

State of South Dakota

LOCATION NOTICE Water License No. 17-2

(1) John W. Hunter
of Box B, Ardmore, South Dakota located and filed Location Notice No. 17-2
made Application No. April 2, 1908 for a right
8.0 cubic feet per second of water from Rineer Draw
Fall River County, South Dakota for Irrigation purposes.
Location Notice No. 17-2, with a priority date of April 2, 1908
located and filed by the and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before and the water placed in the application to beneficial use of said
water on or before

The applicable portions of Water Right Filing Nos. 0575-2 and 0616-2, and Location Notice Nos. 512-2 and 9284-2 have been incorporated into Location Notice Water License No. 17-2. The lands being irrigated are essentially the same as those originally filed with Location Notice No. 17-2. A January 29, 1906 priority date (Filing No. 0616-2) is retained for all lands irrigated.

Jesse M. Rineer originally located and filed Location Notice No. 17-2. November 1, 1984, Location Notice No. 17-2 was transferred to John W. Hunter.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 5.6 cubic feet per second of water for beneficial use. The location of the diversion point(s) is are Dam #1 - N72°W 720' from the SE Corner of Section 26; Dam #2 - N 49°W 3170' from the SE Corner of Section 34; Dam #3 - S24°W 7210' from the NW Corner of Section 34; Dam #4 - N35°W from the SE Corner of Section 33, all
In T11S, R4E.

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land:

T11S, R4E, Section 26	SE $\frac{1}{4}$ SW $\frac{1}{4}$ 7 Acres (CD)	T11S, R4E, Section 33	NW $\frac{1}{4}$ SE $\frac{1}{4}$ 3 Acres (DB)
	SW $\frac{1}{4}$ SE $\frac{1}{4}$ 7 Acres (DC)		NE $\frac{1}{4}$ SE $\frac{1}{4}$ 11 Acres (DA)
Section 27	NW $\frac{1}{4}$ SE $\frac{1}{4}$ 4 Acres (DB)		SW $\frac{1}{4}$ SE $\frac{1}{4}$ 22 Acres (DC)
	NE $\frac{1}{4}$ SW $\frac{1}{4}$ 33 Acres (CA)		SE $\frac{1}{4}$ SE $\frac{1}{4}$ 30 Acres (DD)
	NW $\frac{1}{4}$ SW $\frac{1}{4}$ 28 Acres (CB)	Section 34	NW $\frac{1}{4}$ NW $\frac{1}{4}$ 33 Acres (BB)
	SW $\frac{1}{4}$ SW $\frac{1}{4}$ 10 Acres (CC)		NE $\frac{1}{4}$ NW $\frac{1}{4}$ 2 Acres (FA)
	SE $\frac{1}{4}$ SW $\frac{1}{4}$ 19 Acres (CD)		SW $\frac{1}{4}$ NW $\frac{1}{4}$ 16 Acres (BC)
Section 28	NW $\frac{1}{4}$ SE $\frac{1}{4}$ 14 Acres (DB)		SE $\frac{1}{4}$ NW $\frac{1}{4}$ 1 Acre (BD)
	NE $\frac{1}{4}$ SE $\frac{1}{4}$ 11 Acres (DA)		NW $\frac{1}{4}$ SW $\frac{1}{4}$ 23 Acres (CB)
	SE $\frac{1}{4}$ SE $\frac{1}{4}$ 5 Acres (DD)		SW $\frac{1}{4}$ SW $\frac{1}{4}$ 1 Acre (CC)
Section 33	NE $\frac{1}{4}$ NE $\frac{1}{4}$ 11 Acres (AA)	T12S, R4E, Section 4	Lot 1 4 Acres
	SW $\frac{1}{4}$ NE $\frac{1}{4}$ 14 Acres (AC)		Lot 2 22 Acres
	SE $\frac{1}{4}$ NE $\frac{1}{4}$ 10 Acres (AD)		
(4) Pursuant to §16-5-30.1	John W. Hunter	TOTAL	393 ACRES

of Box B, Ardmore, South Dakota 57715

the holder(s) and/or owner(s) of Location Notice Water Permit No. 17-2 is issued a license to appropriate water, the right to use 5.6 cubic feet per second of water from Mule Creek and Ringer Draw with a priority date of January 29, 1906 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of Irrigation

This license is subject to any limitations or qualifications listed in Location Notice Water Permit No. 17-2 and subject to South Dakota State Law.

Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JOHN HATCH

APR 24 1985

Location
Notice-Permit No. 17-2Upper Cheyenne Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by John W. Hunter of Ardmore, S.D. holder of Permit No. LN 17-2, bearing the priority of Jan 29, 1906 ^{April 2, 08} ~~1906~~ ^(b.m.) authorizing the diversion of 8 cu. ft. per second of the waters of Mule Creek & Rineer Draw for irrigation purposes, in Fall River County.

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

- A. Works used to divert the water: storage dams as described on the attached sheet. Dam #1 is a concrete structure of irrigation water runoff.
- B. Works used to transport water to place of use: canals from the dams to the irrigated fields. Along portions of the canals 12" grops outlet the water into the fields.
- C. Works used to apply water to beneficial use: Flood irrigation with some sprayer dikes.

The system is in the following condition fair

The point of diversion is located Dam #1 - N72°W 720' from SE corner of Sec. 26, Dam #2 - N49°W 3170' from SE corner of Sec. 38, Dam #3 - S28°E 220' from the NE corner of Sec. 38, Dam #4 - N35°W from the SE corner of Sec. 35 all in T15, R4E.

The works are capable of diverting and conveying to the place of use 10

cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: See attached sheet

NOTE: The applicable portions of Water Right Filing Nos. 0575-2 and 0616-2, and Location Notice Nos. 512-2 and 9264-2 have been incorporated into Location Notice/Water License No. 17-2. The lands being irrigated are essentially the same as those originally filed with Location Notice 17-2. A January 29, 1906 priority date (Filing No. 0616-2) is retained for all lands irrigated.

comprising a total of 393 acres of land and the license should be issued for 5.6 cfsApplicable permit qualifications have been complied with Yes No

Except as to compliance are:

Date Oct. 19, 1984

Delvin N. Brown, P.E.
(signature) Hydrologist

IRRIGATED ACRES LN 17-2

Section 26, T11S, R4E

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 7 Acres

Section 27, T11S, R4E

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 7 Acres

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 4 Acres

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 33 Acres

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 38 Acres

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 Acres

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 19 Acres

Section 28, T11S, R4E

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 14 Acres

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1 Acre

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 5 Acres

Section 33, T11S, R4E

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 11 Acres

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 14 Acres

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 10 Acres

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 3 Acres

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 31 Acres

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 22 Acres

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 30 Acres

Section 34, T11S, R4E

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 33 Acres

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 2 Acres

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 18 Acres

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 1 Acre

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 23 Acres

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 1 Acre

Section 4, T12S, R4E

Lot 1 4 Acres

Lot 2 22 Acres

TOTAL

393 ACRES

INVESTIGATION REPORT
Water Right Filings 0575-2 and 0616-2
Location Notices 17-2, 512-2 and 9284-2

Water Right Filing 0616-2 was located by Levi R. Hill on January 29, 1906. The water was to be diverted from Mule Creek at a rate of 6 cfs. The land to be irrigated is not described very clearly. As far as I could determine the ditch described in the filing is essentially the ditch that is in existence today. On July 3, 1952, John W. Hunter located Location Notice 9284-2 to change the diversion point for 0616-2 and construct a large storage dam (Dam #1) on Mule Creek.

Water Right Filing 0575-2 was located by Jesse M. Rineer on December 11, 1906. The water was to be diverted from Rineer Draw (Dam #2) to the extent of 8 cfs. The lands to be irrigated are located in Section 33 & 34, T42S, R4E and Section 4, T12S, R4E. Mr. Rineer refiled 0575-2 as Location Notice 17-2 on April 2, 1908.

On October 12, 1909 Sue E. Rineer located Location Notice 512-2. This notice added a diversion point (Dam #3) to irrigate some of the same lands described in the previous notices.

