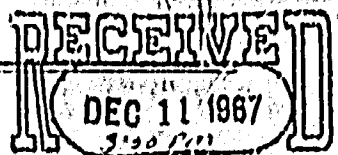


994-2

1. Considered Jan 10, 1968
2. Name of Applicant Stephen R. Cruthers
3. Post Office Address Hayes
4. Amount of water claimed 11.3
5. Source of water supply Big Wagon Head Creek
6. Water to be used for irrigation
Acres to be irrigated 794
7. Water to be diverted and used in Stanley County
about 2 W miles of Hayes.
8. Proof of Publication Received Jan 10
Not Received
9. Application Approved ✓
Subject to
Not Approved
Action deferred
10. Remarks:

No. 2162-444-2
 Water Division No. 2 BAD RIVER District _____
 (Blanks to be filled by the Engineer for the W. R. C.)
STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

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

(NOTE—Draw a line through item number (circle).)

 1. Name of applicant Stephen F. Caruthers D.O. WILLIAM M. CARUTHERS
 Postoffice address Hayes, County Stanley, State South Dakota

- I. If a corporation No
- (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)

(b) Cash on hand, \$ 5000 (c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work Caruthers #1
3. Amount of water claimed 11.3 cubic feet per second
4. Source of water supply Dam on Big Horn River
5. Location of point of diversion 4 points as shown on map in Sections 23, 24, 25, 26
T. 5 N. R. 25 E. on East bank Stanley County.
6. Annual period or periods during which water is to be used May 1 to Nov. 1
7. To be used for:

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

(a) Number of acres to be irrigated 794 acres.(b) Legal subdivisions to be irrigated See map compilation

(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.) Livestock and household uses
in Sec. 25 and 26.

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

(a) Nature of use Stockwater None 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-816-2

8. Estimated cost of work:

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

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

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

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

Rock, \$.....

Total, \$.....

9. Description of diversion works:

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

Dam, Pumping Plant, Cased Pipe, Sprinklers and Main Line

II. Dimensions of works.

(a) Dam: Height 30 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 390 acre feet. Surface area at highwater mark 20.2 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 5 years.

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

STATE OF SOUTH DAKOTA

County of Butte ss.

I, Stephen R. Caruthers, 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 Stephen R. Caruthers

Subscribed and sworn to before me this 10th day of Feb 1927

Notary Public (or other qualified officer.)

Lyle A. McLellan

*Each diversion must have a headgate or measuring device.

AREAS BY LEGAL SUBDIVISION

NW ¹ NW ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
NE ¹ NW ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
NW ¹ NE ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
NE ¹ NE ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
SW ¹ NE ¹	SEC. 23	T. 5 N	R. 25 E	24 AC
SE ¹ NE ¹	SEC. 23	T. 5 N	R. 25 E	24 AC
SW ¹ NW ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
SE ¹ NW ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
SW ¹ NE ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
SE ¹ NE ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
NW ¹ SE ¹	SEC. 23	T. 5 N	R. 25 E	24 AC
NE ¹ SE ¹	SEC. 23	T. 5 N	R. 25 E	24 AC
NW ¹ SW ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
NE ¹ SW ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
NW ¹ SE ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
NE ¹ SE ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
SW ¹ SW ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
SE ¹ SW ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
SW ¹ SE ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
SE ¹ SE ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
NE ¹ NE ¹	SEC. 26	T. 5 N	R. 25 E	13 AC
NW ¹ NW ¹	SEC. 25	T. 5 N	R. 25 E	34 AC
NE ¹ NW ¹	SEC. 25	T. 5 N	R. 25 E	11 AC

TOTAL 794 AC

SURVEYORS CERTIFICATE

STATE OF SOUTH DAKOTA SS
COUNTY OF STANLEY

I MAYNARD C. SOMMER, REGISTERED LAND SURVEYOR, IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF STEPHEN R. CARUTHERS, SOLE OWNER, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED WITHIN HIS OWNERSHIP BOUNDARIES ON DECEMBER 1967 FOR WHICH APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND THAT THIS MAP IS A TRUE REPRESENTATION THEREOF.

