

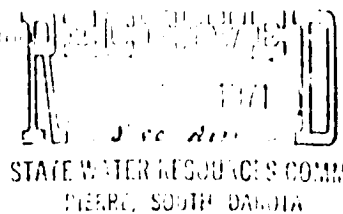
Water Right Number 1888-3

1. Considered NOVEMBER 10, 1971
2. Name of Applicant STVN INVESTMENT Co., INC.
3. Post Office Address ABERDEEN, So. DAK.
4. Amount of water claimed 1.67
5. Source of water supply GROUND WATER
6. Water to be used for ~~IRRIGATION~~
Acres to be irrigated WATER FOR TRAILER PARK
7. Water to be diverted and used in BROWN County
about 3N 1W Miles of ABERDEEN
8. Proof of Publication
Received 11-3-71
Not received
9. Application
Approved
Subject to
Not approved
Action deferred
10. Remarks:

Map No. 1339-3 Water Division No. 3 JAMES RIVER

Division to be created by the Engineer for the Water

APPLICATION FOR PERMIT



To appropriate Water within the State of South Dakota

(NOTE: Draw a line through portions not applicable)

1. Name of Applicant STON INVESTMENT COMPANY, INC. 229-4343
 Postoffice address P.O. Box 484, ABERDEEN SOUTH DAKOTA
 If a corporation show date and place of incorporation SEPTEMBER 1971 - SOUTH DAKOTA
2. Method of accomplishing work (contract, employment of others, or by direct labor) CONTRACT
3. Name of diversion work WATER DISTRIBUTION SYSTEM - COUNTRY VILLAGE TRAILER PARK
4. Amount of water claimed (cubic feet per second) 1.67 (750 GPM, SEE EXPLANATION FORM 2A)
5. Source of water supply SHALLOW WELLS
6. Location of point of diversion SEE MAP ACCOMPANYING APPLICATION - ADDITIONAL WELLS
WITHIN S $\frac{1}{4}$ 34-124-64, BROWN COUNTY, S.D., TO BE ADDED AS REQUIRED.

County BROWN

7. Annual period or periods during which water is to be used CONTINUOUS USE REQUIRED FOR WATER SUPPLY.
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) DOMESTIC WATER SYSTEM
9. For irrigation use, Total number of acres to be irrigated N.A.

List below each forty-acre subdivision, or lot, or fraction thereof, and show number of acres to be irrigated in each

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>N.A.</u>		<u>N.A.</u>	

Attach sheet if more space is needed

10. Time required to complete construction of water supply system ONE year. Additional time required to complete application of water to the proposed beneficial use TWO years. (IF DEMAND EXISTS)
11. Choice of newspaper for Notice of Intent to appropriate Water publication ABERDEEN AMERICAN NEWS, ABERDEEN, S.
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source WELLS, SUPPLYING 30,000 GALLON CONCRETE, UNDERGROUND RESERVOIR FOR THE DOMESTIC REQUIREMENTS OF THE WATER DISTRIBUTION SYSTEM. TRAILER PARK POTENTIAL IS 500 UNITS. TRAILER PARK IS NAMED "COUNTRYVILLAGE."

B. Works proposed to transport water to place of use

FOUR INCH AND SIX INCH PLASTIC, CLASS 160, WATERMAIN DISTRIBUTION SYSTEM.

C. Works proposed to apply water to beneficial use HYDRO-PNEUMATIC SYSTEM TO SUPPLY WATER AT REQUIRED PRESSURE AND CAPACITY THROUGH WATER MAIN DISTRIBUTION SYSTEM.