Delvin D. Brosz

Delvin D. Brosz, P.E.
Hydrologist
October 16, 1984

Water Storage Dams

Dam No.	1	2	3	4
Freeboard	4'	4'	2'	4'
Crest Width	12'	10'	30'	3'
Crest Length	1200'	500'	850'	500'
Height	25'	25'	30'	15'
Outlet Dimensions:				
Pipe Diameter	15" gated cmp	18" cmp	6" gated pvc	12" pvc
Spillway Width	175'	50'	None	15'
X & Y slope				
Upstream	3:1	3:1	3:1	2:1
Downstream	2:1	3:1	2:1	2:1
Surface Area of Impoundment	12 Acres	2 Acres	4 Acres	--
Storage in Acre Feet	100	20	40	None
Drainage Area in Acres	6000	400	500	600

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

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

14 Acres - SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 26; 134 Acres - S $\frac{1}{2}$ Section 27; 20 Acres - SE $\frac{1}{4}$ Section 28
121 Acres - E $\frac{1}{2}$ Section 33; 78 Acres - W $\frac{1}{2}$ Section 34 all in T11S, R4E and 26 Acres -
Lots 1 & 2 Section 4, T12S, R4E. Levi R. Hill, Jesse M. Rineer and Sue E. Rineer
formerly owned by _____

has been transferred to John W. Hunter, Box B, Ardmore, SD 57715

(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. LN 17-2 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

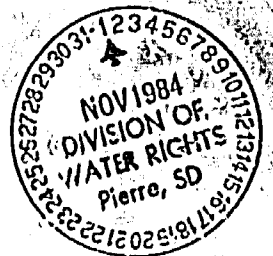
STATE OF SOUTH DAKOTA)
County of Butte) ss.

I, John W. Hunter 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.

John W. Hunter
(Signed)

Subscribed and sworn to before me this 30 Day of October, 1984.

E. Allen M. Erickson
(Notary Public)



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

No 4 9812

Pierre, November 1, 1984

RECEIVED OF Jack Hunter, Box B, Ardmore, SD 57711

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 LN 17-2 _____

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

ms

No. LA 17-2

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

APR 24 1985

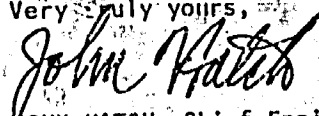
John W. Hunter
Box B
Ardmore, South Dakota 57715

Dear Mr. Hunter:

Enclosed herewith is, Location Notice
Water License No. 17-2. This is the
final water right document completing your process of obtaining a
water right.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

Jh:ms

Enclosures

Receipt No. 4 9812 is enclosed for transfer of Location Notice No. 17-2.
The Water License is now listed in your name.

WNR-817 3/83

Transmittal of Water License

LOCATION NOTICE

~~65-12~~
Dr. Louis Fischer

1492

67-024

NO W ALL INFO BY THOSE INTERESTED:

1189

78-1 2007 Hunt

8:00 a.m.

32. The plaintiff claims to be the owner of the land described in the foregoing petition, and claims the right of way over the same for the purpose of conveying water for said purpose.

3. All the tarfishes for the above period shall be subject to the following conditions:

the location of the point consideration of the r

Page 11. Re: [redacted] 1 1971, 1971-1, Re: Ft. [redacted] [redacted] of
Allegation.

The catch will remain constant on all 1000 lb. hauls of 1500 direction 15 and

Field Inspection was made on the	20th	day of	September	1949
Work was completed on the	20th	day of	September	1949

Letter

However, the cost of one dollar per filing in the State, South Carolina Office on
 Industrial Relations, 1417 of the South Palace, Code of 1990.

STATE OF SOUTH CAROLINA,
County of Yall River

On the 20th day of September 1942, before me, Clerk of the Court, appeared the following parties:

10/22/42, before me, Clara
 approved, personally, appeared Jack Hunter, a living male in and for the court and State
 known to be the person who executed the foregoing instrument and acknowledged
 that he executed the same for the uses and purposes therein set forth.

Signature and official seal this day and date, please write on.

U. S. Patent Office 9-19-41

Mar. 71 May

SOUTH DAKOTA
Department of
Water & Natural Resources

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

March 23, 1990

1906-2
LN17-2
LN32-2

NOTICE

TO: John W. Hunter
BOX B
ARDMORE, SD 57715

FROM: *John W. Hunter*
JOHN HATCH, CHIEF ENGINEER
Water Rights Division
(605) 773-3352

SUBJECT: Low Water Levels in Angostura Reservoir

The water level in Angostura Reservoir on March 6, 1990 was at 3171.1 feet above mean sea level (msl). This is approximately 16 feet below the full elevation of 3187.2 msl. The present estimates are that the Angostura Irrigation District will be able to deliver less than 50% of full service water to project lands during the 1990 irrigation season. We are contacting you to advise you of the actions we have taken due to the low water situation in Angostura Reservoir. Junior Water Right owners above Angostura have been ordered not to use water until Angostura fills.

