid Creek to irrigate 123 acres. The point of diversion is located in the SE1/4 NW1/4 Section 7, T1S, R10E. The irrigated lands are located in the SE1/4, E1/2 SW1/4 Section 7; NE1/4 NW1/4, N1/2 NE1/4 and the SE1/4 NE1/4 Section 18; all in T1S, R10E.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. Water is to be used during the following annual period: April 1 to October 31.
3. The priority date of the Vested Water Right is January 1, 1900.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: _____

Chief Engineer

JUN 11 1993

date

Division of Water Rights
Dept. of Environment and Natural Resources

652-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 11 1993

George F. Sanders
Box 9
Caputa SD 57725

Dear Mr. Sanders:

The Water Management Board has validated the enclosed Vested Water Right No. 652-2. 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 correct location of the diversion point.

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

Very truly yours,

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

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

enclosure

652-2



United States Department of the Interior

BUREAU OF RECLAMATION
Great Plains Region
Belle Fourche Projects Office
P.O. Box 226
Newell, South Dakota 57760-0226



WTR 4.10
BF-430

AUG 18 1993

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

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

Dear Mr. Hatch,

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

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

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

Sincerely,

Bruce M. Laymon
Project Manager

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

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

SANDERS IRRIGATION SYSTEM

SECTION 7, T.1S., R.10E.

