

Irvin Evans

Castle Creek
No. 2376 - 2
1908.7.1.

10' deep
no irrigation

NO. 2376 - 2
1908.7.1.

Center

10'

11.0?

Estimated corner of section 22, T2 N, R20 E, S40 N
and 20' N. 20' E. to point of observation.

10'

10'

Low V, 1000 ft

Center

10'

10'

10'

Estimated corner of section 22, T2 N, R20 E, S40 N

Low V, 1000 ft

June 5, 1908

Location Notice No. 2376-2
Upper Cheyenne - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

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

I have this day, December 1, 1995 made a thorough examination of the water use system owned by Irvin Evans of HC 89, Box 255 Helmsa, SD 57744 holder of Location Notice No. 2376-2, bearing the priority of June 28, 1959 authorizing storage of 11.2 acre-ft of the waters of an unnamed dry draw for irrigation and livestock purposes, in Custer County.

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

A. Works used to divert the water:

The dam is no longer used for irrigation purposes.

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

No longer used.

C. Works used to apply water to beneficial use:

The dam is used for stock watering purposes only.

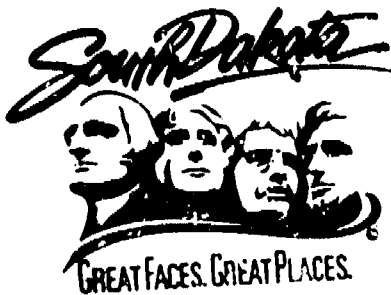
The dam is in the following condition, good. The storage dam is located in the SW1/4 of the SE1/4; 1056 ft. north and 1960 ft west of the NE Corner of Sec.35-T2S-R2E. The works are not capable of diverting and conveying water. The storage capacity of the dam is approximately 11.2 acre-feet of water which is to be used for stock watering. Water has been put to beneficial use as stock watering.

In accordance with South Dakota Codified Law (SDCL) 74:02:01:40.01, the license should be issued for 11.2 acre-feet of storage as a stock water domestic use location notice filing.

Date Report Completed: December 8, 1995



Delron Peters
Natural Resources Engineer
DENR, Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 13, 1995

Irvin Evans
HC 89, Box 255
Hermosa, SD 57744

Dear Mr. Evans,

Location Notices 2376-2, 2378-2, 2380-2, 3120-2 and 3747-2 are all under the name Hermosa Hereford Ranch. As we discussed on the phone, these location notices must be transferred into the name of the owner in order to be licensed. Partially completed 'Transfer of Ownership' forms are enclosed. Please complete and notarize these forms and send them to the address on the top, left of the form along with the associated filing fees. We have a notary in the office if you wish to stop in. The office is located accross from Bacon Park along the railroad tracks at 2050 West Main in Rapid City.

If you have any questions, you may contact DelRon with our Rapid City Regional Office at (605) 394-2229.

Very truly yours,

DelRon Peters
Natural Resources Engineer
Water Rights Program

NOTICE OF TRANSFER OF OWNERSHIP

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

No. LN2376-2

Date: January 9, 1996

I/We request that Water Location Notice No. 2376-2

formerly owned by: Hermosa Hereford Ranch

be transferred to: (name & address) Irvin M. Evans, HCR 89 Box 255, Hermosa, SD 57744

Telephone No. 255-4315

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

5th 1/4 SE 1/4 Sec. 35 T2S-R9E

I/We understand that the validity of Water Location Notice No. 2376-2 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 attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Custer)

I/We Irvin M. Evans 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.

Irvin M. Evans
(Signed)

Subscribed and sworn to before me this 9th day of January, 1996.

Sue White
(Notary Public)
My Commission expires 5-4-97

NOTE: Water permits may be canceled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

414739

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____

February 20 _____

to 96

RECEIVED OF Irvin Evans, HC 89, box 255, Hermosa, SD 57744

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

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

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

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

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

Fee for Filing Transfer Form Location Notice No. 2376-2

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

By

Chief Engineer

John Hatch (CF)

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
WATER RIGHTS PROGRAM

July 24, 1996

Subject: Change in use of a irrigation diversion dam for Location Notice No. 2376-2, Irvin Evans.

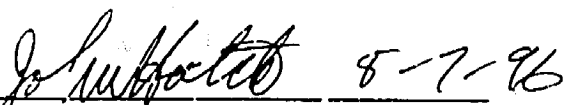
An inspection of Location Notice No. 2376-2 found that the cancellation of the irrigation portion of location notice and retaining the stockwater portion for stockwater only does not impair other water rights or domestic use. SDCL 46-5-31.1 provides that a diversion dam may be utilized for stock watering if permitted irrigation use from a storage dam is abandoned or forfeited without application or publication of a notice of hearing if no diversion is made from the stock dam and does not increase the potential for impairment with existing water rights.