Estimated Total Cost \$ 123200.00

Attachments: Attach Form 2A if diversion from a well or dug-out, or if storage of water is proposed. Attach map (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of BROWN

I, STON INVESTMENT CO., INC., applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed [Signature], PRESIDENTSubscribed and sworn to before me this 4TH day of OCTOBER, 1971

[Signature]
 Notary Public (or other qualified officer)

WATER RIGHTS MAP

SEPTEMBER 1971

GRAVES OUTLOT "A"
SW 1/4-SEC. 34-T124N-R64W
BROWN COUNTY, SOUTH DAKOTA

COUNTRY VILLAGE

TRAILER PARK
49.756 ACRES

OWNER: HARLEY HALL &
DON A. BOYD



SURVEYOR'S CERTIFICATE

I, DON A. BOYD, A REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY & MAP PREPARATION WAS COMPLETED BY ME OR UNDER MY DIRECT SUPERVISION AND SAID MAP IS TRUE AND ACCURATE IN EVERY RESPECT.

DATE: 4 SEPT. 1971

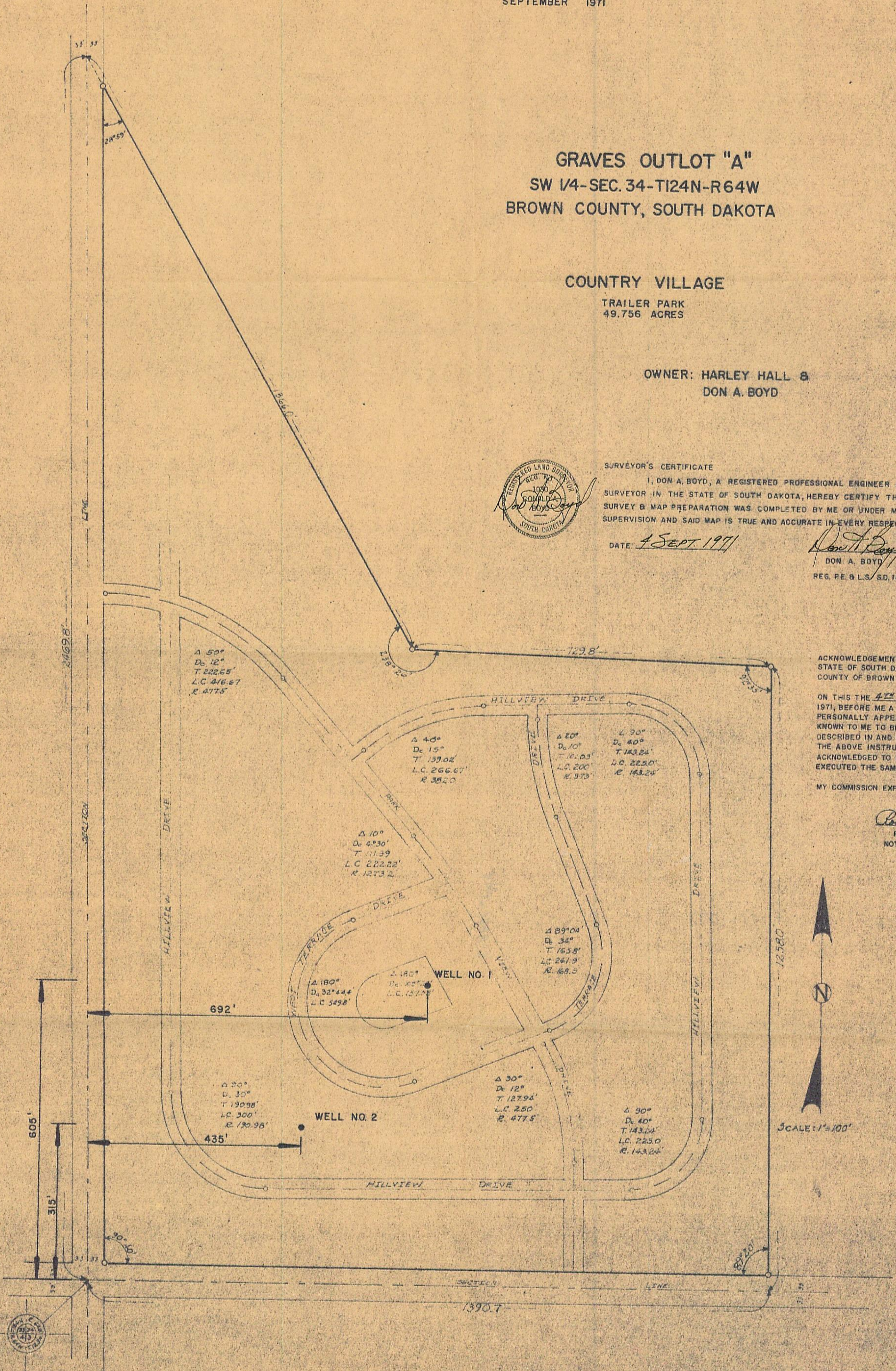
Don A. Boyd
DON A. BOYD
REG. P.E. & L.S. S.D. 1030