WITNESS MY HAND AND SEAL THIS 8th DAY OF DECEMBER 1967

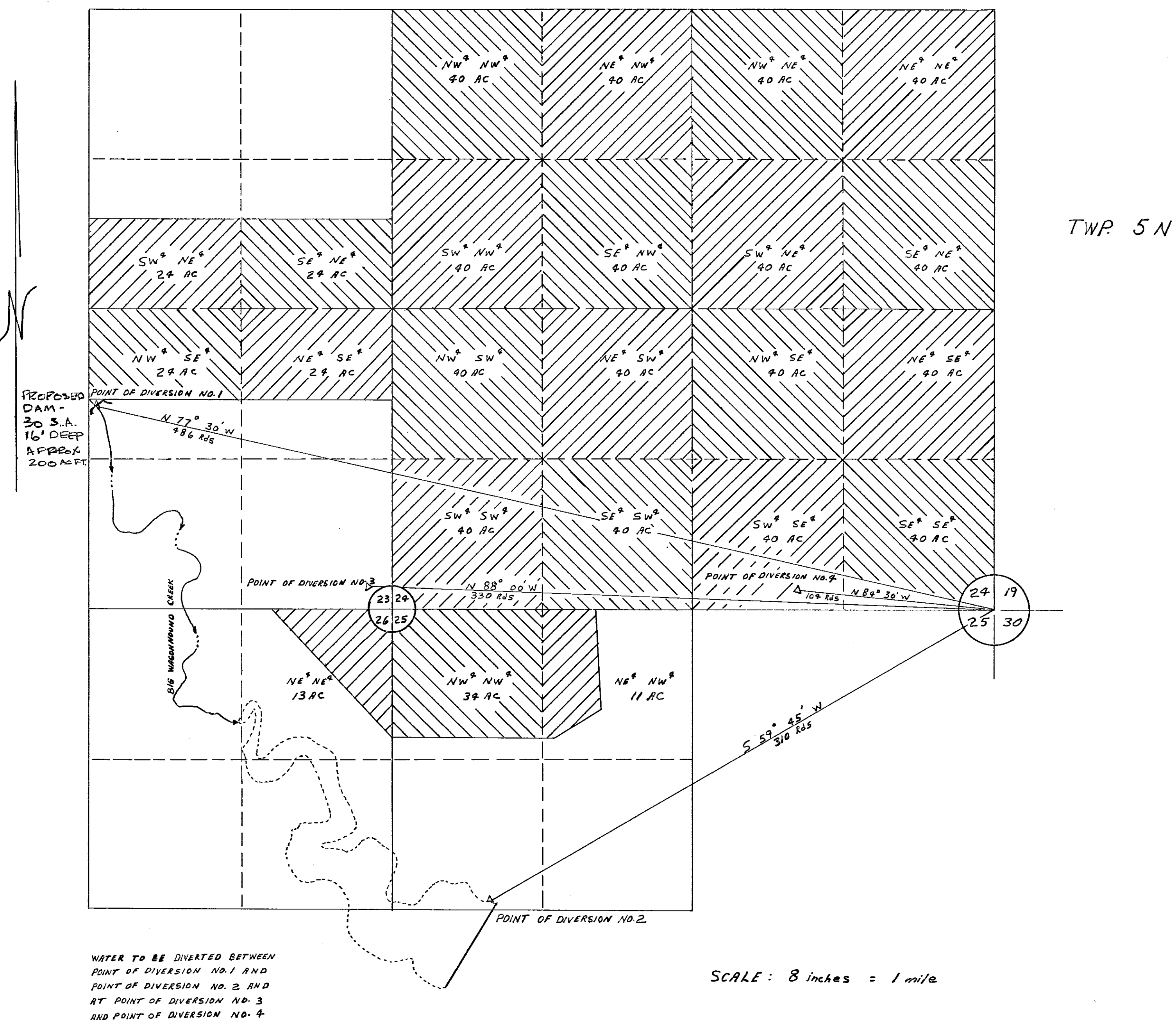
Maynard C. Sommer
REG. LAND SURVEYOR

STATE OF SOUTH DAKOTA SS
COUNTY OF STANLEY

ON THIS DAY BEFORE ME, THE UNDER SIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED MAYNARD C. SOMMER, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING SURVEYORS CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

WITNESS MY HAND AND SEAL THIS 8th DAY OF DECEMBER 1967.
MY COMMISSION EXPIRES:
Jan. 19, 1975

R. B. Snell
NOTARY PUBLIC



WATER TO BE DIVERTED BETWEEN
POINT OF DIVERSION NO. 1 AND
POINT OF DIVERSION NO. 2 AND
AT POINT OF DIVERSION NO. 3
AND POINT OF DIVERSION NO. 4

SHOWING AREA & DIVERSION POINTS WHERE WATERS
WILL BE DIVERTED FOR PERMIT TO APPROPRIATE WATER.

STEPHEN R. CARUTHERS OWNER
MAYNARD C. SOMMER SURVEYOR

MAP NO 816-2 (APPL NO 944-2)

Remarks by State Water Resources Commission:

APPROVAL OF THIS PERMIT AUTHORIZES
STORAGE OF 300 ACRE FEET ANNUALLY

STATE OF SOUTH DAKOTA

County of HUGHES } ss.