Since your Water Right No. 1906-2 and Location Notice Nos. 17-2 and 32-2 have priority dates that are senior to the April 11, 1941 priority for Angostura Irrigation Water Right No. 579-2, your permits are not directly affected by the Junior Priority Order. However, I am requesting that all Senior Water Right holders comply with any qualifications and limitations as stated on their water rights. With the existing low runoff conditions, we expect to monitor all water rights above Angostura Reservoir.

I want to thank all Water Right Holders above Angostura for the cooperation that we have received up to this time. If you have any questions, please contact Del Brcsz (605 773-3352).

SOUTH DAKOTA

VESTED LOCATION NOTICE NO. 17-2 FOR IRRIGATION

Date of Claim April 2, 1908.Date of Validation May 6, 1992.

The Water Management Board validated Vested Location Notice Claim No. 17-2 for irrigation purposes for John W. Hunter, Box B, Ardmore SD 57715 with the following limitations, conditions and qualifications:

1. Location Notice No. 17-2 appropriates 5.6 cubic feet of water per second from Mule Creek and Rineer Draw located in the SE 1/4 SE 1/4 Section 26, NW 1/4 SE 1/4, SW 1/4 NW 1/4 Section 34, NW 1/4 SE 1/4 Section 33; all in T11S-R4E to irrigate 393 acres. The irrigated land is located in the SE 1/4 SW 1/4, SW 1/4 SE 1/4 Section 26, NW 1/4 SE 1/4, SW 1/4 Section 27, N 1/2 SE 1/4 SE 1/4 SE 1/4 Section 28; S 1/2 NE 1/4, NE 1/4 NE 1/4, SE 1/4 Section 33; NW 1/4, W 1/2 SW 1/4 Section 34; all in T11S-R4E; Lots 1 & 2 Section 4-T12S-R4E.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. Water is to be used during the following annual period: January 1 - December 31.
3. The priority date of the Vested Water Right is January 29, 1906.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

The applicable portions of Water Right Filing Nos. 0575-2 and 0616-2 and Location Notice Nos. 512-2 and 9284-2 have been incorporated into Vested Location Notice No. 17-2 and the abandoned portions cancelled.

WATER MANAGEMENT BOARD

By: John Hunter

Chief Engineer

JUL 2 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources



JUL 2 1992

LN 17-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

John W Hunter
Box B
Ardmore SD 57715

Dear Mr. Hunter:

The Water Management Board has validated the enclosed Vested Location Notice No. 17-2 and Water Right No. 1906-2. These validations give legal status to the claims and are the final document for your vested rights.

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 8, 2009

LN 17-2
LN 32-2
1906-2

Jack Hunter
PO Box 404
Crawford NE 69339-0404

Dear Mr. Hunter:

Thank you for contacting us regarding the ownership changes for LN 17-2, LN 32-2 and Vested Water Right No. 1906-2 held by John W Hunter.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership changes. 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 \$50.00 each (**total of \$150.00**). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 5, 2010

LN 17-2
LN 32-2
1906-2

Jack Hunter
PO Box 404
Crawford NE 69339-0404

Dear Mr. Hunter:

In September, 2009, you contacted us regarding the ownership changes for LN 17-2, LN 32-2 and Vested Water Right No. 1906-2 held by John W Hunter. Partially completed transfer forms were sent to you and to date, we have not received anything back from you.