ACKNOWLEDGEMENT
STATE OF SOUTH DAKOTA)
COUNTY OF BROWN) ss.

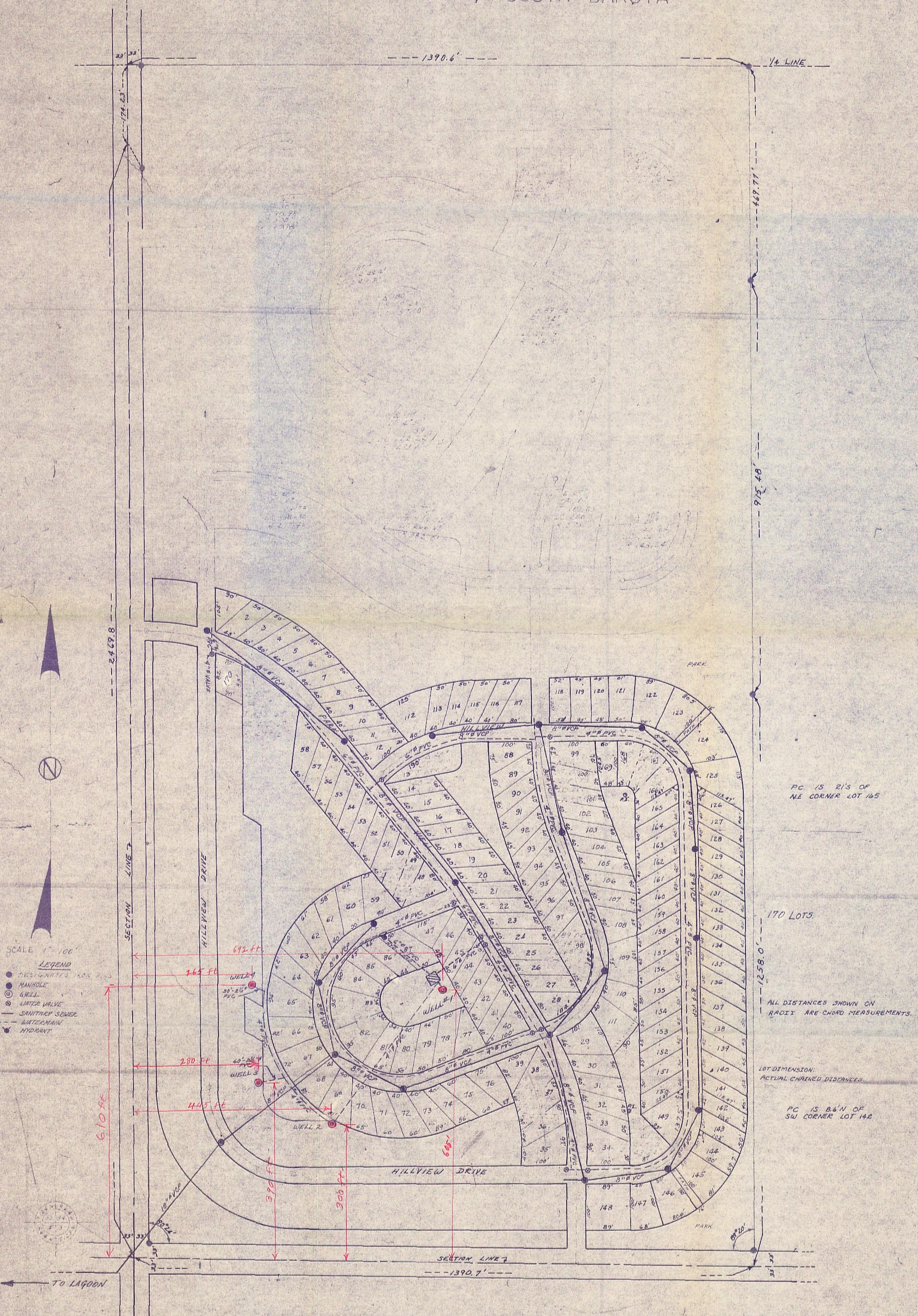
ON THIS THE 4TH DAY OF SEPT.,
1971, BEFORE ME A NOTARY PUBLIC,
PERSONALLY APPEARED, DON A. BOYD,
KNOWN TO ME TO BE THE PERSON
DESCRIBED IN AND WHO EXECUTED
THE ABOVE INSTRUMENT AND WHO
ACKNOWLEDGED TO ME THAT HE
EXECUTED THE SAME.

MY COMMISSION EXPIRES: 13 Nov. 1976

Robt. W. Owens
ROBT. W. OWENS
NOTARY PUBLIC



COUNTRY VILLAGE
SW 1/4 SECTION 34, T124N, R64W
BROWN COUNTY, SOUTH DAKOTA



Map # 1339-3
Permit # 1888-3

WATER RIGHTS MAP

SEPTEMBER 1971

GRAVES OUTLOT "A"
SW 1/4-SEC. 34-T124N-R64W
BROWN COUNTY, SOUTH DAKOTA

COUNTRY VILLAGE

TRAILER PARK
49.756 ACRES

OWNER: HARLEY HALL &
DON A. BOYD



SURVEYOR'S CERTIFICATE

I, DON A. BOYD, A REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA, HEREBY CERTIFY THAT THIS SURVEY & MAP PREPARATION WAS COMPLETED BY ME OR UNDER MY DIRECT SUPERVISION AND SAID MAP IS TRUE AND ACCURATE IN EVERY RESPECT.

DATE: 4 SEPT. 1971

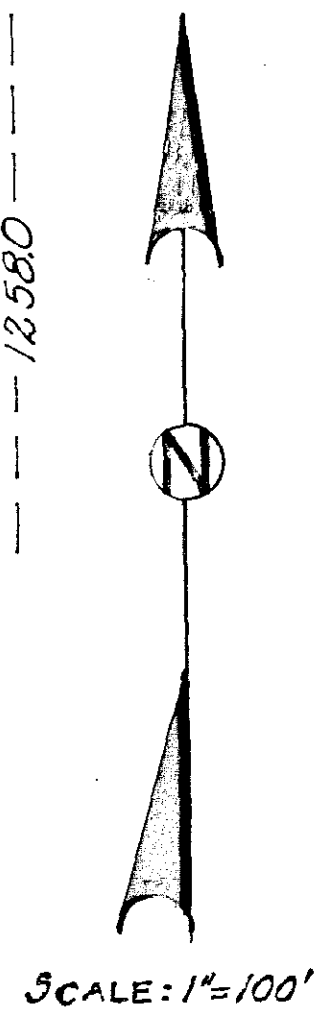
Don A. Boyd
DON A. BOYD
REG. P.E. & L.S. S.D. 1030

ACKNOWLEDGEMENT
STATE OF SOUTH DAKOTA) S.S.
COUNTY OF BROWN)