Pierre, South Dakota, JANUARY 23, 1968

This is to certify that the foregoing application was received by the Commission at 3:00 o'clock

P.m. upon the 11th day of DECEMBER, 1967

State Water Resources Commission

By:

Stanton Z. Jones
Chief Engineer, Executive Officer

Number of permit 944-2

Date of first receipt of application DECEMBER 11, 1967

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 11, 1967

Approved JANUARY 10, 1968 Recorded in Book 10 Page 51

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

JULY 10, 1970

2nd. The whole of said work is to be completed on or before JANUARY 10, 1973

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

JANUARY 10, 1973

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 11.3 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 JANUARY 10, 1973; said water to be used during the following described annual period:

MAY 1 TO NOVEMBER 1

Witness my hand this 23RD day of JANUARY, 1968

State Water Resources Commission.

By:

Stanton Z. Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

AREAS BY LEGAL SUBDIVISIONAREA

NW ⁴	NW ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
NE ⁴	NW ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
NW ⁴	NE ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
NE ⁴	NE ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
SW ⁴	NE ⁴	SEC. 23	T. 5 N	R. 25 E	24 AC
SE ⁴	NE ⁴	SEC. 23	T. 5 N	R. 25 E	24 AC
SW ⁴	NW ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
SE ⁴	NW ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
SW ⁴	NE ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
SE ⁴	NE ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
NW ⁴	SE ⁴	SEC. 23	T. 5 N	R. 25 E	24 AC
NE ⁴	SE ⁴	SEC. 23	T. 5 N	R. 25 E	24 AC
NW ⁴	SW ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
NE ⁴	SW ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
NW ⁴	SE ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
NE ⁴	SE ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
SW ⁴	SW ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
SE ⁴	SW ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
SW ⁴	SE ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
SE ⁴	SE ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
NE ⁴	NE ⁴	SEC. 26	T. 5 N	R. 25 E	13 AC
NW ⁴	NW ⁴	SEC. 25	T. 5 N	R. 25 E	34 AC
NE ⁴	NW ⁴	SEC. 25	T. 5 N	R. 25 E	11 AC

TOTAL

794 AC.

On or before December 14, 1967
 (First Publication)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., December 11, 1967

Notice is hereby given that Stephen R. Caruthers whose postoffice address is Hayes 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 11.3 cubic feet of water per second of time from the Big Wagon Hound Creek through the Caruthers #1, the point of diversion of which is to be located on the left bank of said stream between points in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23, and SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25 portions of Twp. 5N Range 25E. Said water to be used for the purpose of providing irrigation on the following described land:

Section 24, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 23, N $\frac{1}{2}$ NW $\frac{1}{4}$, Section 25, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26, T5N, R25E

and for stockwater and household purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 10th day of January, 1968 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: Stephen R. Caruthers
Hayes, S.D.

By:

~~Chief Engineer, Executive Officer~~
BURTON F. JONES
 Water Rights Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }

County Stanley }

ss.

M. R. Hulick being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____

Fort Pierre Times 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 Fort Pierre County of _____

Stanley and State of South Dakota;

that the said notice was published in said newspaper on the following dates:

Dec. 14, 1967

Dec. 21, 1967

Dec. 28, 1967

Jan. 4, 1968

in each and every issue of the full number thereof, the first publication being made on the 14th day of Dec.

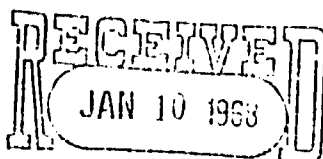
1967 and the last publication on the 4th day of

Jan. 1968, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was _____ the printer and publisher of the said newspaper.

M. R. Hulick

Subscribed and sworn to before me this 4th day of July A. D. 1967



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Notary Public Stanley County, S. D.

NOTICE OF INTENTION TO APPROPRIATE WATER

No. 944.2 20,69

Office of State Water Resources Commission, Pierre, S. Dak., December 11, 1967.

Notice is hereby given that Stephen R. Caruthers whose post office address is Hayes, 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 11.3 cubic feet of water per second of time from Big Wagon Hound Creek through the Caruthers No. 1, the point of diversion of which is to be located on the left bank of said stream between points in the NW¹/₄ SE¹/₄ Section 27, and in the SW¹/₄ of the NW¹/₄ of Section 25, Township 5N, Range 25E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

Section 24; S¹/₂NE¹/₄, N¹/₄ SE¹/₄ Section 27; N¹/₂NW¹/₄, Section 25, N¹/₂NE¹/₄ Section 26, Township 5N, Range 25E and for stockwater and household purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 16th day of January, 1968, 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 F. JONES,
Water Rights Specialist

cc — Stephen R. Caruthers
Hayes, S. Dak.
Pub.: Dec. 14, 21, 28, 1967; Jan. 4, 1968

Form 20.

944.2

NOTICE OF TRANSFER OF WATER PERMIT

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

Date OCTOBER 20, 1969

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

LANDS DESCRIBED IN WATER PERMIT 944.2

formerly owned by STEPHEN R. CARUTHERS

has been transferred to D.C. & WILLIAM M. CARUTHERS

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 944.2 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 HUGHES) ss.