DIVERSION DAM

NE $\frac{1}{4}$ SW $\frac{1}{4}$ SEC. 7
1 Acre Irrigated

SE $\frac{1}{4}$ SW $\frac{1}{4}$ SEC. 7
4 Acres
Irrigated

NW $\frac{1}{4}$ SE $\frac{1}{4}$ SEC. 7
24 Acres Irrigated

SW $\frac{1}{4}$ SE $\frac{1}{4}$ SEC. 7
33 Acres Irrigated

NE $\frac{1}{4}$ SE $\frac{1}{4}$ SEC. 7
2 Acres Irrigated

SE $\frac{1}{4}$ SE $\frac{1}{4}$ SEC. 7
22 Acres
Irrigated

NE $\frac{1}{4}$ NW $\frac{1}{4}$ SEC. 18
2 Acres
Irrigated

NW $\frac{1}{4}$ NE $\frac{1}{4}$ SEC. 18
4 Acres
Irrigated

NE $\frac{1}{4}$ NE $\frac{1}{4}$ SEC. 18
30 Acres
Irrigated

SE $\frac{1}{4}$ NE $\frac{1}{4}$ SEC. 18
1 Acre Irrigated

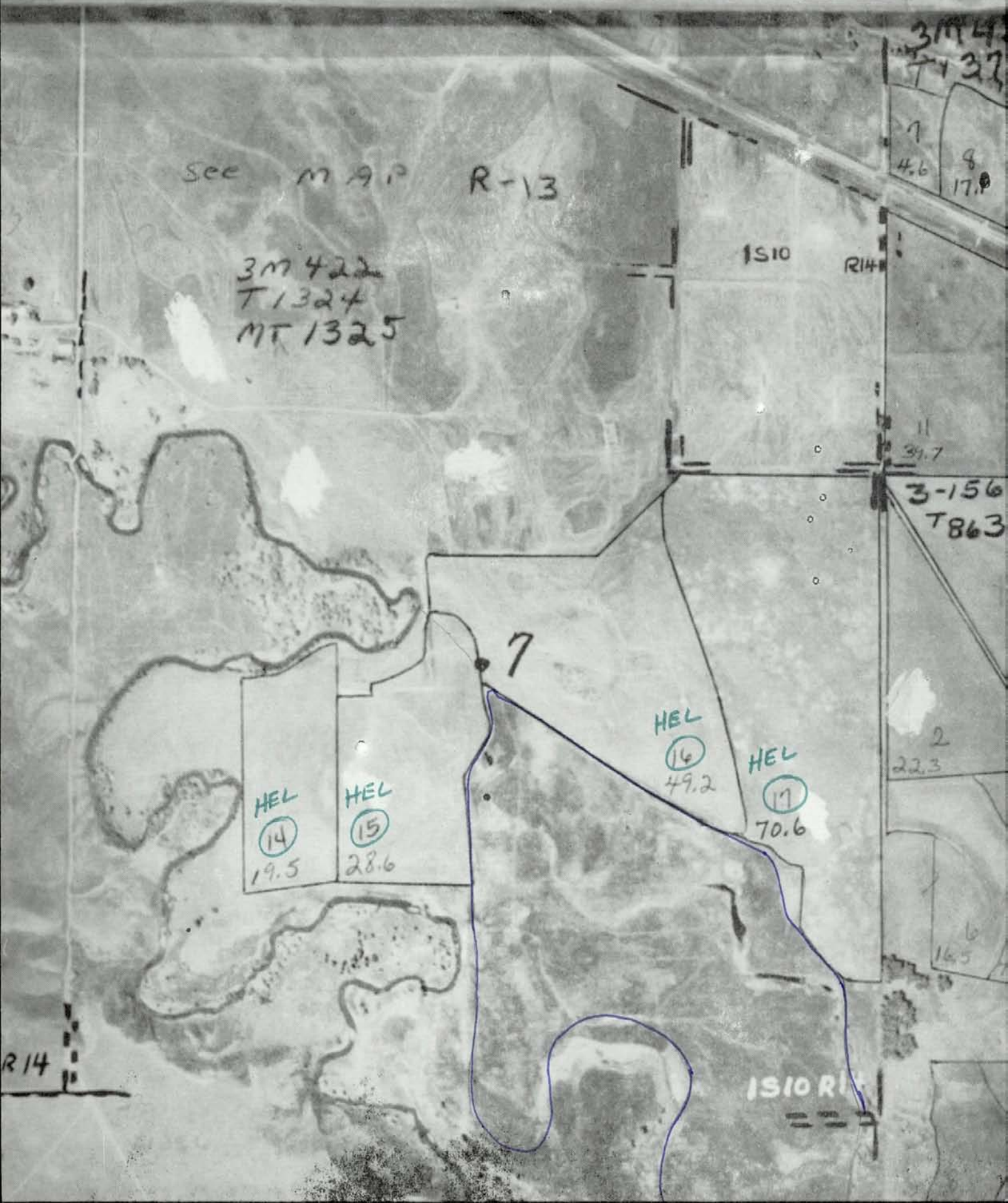
SECTION 18, T.1S., R.10E.

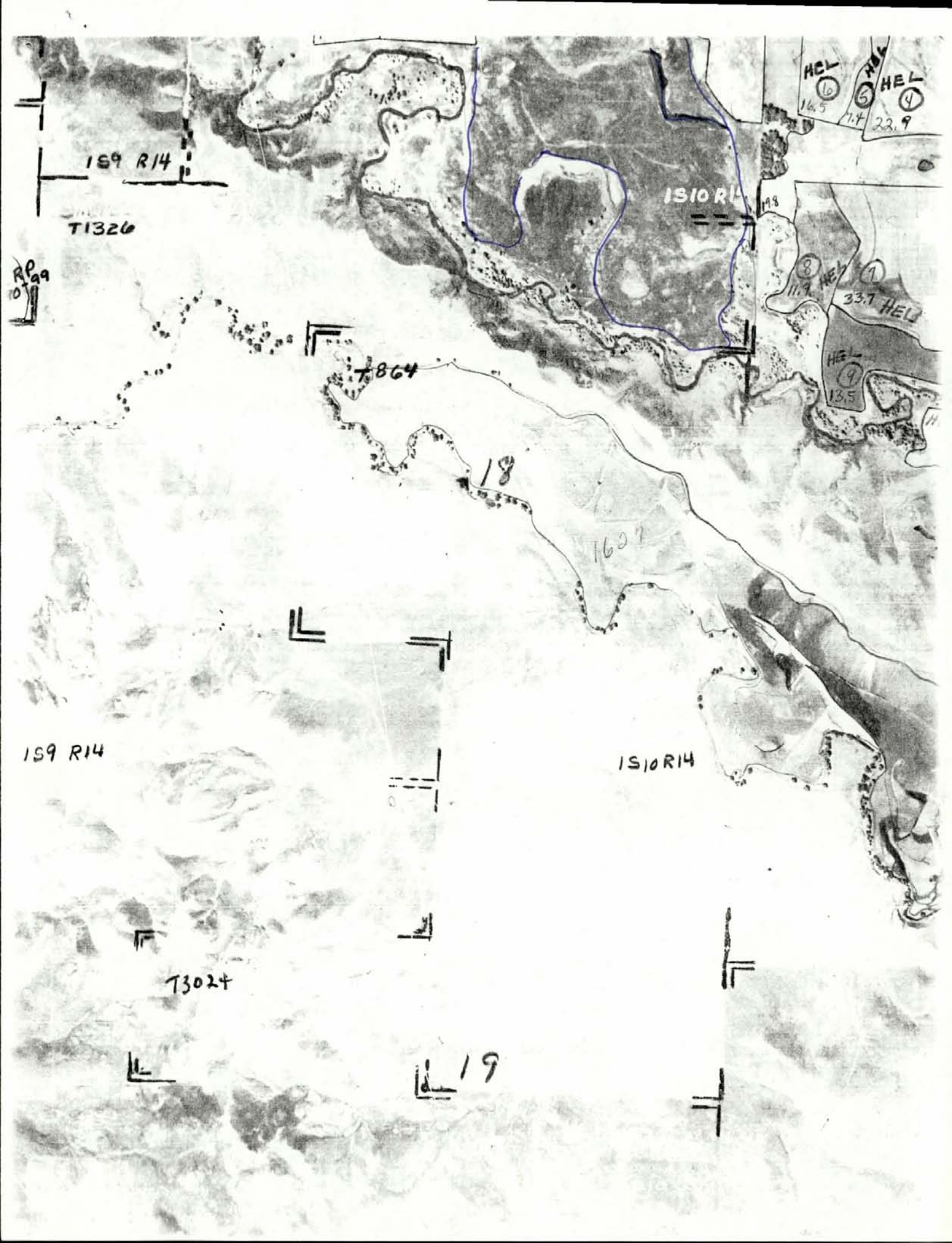
RAPID CREEK

V/R No Map #

(w.R. # 652-2)

NOT TO SCALE





652-2
RECEIVED
NOV 13 2017
WATER RIGHTS
PROGRAM

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

ATTORNEYS AT LAW

KENNETH L. HEISTERKAMP
GENE R. BUSHNELL
EDWARD C. CARPENTER
DONALD A. PORTER
JOSEPH R. LUX
HEATHER LAMMERS BOGARD[†]
JESS M. PEKARSKI

[†]Also available at Spearfish office
115 N. 7th Street, Suite 3
Spearfish, SD 57783

+ Also admitted in North Dakota

* Also admitted in Wyoming

^Also admitted in Nebraska

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

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PHILLIP R. STILES
SHANE M. PULLMAN ±
CHRISTOPHER A. CHRISTIANSON
JONATHAN P. MCCOY*
MICHAEL F. STEVE^
DAVID R. HANSEN

± Registered Patent Attorney

J.M. COSTELLO
1923-2007

WILLIAM G. PORTER
1926-2004

November 8, 2017

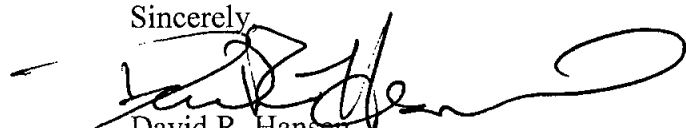
PMB 2020
DENR -- Water Right Program
523 E. Capitol Ave.
Pierre, SD 57501-3182

Re: Notice of Transfer of Ownership
Our File No. 172296

To The Chief Engineer:

Enclosed please find the completed and signed Notice of Transfer of Ownership form with a check for the filing fee. If you have any questions, please contact my office. Thank you for your time concerning this matter.