In the event you no longer have the original forms, enclosed is a duplicate set. 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 \$50.00 each (**total of \$150.00**). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

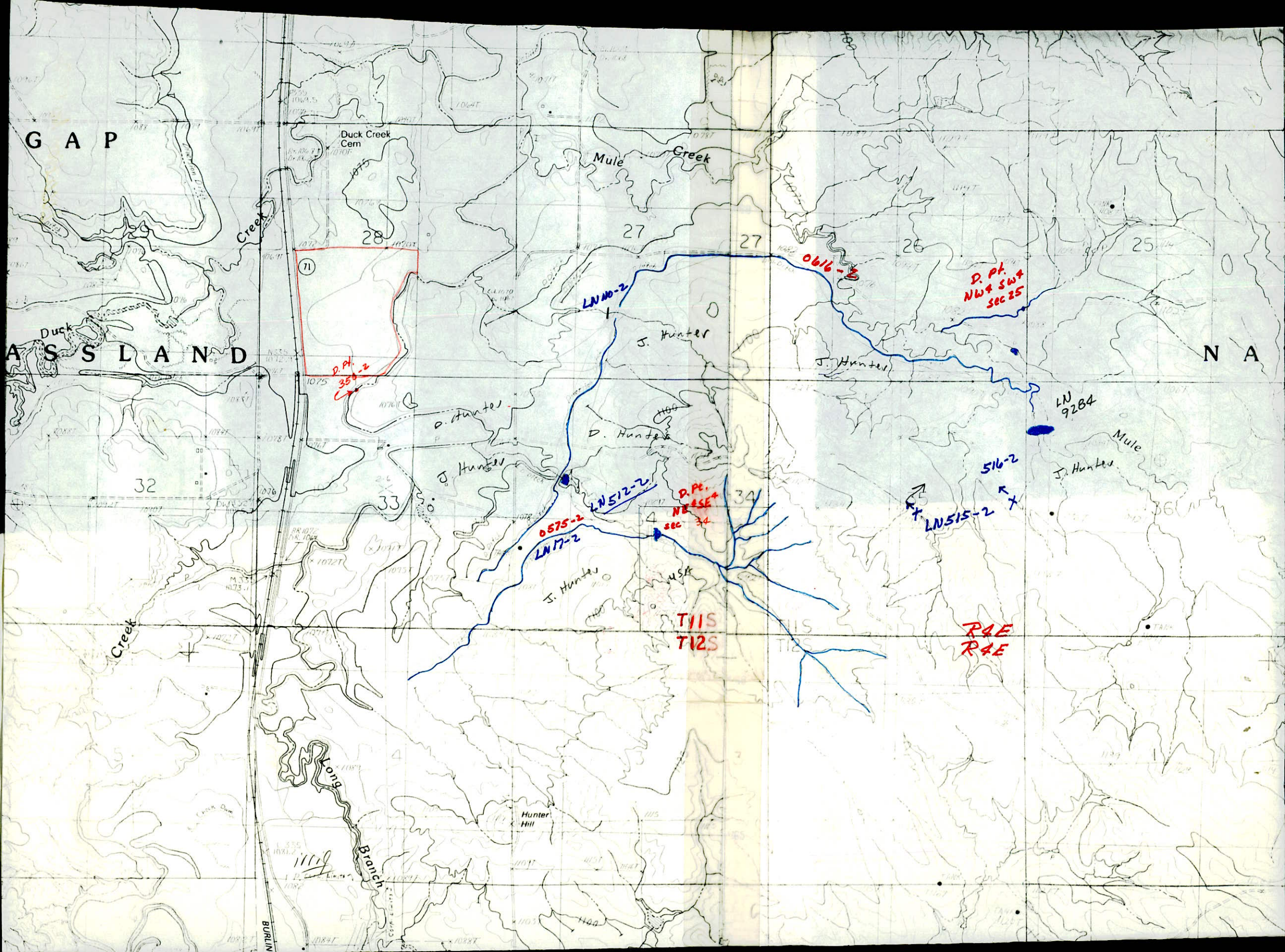
enclosures

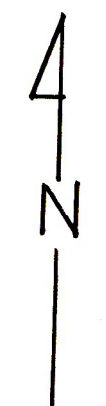
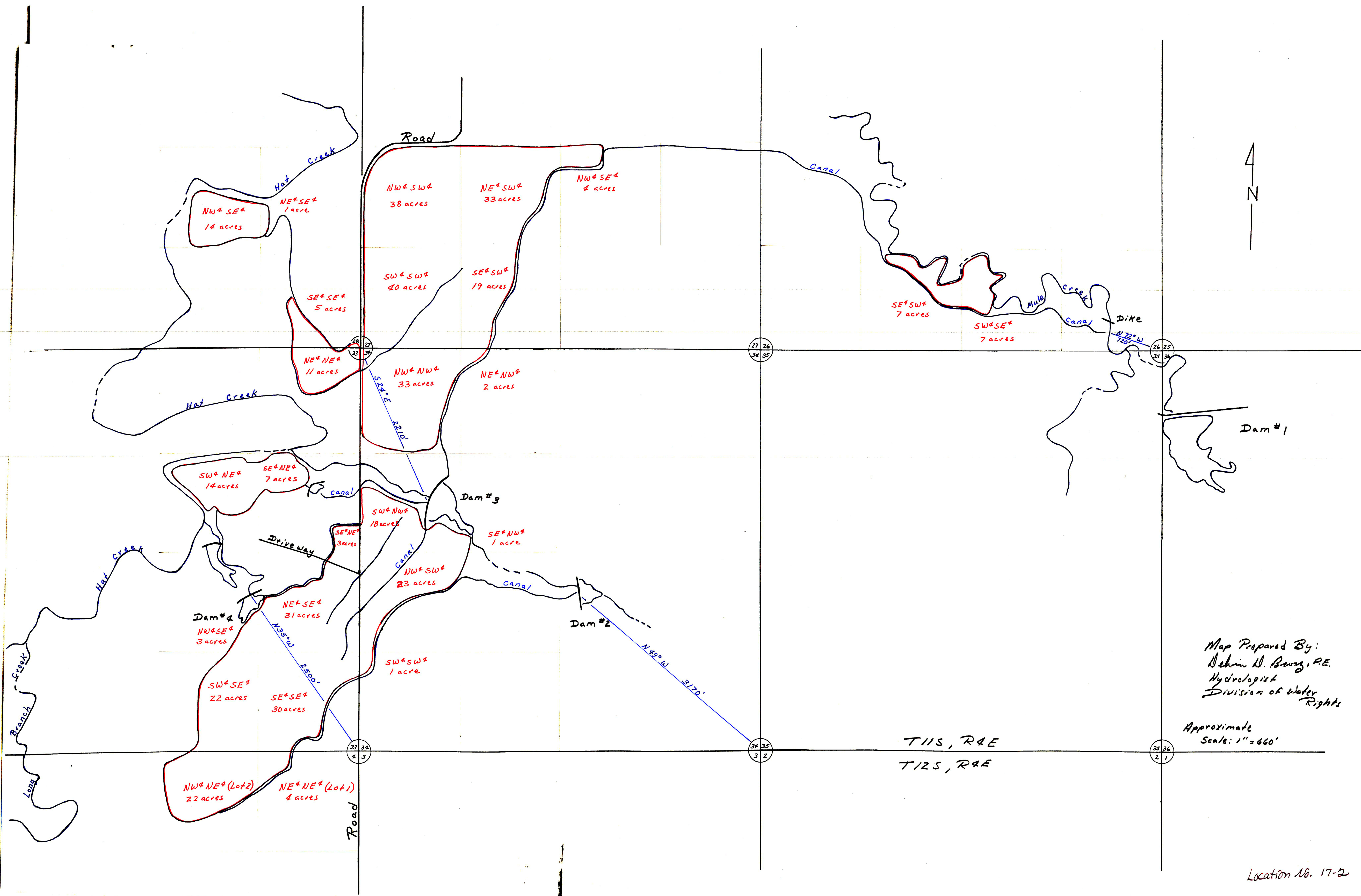
LN17-2

On December 6, 2010, a Transfer of Ownership was received, transferring portions of the location notice to Bar Box Bar Ranch. The Location Notice is being divided and reissued to reflect separate ownership as follows:

LN No. 17A-2, John W Hunter, Box B Ardmore SD 57715: irrigation of 362 acres located in portions of Sections 26, 27, 33, 34; all in T11S-R4E and Section 4-T12S-R4E with diversion of 5.16 cfs from Mule Creek and Rineer Draw.

LN No. 17B-2, Bar Box Bar Ranch Inc, 12014 Bar Box Bar Drive, Ardmore SD 57715: irrigation of 31 acres located in portions of Sections 28 and 33; all in T11S-R4E with diversion of 0.44 cfs from Mule Creek and Rineer Draw.





Map Prepared By:
Behn W. Boring, P.E.
Hydrologist
Division of Water Rights

Approximate
Scale: 1" = 660'

T11S, R4E
T12S, R4E