I, WILLIAM M. CARUTHERS, 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.

William M. Caruthers
(Signed)

Suscribed and sworn to before me this 20TH day of OCTOBER, 19 69

Billy Westlund
(Notary Public)

Notary Seal & No. 1020

RECEIPT

WATER RIGHTS COMMISSION

N^o 4 6729

State of South Dakota

PIERRE, January 23, 1979

RECEIVED OF Gary R. Kulm, Action Realty Box 606, Pierre, SD
(for Heshem South Farms, a partnership, Gerald, ND 58710)
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and issuing Cert. of Construction No.		
Fee for Inspecting Beneficial Use, and issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing transfer of water right No. 944-2	2	50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By John Patch
Chief Engineer, Executive Officer
JOHN PATCH
BY

Form 20.

No. _____

NOTICE OF TRANSFER OF WATER PERMIT

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

Date: January 22, 1979

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

SEE EXHIBIT "A"

formerly owned by D. C. Caruthers and William M. Caruthers
has been transferred to Neshem South Farms, A Partnership
2 Maxley Neshem, Berthold, North Dakota 58718
together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 944-2 as provided for in Section 61.0127 of the 1960
Supplement to the South Dakota Code of 1939.

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

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to
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 Hughes) ss.

I, D. C. Caruthers
William M. Caruthers being First duly sworn on my oath despose
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.

William M. Caruthers D. C. Caruthers
(Signed)

Subscribed and sworn to before me this 22 day of January

19 79

Donald A. Haggan
(Notary Public)

My Commission
expires Jan. 10, 1982



Exhibit A

AREAS BY LEGAL SUBDIVISION

AREAS

- NW ⁴	NW ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
- NE ⁴	NW ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
- NW ⁴	NE ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
- NE ⁴	NE ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
- SW ⁴	NE ⁴	SEC. 23	T. 5 N	R. 25 E	24 AC
- SE ⁴	NE ⁴	SEC. 23	T. 5 N	R. 25 E	24 AC
- SW ⁴	NW ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
- SE ⁴	NW ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
- SW ⁴	NE ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
- SE ⁴	NE ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
- NW ⁴	SE ⁴	SEC. 23	T. 5 N	R. 25 E	24 AC
- NE ⁴	SE ⁴	SEC. 23	T. 5 N	R. 25 E	24 AC
- NW ⁴	SW ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
- NE ⁴	SW ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
- NW ⁴	SE ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
- NE ⁴	SE ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
- SW ⁴	SW ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
- SE ⁴	SW ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
- SW ⁴	SE ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
- SE ⁴	SE ⁴	SEC. 24	T. 5 N	R. 25 E	40 AC
- NW ⁴	NE ⁴	SEC. 26	T. 5 N	R. 25 E	13 AC
- NW ⁴	NW ⁴	SEC. 25	T. 5 N	R. 25 E	34 AC
- NE ⁴	NW ⁴	SEC. 25	T. 5 N	R. 25 E	11 AC

TOTAL 794 AC

All in Stanley County, State of South Dakota



AREAS BY LEGAL SUBDIVISION

NW ¹ NW ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
NE ¹ NW ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
NW ¹ NE ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
NE ¹ NE ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
SW ¹ NE ¹	SEC. 23	T. 5 N	R. 25 E	24 AC
SE ¹ NE ¹	SEC. 23	T. 5 N	R. 25 E	24 AC
SW ¹ NW ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
SE ¹ NW ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
SW ¹ NE ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
SE ¹ NE ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
NW ¹ SE ¹	SEC. 23	T. 5 N	R. 25 E	24 AC
NE ¹ SE ¹	SEC. 23	T. 5 N	R. 25 E	24 AC
NW ¹ SW ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
NE ¹ SW ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
NW ¹ SE ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
NE ¹ SE ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
SW ¹ SW ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
SE ¹ SW ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
SW ¹ SE ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
SE ¹ SE ¹	SEC. 24	T. 5 N	R. 25 E	40 AC
NE ¹ NE ¹	SEC. 26	T. 5 N	R. 25 E	13 AC
NW ¹ NW ¹	SEC. 25	T. 5 N	R. 25 E	34 AC
NE ¹ NW ¹	SEC. 25	T. 5 N	R. 25 E	11 AC

TOTAL 794 AC

SURVEYORS CERTIFICATE

STATE OF SOUTH DAKOTA SS
COUNTY OF STANLEY

I MAYNARD C. SOMMER, REGISTERED LAND SURVEYOR, IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF STEPHEN R. CARUTHERS, SOLE OWNER, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED WITHIN HIS OWNERSHIP BOUNDARIES ON DECEMBER 1967 FOR WHICH APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND THAT THIS MAP IS A TRUE REPRESENTATION THEREOF.