Location Notice No. 2376-2 has a priority date of June 28, 1950 and is located in the SW 1/4 SE 1/4 Section 35 T2S-R9E.

No adverse effects or interference with existing water rights are expected. The change in use of the dam covered by Location Notice No. 2376-2 with a June 28, 1950 priority date can be approved.



DelRon Peters
Natural Resources Engineer
Water Rights Program



John Hatch, Chief Engineer
Water Rights Program
Dept. of Environment and Natural Resources



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 4 1996

Irvin M. Evans
HC 89 Box 255
Hermosa SD 57744

Dear Mr. Evans:

The Water Management Board has validated the enclosed Vested Water Right Nos. 559-2, 560-2 and 665-2. These validations and reissued water licenses reflect the acreage and diversion rate as validated by the Board.

Also, enclosed are Location Notice Water License Nos. 2376-2, 2378-2, 2380-2, 3747-2, 3962-2 and 7195-2. These licenses are issued for stockwatering purposes only. The receipts for transferring several of the water rights and location notices are included.

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

Very truly yours,

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

enclosure

STATE OF SOUTH DAKOTA

LOCATION NOTICE WATER LICENSE NO. 2376-2

(1) Hermosa Hereford Ranch, Hermosa SD located and filed Location Notice No. 2376-2, June 28, 1950 for a right to store 11.2 acre feet of water from an unnamed dry draw, Custer County, South Dakota, for irrigation and livestock purposes. Location Notice No. 2376-2 with a priority date of June 28, 1950 was located and filed by the applicant for diversion of water and construction of the described water supply system. The system was completed and the water placed to beneficial use.

February 20, 1996, Location Notice No. 2376-2 was transferred to Irvin Evans.

An investigation of Location No. 2376-2 found the irrigation use from the permitted storage dam had been abandoned and/or forfeited. Pursuant to 46-5-31.1, stock watering may be added as a water use to the license provided no diversion is made from the dam. The Chief Engineer makes a finding that adding stock watering use to the license will not be impair existing water rights.

(2) It is certified that the owner 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 store 11.2 acre feet of water for beneficial use. The location of the diversion point is 1,056 feet north and 1,960 feet west of the southeast corner of Section 35-T2S-R9E (SW 1/4 SE 1/4).

(3) The owner has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use for stock watering purposes.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Irvin Evans, HC 89 Box 255, Hermosa SD 57744 the holder and/or owner of Location Notice No. 2376-2 is issued a license to appropriate water, the right to store 11.2 acre feet of water from an unnamed dry draw with a priority date of June 28, 1950 from the location specified in (2) of this license, for the purpose of stock watering. This license is subject to any limitations or qualifications listed in Location Notice No. 2376-2 and subject to South Dakota State Law.