Sincerely


David R. Hansen

DRH/rjw
Enclosure

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

NOV 13 2017

WATER RIGHTS
PROGRAM

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

Water Right/Permit No. 652-2Date: 10/19/2017

I/We request that Water Right/Permit No. 652-2 formerly owned by:
George F. Sanders be transferred to:

New Owner Name: Ryan OlsonAddress: PO Box 9City, State, Zip Caputa ☒ SD ☒ 57725 Telephone No. 391-3824

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

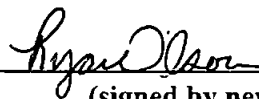
SEE ATTACHED LEGAL DESCRIPTION

- ☒ I understand that the validity of Water Right/Permit No. 652-2 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, Ryan Olson, 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.

LEGAL DESCRIPTION

Attached to Notice of Transfer of Ownership Dated 10/19/2017

VESTED WATER RIGHT LICENSE NO. 652-2

Township 1 South, Range 10 East.

Section 7	Acre(s)
NE ¼ SW ¼	1
SE ¼ SW ¼	4
NW ¼ SE ¼	24
NE ¼ SE ¼	2
SW ¼ SE ¼	33
SE ¼ SE ¼	22
SECTION 18	
NE ¼ NW ¼	2
NW ¼ NE ¼	4
NE ¼ NE ¼	30
SE ¼ NE ¼	1
TOTAL	123

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date November 13, 20 17

RECEIVED OF Costello, Porter, Hill, Heisterkamp, Bushnell & Carpenter 704 St. Joseph RR. C.

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>652-22</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. **08375**

By Juanne Goodman zm
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 14, 2017

652-2

David R Hansen
COSTELLO, PORTER, HILL, HEISTERKAMP,
BUSHNELL & CARPENTER, LLP
PO Box 290
Rapid City SD 57709-0290

Dear Mr. Hansen:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted on behalf of Ryan Olson for Vested Water Right No. 652-2.

The ownership change has been completed. Vested Water Right No. 652-2 formerly held by George F Sanders is now listed in the name of Ryan Olson.

Enclosed is your Receipt No. 08375 in the amount of \$50 which was paid for filing the ownership change. If you have any questions, please contact me.

Sincerely,

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

enclosure

c: Ryan Olson, PO Box 9, Caputa SD 57725

652-2

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

RECEIVED
MAR 02 2018
WATER RIGHTS
PROGRAM

ATTORNEYS AT LAW

KENNETH L. HEISTERKAMP
GENE R. BUSHNELL
EDWARD C. CARPENTER
DONALD A. PORTER
JOSEPH R. LUX
HEATHER LAMMERS BOGARD[†]
JESS M. PEKARSKI

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

Telephone: (605) 343-2410
Fax: (605) 343-4262

PHILLIP R. STILES
SHANE M. PULLMAN ±
CHRISTOPHER A. CHRISTIANSON
JONATHAN P. MCCOY*
MICHAEL F. STEVE^
DAVID R. HANSEN

± Registered Patent Attorney

J.M. COSTELLO
1923-2007

WILLIAM G. PORTER
1926-2004

[†]Also available at Spearfish office
115 N. 7th Street, Suite 3
Spearfish, SD 57783

+ Also admitted in North Dakota

* Also admitted in Wyoming

^Also admitted in Nebraska

February 27, 2018

PMB 2020
DENR – Water Right Program
523 E. Capitol Ave.
Pierre, SD 57501-3182

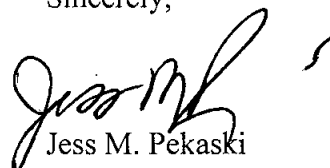
Re: Notice of Transfer of Ownership
Our File No. 172296

To The Chief Engineer:

Enclosed please find the completed and signed Notice of Transfer of Ownership form with our office check in the amount of 50 for the filing fee.