WITNESS MY HAND AND SEAL THIS 8th DAY OF DECEMBER 1967

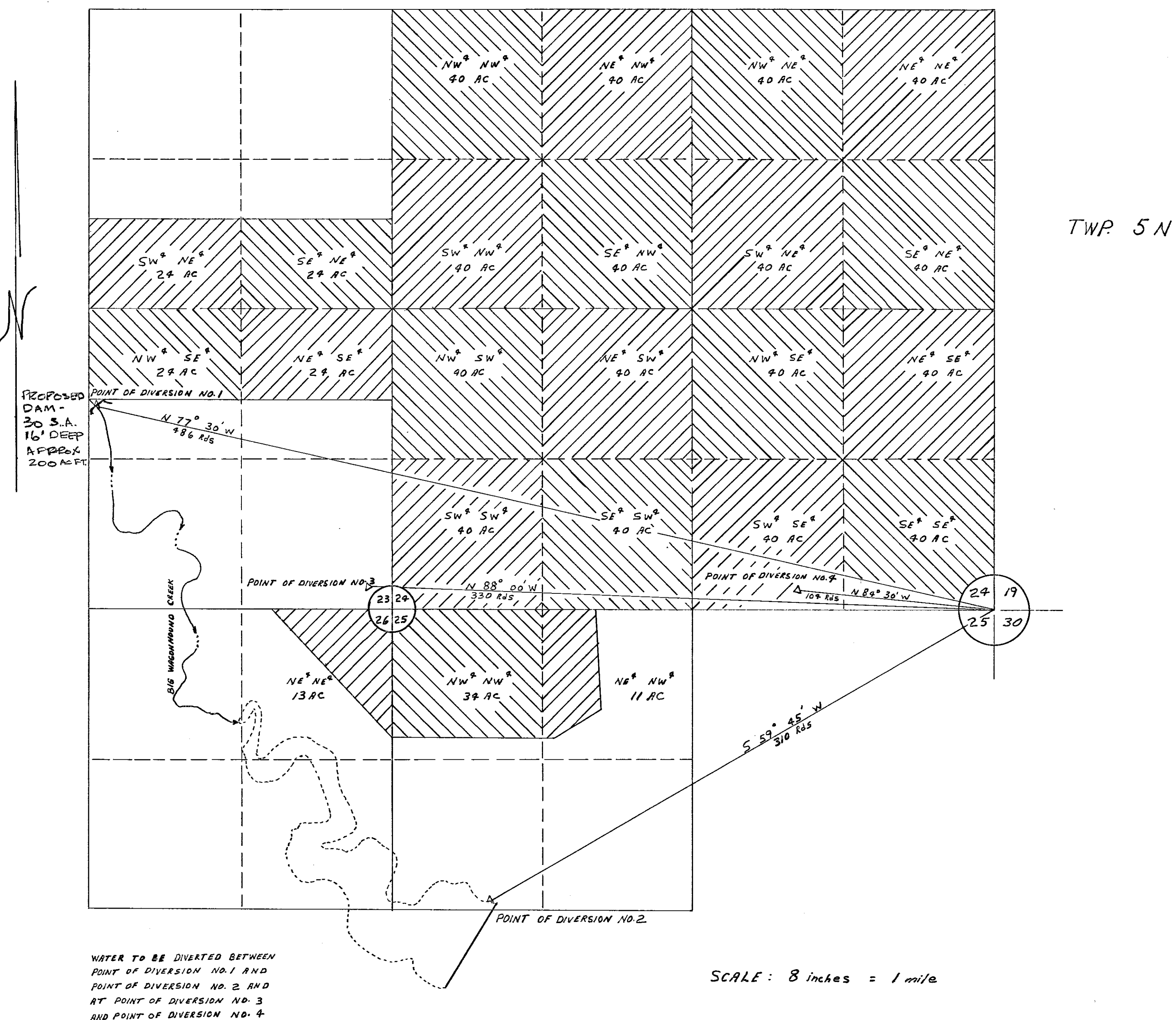
Maynard C. Sommer
REG. LAND SURVEYOR

STATE OF SOUTH DAKOTA SS
COUNTY OF STANLEY

ON THIS DAY BEFORE ME, THE UNDER SIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED MAYNARD C. SOMMER, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING SURVEYORS CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

WITNESS MY HAND AND SEAL THIS 8th DAY OF DECEMBER 1967.
MY COMMISSION EXPIRES:
Jan. 19, 1975

R. B. Snell
NOTARY PUBLIC



WATER TO BE DIVERTED BETWEEN
POINT OF DIVERSION NO. 1 AND
POINT OF DIVERSION NO. 2 AND
AT POINT OF DIVERSION NO. 3
AND POINT OF DIVERSION NO. 4

SCALE: 8 inches = 1 mile

SHOWING AREA & DIVERSION POINTS WHERE WATERS
WILL BE DIVERTED FOR PERMIT TO APPROPRIATE WATER.