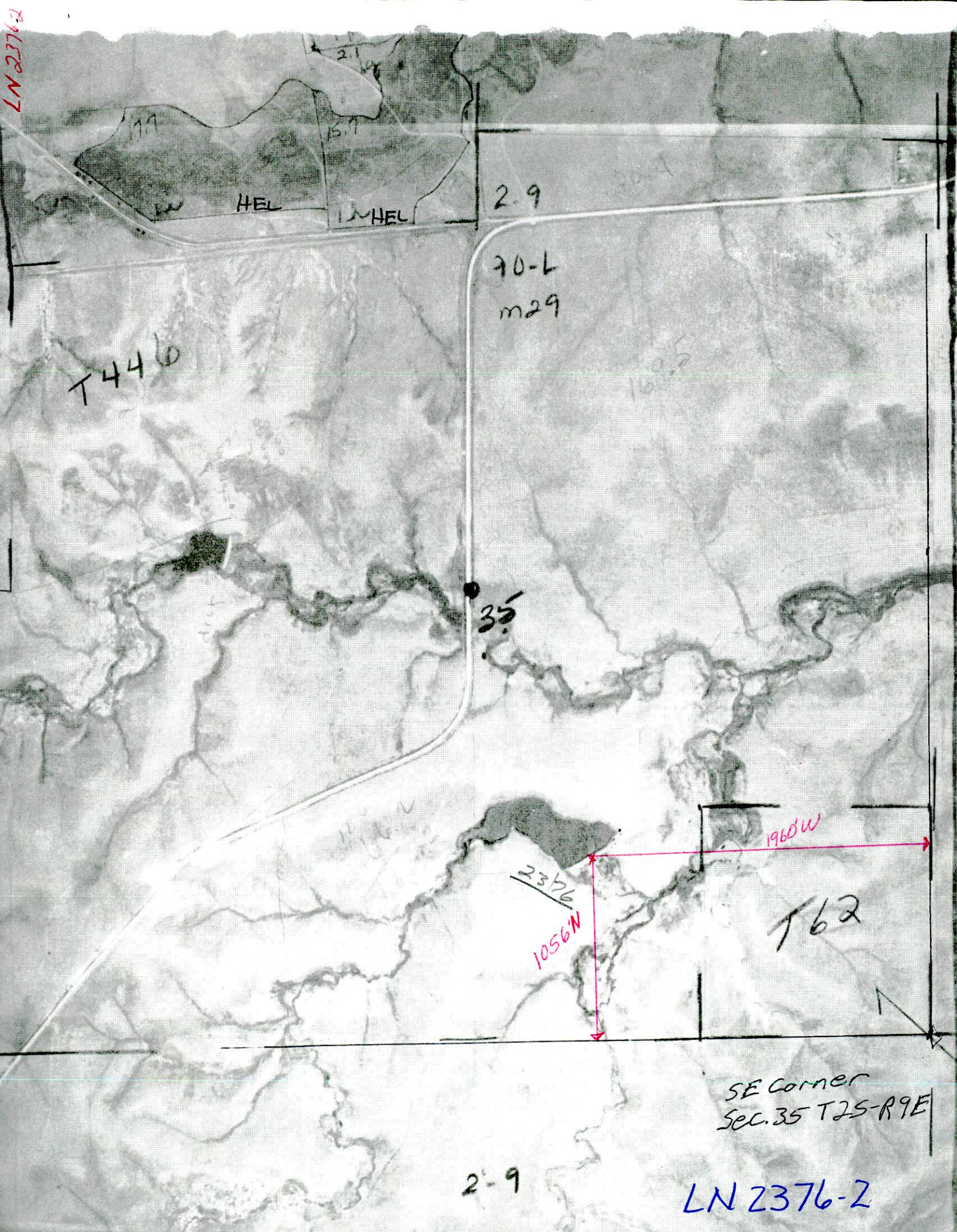
John Hatch
JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

NOV 4 1996

date



291225N7



T446

2-9

70-L
m29

35

2376
1056N

1960W

T62

SE Corner
Sec. 35 T25-R9E

2-9

LN 2376-2

LN2376-2

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Environment and Natural Resources

Date July 10, 2020RECEIVED OF Irvin M/Geraldine L Evans 12190 Village Cr. E Brighton CO 80603

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$
Fee to retain Future Use Permit No. _____ after period of seven years.	\$
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$
Fee for Filing Transfer Form <u>L2376-2</u>	\$50.00
Fee for _____	\$
Fee for Issuing New Well Driller's License No. _____	\$
Fee for Renewal of Well Driller's License No. _____	\$
Fee for Issuing Well Pump Installer's License No. _____	\$
Fee for Renewal of Well Pump Installer's License No. _____	\$
(Any Other Work Provided by Law) TOTAL	\$50.00

By

Eric Gronlund

Chief Engineer

me

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

PAID

JUL 10 2020

Ck# 371

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

Water Right/Permit No. LN 2376-2Date: 7/6/2020

I/We request that Water Right/Permit No. LN 2376-2 formerly owned by:
IRVIN M EVANS be transferred to:

New Owner Name: IRVIN M + GERALDINE L EVANS REVOCABLE TRUSTAddress: 12190 VILLAGE CR. E.City, State, Zip: BRIGHTON CO 80603 Telephone No. 720-232-8611

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

Jan - (daughter)
cell

Transferred from individual ownership to Trust

☒ I understand that the validity of Water Right/Permit No. LN 2376-2 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, IRVIN M + GERALDINE L EVANS REVOCABLE TRUST, the new owner, certify that the above information is true and correct.

Geraldine L. Evans
(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.

RECEIVED

JUL 10 2020

WATER RIGHTS
PROGRAM



DENR
SOUTH DAKOTA

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

July 21, 2020

Geraldine L Evans
12190 Village Cr E
Brighton CO 80603

RE: Water Right Nos. LN7195-2, LN3962-2, LN3747-2, LN2380-2, LN2378-2, LN2376-2, 590-2, 560-2

Dear Ms. Evans:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted to our program for changing ownership on the above listed water rights.

The ownership changes have been completed. Water Right Nos. LN7195-2, LN3962-2, LN3747-2, LN2380-2, LN2378-2, LN2376-2, 590-2, 560-2 formerly held by Irvin M Evans are now listed under "Irvin M & Geraldine L Evans Revocable Trust".

Enclosed are the receipts for the filing fees. You may keep this for your records. If you have any questions, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Genny McMath". The signature is fluid and cursive, with the first name "Genny" being more prominent.

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures