

667-2

1. Considered 5-10, 1961

2. Name of Applicant William R. Kneeland

3. Post Office Address Ottawa

4. Amount of water claimed 3.62

5. Source of water supply Blackfoot Creek

6. Water to be used for irrigation

Acres to be irrigated 283.94

7. Water to be diverted and used in 7E 2N miles 7.0 of 7E 2N County about

8. Proof of Publication Received ☒ Not Received ☐

9. Application Approved ☐ Subject to ☐ Not Approved ☐ Action deferred ☐

10. Remarks:

No. 667-2Water Division No. 2 C. WHITE FALL RIVER District
(Blanks to be filled by the Engineer for the W. L. C.)MAR 3 1934
8 46 AM

APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

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

1. Name of applicant William W. Kneebone WAYNE W. BURGESS
Postoffice address Oelrichs, County Fall River, State So. Dak.I. If a corporation Not 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

- (b) Cash on hand, \$ _____ (c) Treasury stock, \$ _____
- (d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work Kneebone Irrigation Project #13. Amount of water claimed 3.627 cubic feet per second4. Source of water supply Black Tail Creek and Tributaries5. Location of point of diversion See Remarks Section

_____ on _____ bank _____ County.

6. Annual period or periods during which water is to be used Year Around

7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity(a) Number of acres to be irrigated 253.9 acres.(b) Legal subdivisions to be irrigated See Remarks Section

(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.) _____

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

(a) Nature of use None
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 N° 595-2

Remarks by the Applicant:

LOCATION OF LANDS TO BE IRRIGATED

AREA	LOCATION	SEC.	T10S	R9E	ACRES
1	S1 NW	6	10S	9E	12.0
2	S2 NW	6	10S	9E	5.7
3	S3 NW	6	10S	9E	5.9
4	S4 NW	6	10S	9E	0.9
5	S5 NW	6	10S	9E	0.8
6	S6 NW	6	10S	9E	1.9
7	S7 NW	6	10S	9E	0.5
8	S8 NW	6	10S	9E	3.6
9	S9 NW	6	10S	9E	3.0
10	S10 NW	6	10S	9E	0.9
11	N1 NE	6	10S	9E	1.4
12	N2 NE	6	10S	9E	1.1
13	N3 NE	6	10S	9E	3.4
14	N4 NE	6	10S	9E	0.8
15	N5 NE	6	10S	9E	3.0
16	N6 NE	6	10S	9E	12.7
17	N7 NE	6	10S	9E	24.9
18	N8 NW	5	10S	9E	17.2
19	N9 NW	5	10S	9E	4.6
20	S1 NW	5	10S	9E	20.0
21	S2 NW	5	10S	9E	10.5
22	S3 NW	5	10S	9E	39.7
23	N1 SW	5	10S	9E	15.7
24	N2 SW	5	10S	9E	9.7
25	N3 SW	5	10S	9E	14.9
26	S4 NW	7	10S	9E	2.7
27	N5 NE	7	10S	9E	2.8
28	S6 NE	5	10S	9E	0.6
29	N7 SW	5	10S	9E	5.7
30	N8 SW	6	10S	9E	4.3
31	S9 SW	6	10S	9E	5.0
32	S1 SW	6	10S	9E	2.0
33	N1 SW	6	10S	9E	0.2
34	S2 SW	6	10S	9E	2.7
35	N3 NW	7	10S	9E	0.2
36	N4 NW	7	10S	9E	0.5
37	N5 NW	7	10S	9E	2.9
38	S6 SW	6	10S	9E	0.5
39	N7 NE	7	10S	9E	66.8
TOTAL					257.9

The diversion points are as follows:

- D₁, Being 81 Rods South of the NW corner of sec. 7
- D₂, Being 139 Rods distant on a bearing of S58°30'W from the NE corner of sec. 7
- D₃, Being 119 Rods distant on a bearing of S62°30'W from the NE corner of sec. 7
- D₄, Being 226 Rods distant on a bearing of N 45°20' E from the SW corner of sec. 6
- D₅, Being 135 Rods South of the NW corner of sec. 6
- D₆, Being 79 Rods distant on a bearing of S 45° W of the NE corner of sec. 6, and is the sight of a proposed Dam.
- D₇, Being 189 Rods distant on a bearing of N 54° E from the SE corner of sec. 5

All points being in T10S, R9E, B1W, Fall River County, So. Dak.

Address any engineering corrections to: Gilear Surveying
1054 Park Street
Sturgis, So. Dak.