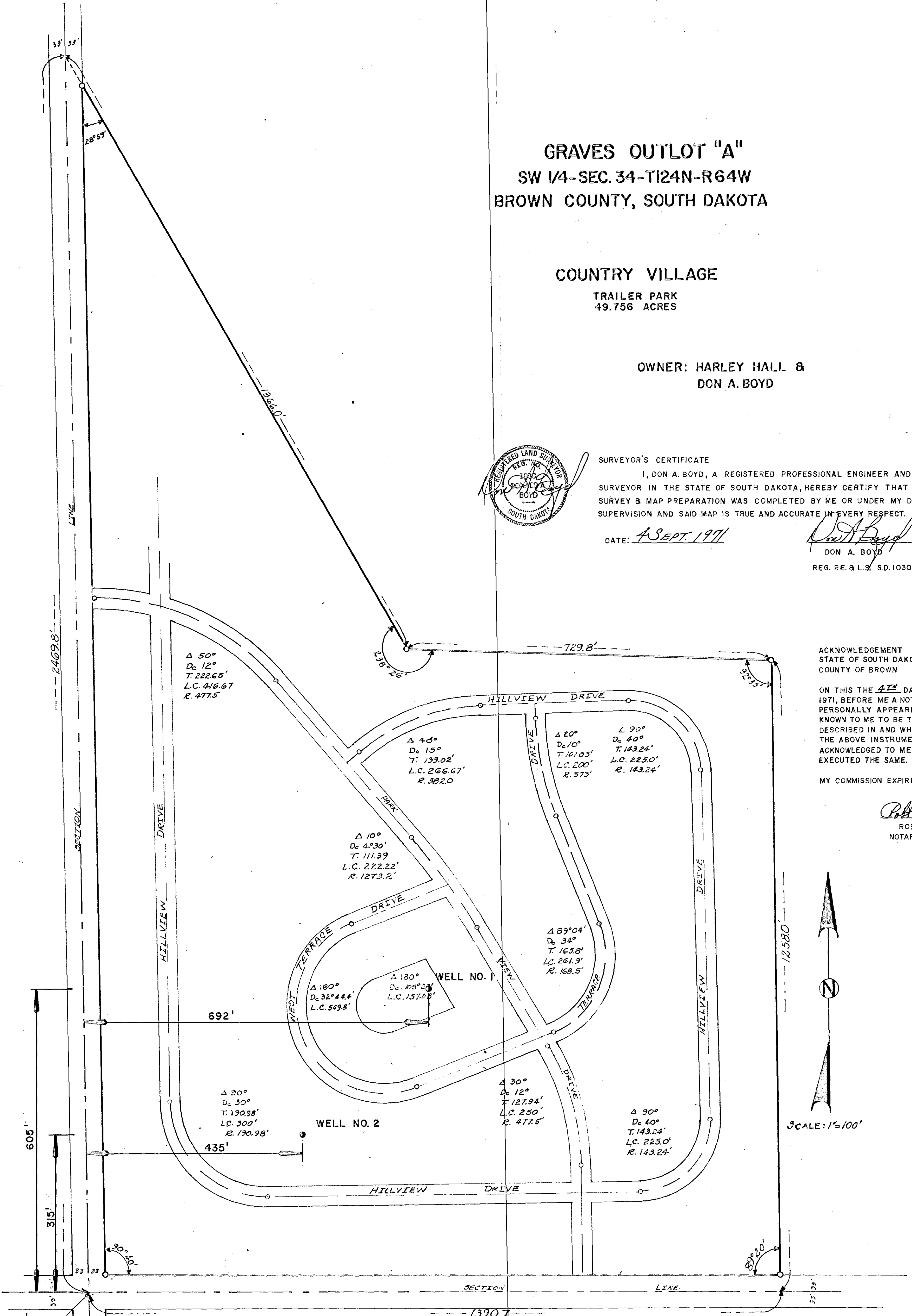
ON THIS THE 4TH DAY OF SEPT., 1971, BEFORE ME A NOTARY PUBLIC, PERSONALLY APPEARED, DON A. BOYD, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE ABOVE INSTRUMENT AND WHO ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