STEPHEN R. CARUTHERS
MAYNARD C. SOMMER

OWNER
SURVEYOR

MAP NO. 816-2 (APPL. NO. 944-2)

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

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

March 23, 1987

HARLEY NESHEM/ NESHEM FARMS
RR #1
BERTHOLD, ND 58718

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

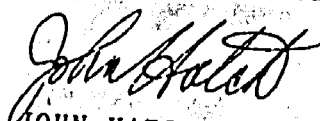
Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 944-2. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 pm, May 6, 1987 in Room 216, Joe Foss Building, 503 E Capitol, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 944-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.


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

NOTE: If the questionnaire(s) is received in this office before the hearing date, your name will be deleted from the agenda for the hearing.



Department of Water & Natural Resources

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

April 15, 1987

944-2

Henry Neshem
Neshem Farms
RR #1
Berthold, ND 58718

Dear Mr. Neshem:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 944-2 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,

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



Department of Water & Natural Resources

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

February 8, 1989

HARLEY NESHEM/ NESHEM FARMS
RR #1 BOX 47
BERTHOLD, ND 58718

NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 944-2. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of hearing to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s). 944-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is received in this office before the March 1st hearing date, your name will be deleted from the agenda for the hearings.

Very truly yours,

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



South Dakota Department of
Water & Natural Resources

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

March 6, 1989

944-2

Harley Neshem
Neshem Farms
RR #1 Box 47
Berthold, ND 58718

Dear Mr. Neshem:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 944-2. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

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

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

February 9, 1990

HARLEY NESHEM/ NESHEM FARMS
RR #1 BOX 47
BERTHOLD, ND 58718

NOTICE

RE: Violation of Requirement to Submit 1989 Irrigation Questionnaire

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 944-2. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted 1989 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Jefferson-Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

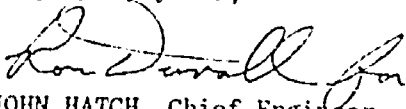
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 944-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire(s) is received in this office before the March 7th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,


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

 **Department of
Water & Natural Resources**

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

February 16, 1990

944-2

Douglas Halter
Neshem Farms
RR 1, Box 47
Berthold ND 58718

Dear Mr. Halter:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit No. 944-2. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,

Ron Duvall /ks
RON DUVAL
Natural Resources Engineer
Water Rights Division

South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

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

December 11, 1990

944-2

David Neuharth
HC 33 Box 30
Ft Pierre, SD 57532

Dear Mr. Neuharth:

Enclosed, as we discussed, is a "Notice of Transfer of Ownership" for use in filing an ownership change on Water Permit No. 944-2. The water permit is currently listed in the name of Neshem South Farms. I have included a copy of the permit for your review.

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

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosure

NOTE: We still have not received the 1990 irrigation questionnaire for Neshem South Farms. The form was originally sent to Harley Neshem, Berthold, ND. If an additional form is needed, please contact me.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412555

Pierre, _____

April 27, 19 91

RECEIVED OF David Reuharth, HCR 33, Box 30, 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 works and to put water to beneficial use _____

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

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

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

Fee for Filing Transfer Form _____ Water Permit No. 94462

Fee for Filing Extension Request _____

Fee for Certified Copy of _____

Fee for Print Copy of Map _____

Fee for Certifying _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By

Chief Engineer

John Hatcher

NOTICE OF TRANSFER OF OWNERSHIP

No. 944-2

TO: Chief Engineer
Water Rights Division, DWNR
523 East Capitol
Pierre, SD 57501-3181

Date: _____

I/We request that Water Permit/~~Right~~ No. 944-2formerly owned by: Neshem South Farmsbe transferred to: (name & address) 500 1st St., A PartnershipHCR 33 Box 30 Ft Pierre SD 57532 (telephone No.) 567-3366

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

See exhibit A

I/We understand that the validity of Water Permit/~~Right~~ No. 944-2 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 Hughes

I/We David J. Neukarth 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.

500 First Street

by David J. Neukarth
(Signed)

Subscribed and sworn to before me this 23rd day of April, 1991.

D. Clark & Clair-Raymond
(Notary Public)

My Commission expires - 6-11-91

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 water 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.