8. Estimated cost of work: Still in planning stage

(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.)

~~Plugs, Piles, and Rock Flooding~~

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-FOOT 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.....5.....years.

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

Hot Springs Star

STATE OF SOUTH DAKOTA

County of Fall River

ss.

I, William W. Knoth, 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 William W. Knoth.

Subscribed and sworn to before me this 27 day of March 1961.

My commission expires 7/22/68

James C. Biny
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes } 43.

Pierre, South Dakota, MAY 17, 1961

This is to certify that the foregoing application was received by the Commission at 845 o'clock
on the 31ST March, 1961.

State Water Resources Commission

By:

Beaton
for Chief Engineer, Executive Officer

Number of permit 667-2

Date of first receipt of application March 31, 1961

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 March 31, 1961

Approved May 10, 1961, Recorded in Book 6 Page 253

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 _____

November 10, 1963

2nd. The whole of said work is to be completed on or before MAY 10, 1966

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

May 10, 1966

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 3.62 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 MAY 10, 1966; said water to be used during the following described annual period:

whenever available

Witness my hand this 17TH day of MAY, 1961

State Water Resources Commission

By:

Beaton
(Chief Engineer, Executive Officer)

Certificate of Construction Issued SEPTEMBER 28, 1970

Water License Issued SEPTEMBER 28, 1970

WATER LICENSE NO. 667-2

(1) WHEREAS, On the 31st day of March A. D. 19 61

William W. Kneebone

made Water Right Application No. 667-2 for a permit to use 3.62 cubic feet per second of the waters of Black Tail Creek and tributaries

County of F 11 River, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 17th day of May A. D. 19 61

Permit No. 667-2, with a date of priority of March 31, 1961

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 10th day of May A. D. 19 66 and for the

application to beneficial use of said water on or before the 10th day of May A. D. 19 66

and, whereas on the 24th day of September, 1970, the permit was transferred to Wayne W. Burgess,

and;

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 3.62 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,
for irrigating the following land in T10S, R9E

Section 6, NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.7 acres	Section 5, NW $\frac{1}{4}$ NW $\frac{1}{4}$	17.2 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$	17.7 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$	4.6 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$	8.3 acres	SW $\frac{1}{4}$ NW $\frac{1}{4}$	30.5 acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$	5.5 acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$	39.7 acres
NE $\frac{1}{4}$ NE $\frac{1}{4}$	4.2 acres	NW $\frac{1}{4}$ SW $\frac{1}{4}$	27.7 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$	17.5 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$	14.9 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$	15.7 acres	Section 7, NW $\frac{1}{4}$ NW $\frac{1}{4}$	10.2 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$	10.0 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$	0.2 acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$	2.8 acres	SW $\frac{1}{4}$ NW $\frac{1}{4}$	2.7 acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$	7.0 acres	NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.8 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$	0.2 acres	Total	253.9 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$	24.9 acres		

(5) 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 Wayne W. Burgess

_____ of Oelrichs, South Dakota
the holder _____ and owner _____ of said permit No. 667-2 a water right, dating from March 31, 1961
to use of 3.62 cubic feet per second of the waters
of Black Tail Creek and tributaries
in the County of Fall River and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbefore mentioned, to be diverted at points in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6,
T10S, R9E

and conduct to and upon portions of Sections 5, 6 and 7, T10S, R9E, described on the face of
this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 667-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 28th day of September A. D.
Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer - J. W. GRIMES

Permit No. 667-2

Water Diversion No. 2 WHITE RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Wayne W. Burgess

_____ the holder _____ of
Permit No. 667-2, issued upon Application No. 667-2, bearing date of priority of March 31,
1961 authorizing the diversion of 3.62 cu. ft. per second of the waters of _____
Black Tail Creek and
Tributaries County of Fall River, State of South Dakota at _____
points in the SW $\frac{1}{4}$, NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, T10S, R9E

_____, for irrigation

purposes, has 8 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 up to 30 cu. ft. per second of water.