MY COMMISSION EXPIRES: 13 Nov. 1976

Robt. W. Owens
ROBT. W. OWENS
NOTARY PUBLIC



SCALE: 1"=100'



MAP N° 1339-3 (APPL N° 1888-3)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1888-3
STUN INVESTMENT Co., Inc. P.O. Box 484, ABERDEEN,
 (Applicant) (Post Office Address)
SOUTH DAKOTA With the following modifications:
 (State)

The ~~irrigation~~ well approved under this permit is located near domestic wells which may obtain water from the same aquifer. The ~~irrigation~~ well owner, under this permit, shall control his ~~irrigation~~ withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

Date of first receipt of application OCTOBER 5 1971
 Date of return to applicant for correction, amendments or changes required — 19—
 Date of receipt of corrected application — 19—
 Approved NOVEMBER 10 1971 Recorded in Book 12 Page 44

WATER RIGHT PERMIT NO. 1888-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1888-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is OCTOBER 5 1971
2. The equivalent of at least one fifth of the work above specified is to be completed on or before MAY 10 1972
3. The whole of said work is to be completed on or before NOVEMBER 10 1972
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 10 1974
5. The water appropriated shall be used for the purpose of COMMERCIAL USE
6. 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.
7. The amount of the appropriation herein granted shall not exceed 1.67 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for ~~irrigation~~
~~irrigation and domestic purposes and the amount of water needed for irrigation shall be limited to the amount of water needed for irrigation and domestic purposes and the amount of water needed for irrigation shall be limited to the amount of water needed for irrigation and domestic purposes~~
USED FOR COMMERCIAL PURPOSES actually and beneficially ~~applied to irrigation~~ on or before NOVEMBER 10 1974; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 12TH day of NOVEMBER 1971

WATER RESOURCES COMMISSION

By [Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued — 19—
 Water License Issued — 19—