Exhibit A

AREAS BY LEGAL SUBDIVISION

AREA

- NW 1/4 NW 1/4	SEC. 24	T. 5 N	R. 25 E	40 AC
- NW 1/4 NW 1/4	SEC. 24	T. 5 N	R. 25 E	40 AC
- NW 1/4 NE 1/4	SEC. 24	T. 5 N	R. 25 E	40 AC
- NE 1/4 NE 1/4	SEC. 24	T. 5 N	R. 25 E	24 AC
- SE 1/4 NE 1/4	SEC. 24	T. 5 N	R. 25 E	24 AC
- SE 1/4 NE 1/4	SEC. 24	T. 5 N	R. 25 E	40 AC
- SW 1/4 NW 1/4	SEC. 24	T. 5 N	R. 25 E	40 AC
- SE 1/4 NW 1/4	SEC. 24	T. 5 N	R. 25 E	40 AC
- SW 1/4 NE 1/4	SEC. 24	T. 5 N	R. 25 E	40 AC
- SE 1/4 NE 1/4	SEC. 24	T. 5 N	R. 25 E	24 AC
- NW 1/4 SE 1/4	SEC. 23	T. 5 N	R. 25 E	24 AC
- NE 1/4 SE 1/4	SEC. 23	T. 5 N	R. 25 E	40 AC
- NW 1/4 SW 1/4	SEC. 24	T. 5 N	R. 25 E	40 AC
- NE 1/4 SW 1/4	SEC. 24	T. 5 N	R. 25 E	40 AC
- NW 1/4 SE 1/4	SEC. 24	T. 5 N	R. 25 E	40 AC
- NE 1/4 SE 1/4	SEC. 24	T. 5 N	R. 25 E	40 AC
- SW 1/4 SW 1/4	SEC. 24	T. 5 N	R. 25 E	40 AC
- SE 1/4 SW 1/4	SEC. 24	T. 5 N	R. 25 E	40 AC
- SW 1/4 SE 1/4	SEC. 24	T. 5 N	R. 25 E	40 AC
- SE 1/4 SE 1/4	SEC. 24	T. 5 N	R. 25 E	13 AC
- NE 1/4 NE 1/4	SEC. 26	T. 5 N	R. 25 E	34 AC
- NW 1/4 NW 1/4	SEC. 25	T. 5 N	R. 25 E	11 AC
- NE 1/4 NW 1/4	SEC. 25	T. 5 N	R. 25 E	

TOTAL

794 AC

All in Stanley County, State of South Dakota

South Dakota

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

August 23, 1991

No. 944-2

David Neuharth
DBA, 500 1st St.
HCR 33, Box 30
Ft. Pierre, SD 57532

Dear Mr. Neuharth:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Permit No. 944-2.

Our records now show you as the owner of Water Permit No. 944-2

Sincerely,

Cheryl F. Frost

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

enclosure

944-2

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit No. 944-2 - David Neuhaeth

ADDRESS: 5000 1st St., Box 30, Ft. Pierre COUNTY: Stanley

DATE: 8/18/92 TELEPHONE: 567-3366

RE: Called to line up an inspection

COMMENTS:

I called Mr. Neuhaeth in order to line up a time for an inspection of Water Permit No. 944-2. He stated the land was in CRP currently and no irrigation would be taking place until after it came out of this program which should be in 1997. I stated that I assumed that since nothing was there an inspection would not be necessary at this time but I would check with other WR staff on how we were handling irrigated lands currently in CRP. I said I'd get back ahold of him if necessary. He said that would be fine.

He further stated that dam needed repair and asked who he needed to contact in that regard. Supposedly the dam backs water through a bridge on Hwy 14/34. I stated that he should contact DOT regarding whether an easement along their right of way was necessary. I also told him to contact Gale Selken at 770-3352 regarding approval of P&S to ensure compliance with safety of dams. The dam is being designed by SCS.

Neuhaeth

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: *Eric S. Menlund*

944-2

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit No. 944-2 - David Neuharth

ADDRESS: 500 1st St., HCP 30, Box 30, Ft. Pierre COUNTY: Stanley

DATE: 8/19/92 TELEPHONE: 567-3366

RE: Visual Inspection of Water Permit No. 944-2

COMMENTS:

I drove by the land to be irrigated by Water Permit No. 944-2. After my conversation with Mr. Neuharth from the day I wanted to verify that the land was in CRP. The lands in question were in CRP there two small areas in Section 24, T5N, R24E (see attached map of Section 24) that did not appear to be CRP. These areas appeared insignificant and were surrounded by the lands in CRP. Irrigation of these small areas did not seem possible and I choose not to make an issue of the fact these small areas were not in CRP.

There were no visible signs of an irrigation system (ie. center pivot or tow lines) on the acreage.

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: Eric Neuharth

File No. 944-2

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

////////////////////////////////////

NAME: Vern Armstrong, dba 500 1st St

ADDRESS: PO Box 89, Pierre, SD 57501

DATE: August 31, 1998

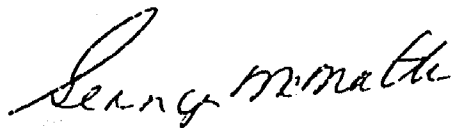
TELEPHONE: 945-1336

RE: CRP

COMMENTS:

Called and spoke with Vern Armstrong about whether or not the land described in Water Right No. 944-2 was re-enrolled in CRP or if they would be starting to irrigate again.

Mr. Armstrong stated the land had been re-enrolled in CRP through the year 2008. I told him I would make the notation in the file and would hold off on mailing them irrigation questionnaires until the land comes out of CRP.