If you have any questions, please contact my office. Thank you for your assistance in matter.

Sincerely,


Jess M. Pekaski

JMP/rjw

Enclosures

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

MAR 02 2018

WATER RIGHTS
PROGRAM

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

Water Right/Permit No. 652-2Date: February 9, 2017

I/We request that Water Right/Permit No. 652-2 formerly owned by:
Ryan Olson be transferred to:

New Owner Name: H&H Land Company #2 LLC
Address: 1424 Pevans Parkway
City, State, Zip Rapid City ☒ SD ☒ 57701 Telephone No. 605-718-4000

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

See Attached Legal Description

☒ I understand that the validity of Water Right/Permit No. 652-2 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, Brian Hammerbeck, Member, the new owner, certify that the above information is true and correct.

Brian Hammerbeck, Member
(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.

LEGAL DESCRIPTION

Attached to Notice of Transfer of Ownership Dated 10/19/2017

VESTED WATER RIGHT LICENSE NO. 652-2

Township 1 South, Range 10 East.

Section 7	Acre(s)
NE ¼ SW ¼	1
SE ¼ SW ¼	4
NW ¼ SE ¼	24
NE ¼ SE ¼	2
SW ¼ SE ¼	33
SE ¼ SE ¼	22
SECTION 18	
NE ¼ NW ¼	2
NW ¼ NE ¼	4
NE ¼ NE ¼	30
SE ¼ NE ¼	1
TOTAL	123

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 2, 20 18

RECEIVED OF Costello, Porter, Hill, Heisterkamp, Bushnell Y Carpenter, LLP PO Box 290
Rapid City, SD 57709

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

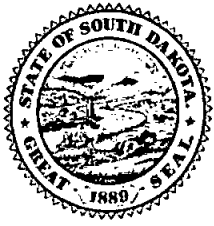
Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ 652-2		
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. _____		
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. **08612**

By

Jeane Goodman
Chief Engineer

vm



South Dakota Secretary of State

SHANTEL KREBS

Filing Information

Name: **H & H Land Company #2, LLC**

General Information

SOS Business ID DL143525
Filing Type: Limited Liability Company - Domestic
 02/05/2018
Delayed Effective Date: 02/06/2018 12:00 AM
Status: Good Standing
Duration Term: Perpetual
Managed By: Member-Managed

Registered Agent Address

Brian L Hammerbeck
 1424 PEVANS PARKWAY
 RAPID CITY, SD 57701

Principal Address

1424 PEVANS PARKWAY
 RAPID CITY, SD 57701

The following document(s) was/were filed in this office on the date(s) indicated below:

<u>Date Filed</u>	<u>Filing Description</u>	<u>Image #</u>
02/05/2018	Initial Filing (Delayed Date 02/06/2018)	B0052-2447



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 2, 2018

652-2

Jess M Pekaski
COSTELLO, PORTER, HILL, HEISTERKAMP,
BUSHNELL & CARPENTER, LLP
PO Box 290
Rapid City SD 57709-0290

Dear Mr. Pekaski:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted on behalf of H & H Land Company #2 LLC for Vested Water Right No. 652-2.

The ownership change has been completed. Vested Water Right No. 652-2 formerly held by Ryan Olson. is now listed in the name of H & H Land Company #2 LLC.

Enclosed is your Receipt No. 08612 in the amount of \$50 which was paid for filing the ownership change. If you have any questions, please contact me.

Sincerely,

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

enclosure

c: Brian Hammerbeck, H & H Land Company #2 LLC, 1424 Pevans Parkway, Rapid City SD