Date September 28, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

on or before April 13 1961
(First Publication _____)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., April 4, 1961

Notice is hereby given that William W. Kneebone whose postoffice address is Oelrichs 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 3.62 cubic feet of water per second of time from the Black Trail Creek & Tributaries through the Kneebone Irrigating Project #1 the point of diversion of which is to be located on both between a point in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 7, and a point bank of said stream in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 5 portions of Twp. 10 S Range 9 E. Said water to be used for the purpose of providing irrigation on the following described land:

N $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$, Sec. 5; N $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$ and SW $\frac{1}{4}$, Sec. 6; NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, all in T 10 S, R 9 E

~~XXXXXX~~

~~XXXXXXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 10th day of May, 1961, at 2:00P 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 **Charles T. Leonard, Publisher**
Hot Springs Star
Hot Springs, South Dakota

By:

~~XXXXXXXXXXXXXXXXXXXX~~
Burton F. Jones
Water Rights Specialist

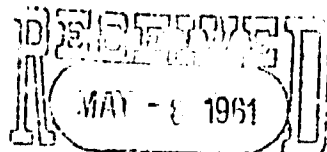
PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA
County Fall River ss.

Charles T Leonard being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Hot Springs State a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the City of Hot Springs County of Fall River and State of South Dakota; that the said notice was published in said newspaper on the following dates:

April 13, 1961April 20, 1961April 27, 1961May 4, 1961

in each and every issue of the full number thereof, the first publication being made on the 13 day of April 1961 and the last publication on the 4 day of May 1961, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was owner and the printer and publisher of the said newspaper.

Charles T LeonardSubscribed and sworn to before me this 5 day of May A. D. 1961OK LeonardNotary Public Fall River County, S. D.STATE WATER RESOURCES COMM.
HOT SPRINGS, S. DAKOTA

69
(First Publication on or before April 13, 1961)
APPROPRIATION OF WATER
Office of State Water Resources Commission,
Pierre, S. Dak., April 6, 1961
Notice is hereby given that William W. Kneebone whose post-office address is Oelrichs, 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 3.62 cubic feet of water per second of time from the Black Tail Creek & Tributaries through the Kneebone Irrigation Project No. 1, the point of diversion of which is to be located on both banks of said stream between a point in the SW1/4, Section 7, and a point in the NW1/4 of the SW1/4 of Section 5 Twp. 10 N Range 9 E. Said water to be used for the purpose of providing irrigation on portions of the following described lands:
NW1/4 and NW1/4, Sec. 5, N18E1, NW1/4 NE1/4 and SW1/4, Sec. 6, NW1/4 and NW1/4 NE1/4, Sec. 7, all in T 10 N, R 9 E.
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 16th day of May, 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
By: BURTON P. JONES
Water Rights Specialist
(Apr. 13-20-27, May 1)

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Resources Commission
State Office Building No. 2
Pierre, South Dakota 57501

Date September 8, 1970

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

Portions of Sections 5, 6 and 7, T10S, R9E, described on Water Permit

No. 667-2

formerly owned by William W. Kneebone

has been transferred to Wayne Burgess

together with an; rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 667-2 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water 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 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

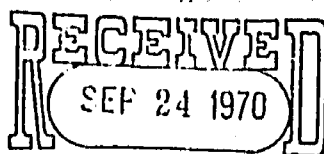
STATE OF SOUTH DAKOTA)
County of Fall River) ss.

I, Wayne W Burgess, 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.

Wayne W Burgess
(Signed)

Subscribed and sworn to before me this 23rd day of September, 1970

Theresa M. Hamilton
(Notary Public)



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Permit No.

667-2

Water Division

2 WHITE RIVER

Water District

REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by WAYNE
BURGESS of OELRICHS holder
of Permit No. 667-2, bearing date of priority of MARCH 31, 1961
authorizing the diversion of 3.62 cu. ft. per second of the waters of BLACKTAIL CREEK & TRIBUTARIES
for IRRIGATION purposes, in FALL RIVER County.

I have to report on the condition of the same as follows:

The Water Use System consists of,

A. Works used to divert the water:

MAIN DAM APPROX 16' HIGH X 150' LONG W/ 5' TO 3'
TUBE W/ GATE - SERIES OF SMALL PILES ON SIDE
DRAWS 4" 12" TO 16" GATED TUBES

B. Works used to transport water to place of use,

SERIES OF DIKES & DITCHES

C. Works used to apply water to beneficial use.

WATER SPREAD TO LEVEL FLATS & LONG STREAMS

The system is in the following condition: GOOD

The point of diversion is located MAIN DIVERSIONS AT POINTS IN 21° NW, AND
NW, SE, SECTION 6, T10S, R9E