Genny McMath
Environmental Scientist



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 1, 2001

944-2
2291-2
2292-2

William Maddocks
1505 Baylor Dr
Woodland CA 95695

Dear Mr. Maddocks:

Thank you for taking the time to visit with me concerning the water rights in Stanley County, SD. I am enclosing information on Water Permit Nos. 944-2, 2291-2 and 2292-2.

If I understand correctly, all three water permits should be transferred. I am enclosing a partially completed "Notice of Transfer of Ownership" form for each one. Please review them and complete as needed. Upon completion, please sign the forms in the presence of a notary and return them to our office with a required filing fee of \$2.50 each (total of \$7.50).

In February, 2000, one of our staff was out and conducted an investigation of the areas described in each permit. I am enclosing a copy of the reports for Water Permit Nos. 2291-2 and 2292-2. A water license can be issued for these as soon as the appropriate fee is paid for each. Statutes require that we assess a \$50.00 fee for each investigation and water license issuance. The total due for the licenses is \$100.00.

Water Permit No. 944-2 authorizes impoundment of 300 acre feet of water for irrigation and domestic purposes. We were told that the land described in the permit is currently in the Conservation Reserve Program (CRP). We will hold up issuance of the water license for No. 944-2 until the land comes out of CRP. Another investigation will be conducted after 2008.

For now, all that is needed is filing ownership changes for all three permits and issuance of the water license for Nos. 2291-2 and 2292-2. Please remit a total of \$107.50 (transfer and license fees) to our office. The check or money order can be made payable to the Water Rights Program.

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

Sincerely,

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

enclosures

File No. 944-2

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: William Maddocks

DATE: August 14, 2001

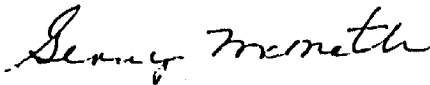
TELEPHONE: 916 425-4738

RE: ownership of No. 944-2

COMMENTS:

Mr. Maddocks called in response to a "Notice of Transfer of Ownership" form I mailed to him for Water Permit No. 944-2. He indicated the ownership for No. 944-2 should be left as it is for now. The land is currently in CRP.

He will be sending in the transfer forms for Nos. 2291-2 and 2292-2 along with their appropriate license fees.



Genny McMath
Environmental Scientist

500 FIRST STREET
1505 BAYLOR DRIVE
WOODLAND, CALIFORNIA 95695



August 15, 2001

Ms. Mc Math
Environmental Scientist, Water Rights Program
923 East Capitol
Pierre, South Dakota 57501-3182

RE: Water permits # 2291-2 and 2292-2 - Stanley County

Dear Ms. McMath:

Attached is my check for \$100.00 the water licenses on the above numbered permits.

For your information, 500 First Street is a General Partnership composed of Kent N. Calfee, Kenneth L. Wallace and William H. Maddocks. We are in Title to land wherein the water is impounded in Water Permit 944.2.

The other permits mentioned above are in Title to 2 children of Kent N. Calfee; the daughter of Kenneth L. Wallace and my 2 adult daughters. We manage the property for them and take care of all business matters. I therefore feel we do not need to transfer the ownership. If, and when, the children take separate parcels, we will transfer ownership at that time..

If you have any questions, please contact me. (916-425-4738).

Sincerely,

William H. Maddocks

WHM:sm

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: 500 1st St, A Partnership

DATE: September 20, 2018

RE: Water Permit No. 944-2

COMMENTS:

Water Right No. 944-2, currently listed in the name of 500 1st St, a Partnership, authorizes irrigation 794 acres from a 300 acre feet storage dam located in Stanley County.

The land has been in CRP for years. Our records indicated the land came out of CRP in the fall of 2017. I contacted William Maddocks to find out if the land had been re-enrolled. He said no, but to contact Vern Armstrong in Pierre for details.

On today's date I spoke with Mr. Armstrong. He indicated the land would most likely never be irrigated. The current ownership did not want to irrigate and used the area mostly for hunting purposes. The storage dam still exists and is large enough a water right will need to be maintained.

I discussed with him the possibility of doing an inspection on the dam for licensing purposes and once the license was ready to be issued, removing the irrigation component and just licensing for storage of water in the dam for livestock purposes. He agreed that would work.

Prior to conducting an inspection on the storage dam, contact either Vern Armstrong or Terry Hand. Vern indicated he would answer any questions we may have. Terry lives on the place and would need to be called for access to the storage dam.

- **Vern Armstrong: Home phone is 605 945-1336; office is 224-8707**
- **Terry Hand: Cell phone is 605 280-1066**

Exact ownership (name and address) will need to be determined as well. The last correspondence in the file suggests numerous people may hold title to the land. That was back in 2001. All of that may have changed by now.



Genny McMath
Water Rights Program