The works are capable of diverting and conveying to the place of use UP TO 30 CFS

cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows: ALL IN T10S, R9E

SECTION 5	SECTION 6	SECTION 7
NW ¹ NW ² 17.2 AC.	NE ¹ NW ² 1.7 AC.	NW ¹ NW ² 10.2 AC.
NE ¹ NW ² 4.6 "	SW ¹ NW ² 12.7 "	NE ¹ NW ² 0.2 "
SW ¹ NW ² 30.5 "	SE ¹ NW ² 8.8 "	SW ¹ NW ² 2.7 "
SE ¹ NW ² 29.7 "	NW ¹ NE ² 5.5 "	NW ¹ NE ² 2.8 AC.
NW ¹ SW ² 27.1 "	NE ¹ NE ² 4.2 "	
NE ¹ SW ² 14.9 "	SW ¹ NE ² 7.5 "	
	SE ¹ NE ² 15.7 "	
	NW ¹ SW ² 10.0 "	
	SW ¹ SW ² 2.3 "	
	SE ¹ SW ² 7.0 "	
	NW ¹ SE ² 0.2 "	
	NE ¹ SE ² 24.9 "	

comprising a total of 253.9 acres of land.

Date

SEPTEMBER 2, 1970

[Signature]
(Signature)

WATER RIGHT SPECIALIST
WATER RESOURCES COMMISSION



May 16, 2006

667-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

663-2
667-2

Leslie Cope
Cope Ranch
14160 Shirk Creek Rd
Oelrichs SD 57763

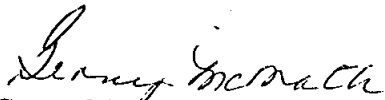
Dear Mr. Cope:

Thank you for taking the time to visit with me concerning ownership of Water Right Nos. 663-2 and 667-2. Enclosed are copies of the water rights. You may keep them for your records.

Also enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change on each water right. Please review the forms and make any necessary corrections. Upon completion, please sign and return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

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

Sincerely,


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

enclosures



667-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 26, 2006

663-2
667-2

Leslie Cope
Cope Ranch
14160 Shirk Creek Rd
Oelrichs SD 57763

Dear Mr. Cope:

I am contacting you in regard to Water Right Nos. 663-2 (William V Cope) and 667-2 (Wayne W Burgess). On May 16th, I forwarded you copies of the water rights and transfer of ownership forms for use in changing ownership on the water rights to Cope Ranch. To date, I have not received the forms back from you.

In the event you no longer have the original forms, I am including another set for you to use. Please complete and return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

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

Sincerely,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 15, 2006

667-2

Leslie Cope
Cope Ranch
14160 Shirk Creek Rd
Oelrichs SD 57763

Dear Mr. Cope:

Thank you for sending in the ownership change for Water Right No. 667-2.

Prior to transferring the water right from Wayne W Burgess to Cope Ranch, statutes require that we assess a **\$2.50** filing fee. My first letter may not have been clear with respect to the fee. The check or money order for the fee can be made payable to the Water Rights Program. Please include the water right number (667-2) with the fee to ensure it is processed correctly.

As you requested, Water Right No. 663-2 will be left in the name of Wilbert V Cope.

Thank you in advance for sending in the fee. If I can answer any questions for you, please contact me.

Sincerely,

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

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

AUG 14 2006

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

No. 667-2 WATER RIGHTS
PROGRAM

Date: _____

I/We request that Water Right No. 667-2

formerly owned by: Wayne W Burgess

be transferred to: (name & address)

Cope Ranch
14160 Shield Creek Rd.
Del Rio, SD 57763 Telephone No. 605-535-6910

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

253.9 acres – NW ¼, N ½ SW ¼ Section 5; N ½ NW ¼, SW ¼ NW ¼, NW ¼ NE ¼ Section 7;

NE ¼ NW ¼, S ½ NW ¼, NE ¼, NW ¼ SW ¼, S ½ SW ¼, N ½ SE ¼ Section 6, all in T10S, R9E.

I/We understand that the validity of Water Right No. 667-2 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 with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Cope Ranch, the new owner, certify that the above information is true and correct.

Cope Ranch by Leslie Cope (PTR)
(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 September 12, 2006

RECEIVED OF Leslie Cope, Cope Ranch, 14160 Shirk Creek Rd., Oelrichs SD 57763

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
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>667-2</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	2.50

No. 02582

By Darland Ebel
Chief Engineer *gm*



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 13, 2006

667-2

Leslie Cope
Cope Ranch
14160 Shirk Creek Rd
Oelrichs SD 57763

Dear Mr. Cope:

Thank you for completing the ownership change for Water Right No. 667-2. The water right formerly held by Wayne W Burgess, is now listed in your name.

Enclosed is your Receipt No. 02582 in the amount of \$2.50 which you paid for filing the ownership change. You may keep this for your records.

If you have any questions, please contact me.

Sincerely,

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

enclosure