Mailing Address
P. O. Box 115
St. Paul, Minn. 55165

SAND ANALYSIS

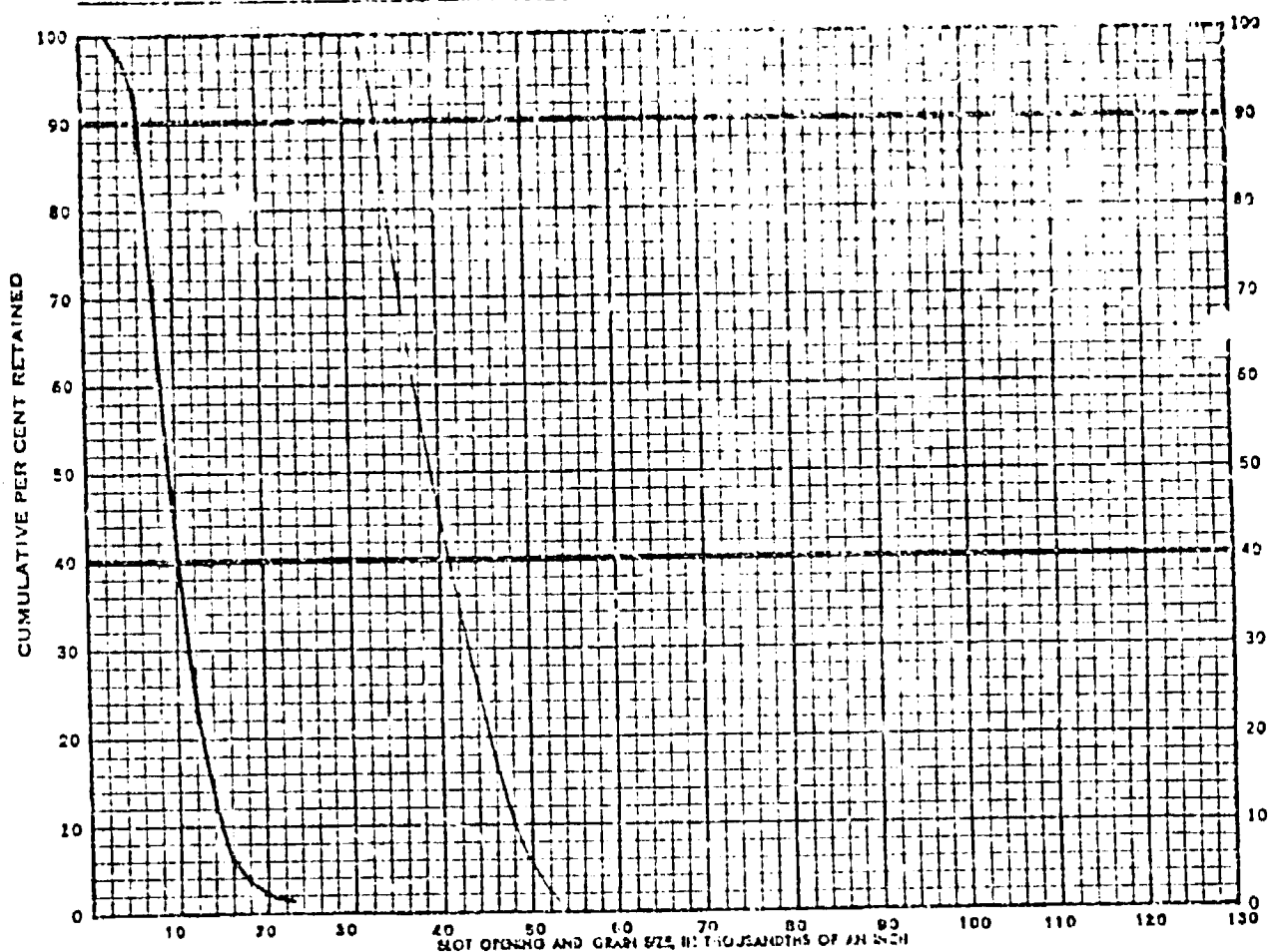
Johnson Division
Universal Oil Products Co.
1850 Old Highway 8
St. Paul, Minnesota 55108

Sample sent to by: Don A. Boyd, P. E., Consulting Engineer

Town: Aberdeen State: South Dakota Date: 22 July 1971

From well of: _____

Remarks: _____



SIEVE OPENINGS	CUMULATIVE PER CENT RETAINED		
.132			
.075			
.060			
.047			
.037			
.025	2		
.018	5		
.012	23		
.008	68		
.006	93		

Notes: Gravel pack: Copher State Silico No. 10-20,
Le Sueur, Minnesota

Recommended Slot Opening: No. 30 (0.0030-inch)

Recommended Screen: Dia. _____ in. Length 7 Ft.
Sat screen between 26 and 33 feet.

By: DLK

SO MANY CONSIDERATIONS ENTER INTO THE MAKING OF A GOOD WELL THAT, WHILE WE BELIEVE SLOT SIZES FURNISHED OR RECOMMENDED FROM SAND SAMPLES ARE CORRECT WE ASSUME NO RESPONSIBILITY FOR THE SUCCESSFUL OPERATION. JOHNSON WELL SCREENS

12. Principal Features of the Proposed Water Supply System (continued.)

- D. Well Information or Estimates
- (1) Drill Hole, Diameter No. 1 - 21" 35 FEET
No. 2 - 21" 32 FEET, Depth _____
- (2) Casing, Type STEEL Diameter 3" I.D. Thickness _____
(wood, concrete, steel, etc)
- (3) Perforated Screen, UCP JOHNSON, STAINLESS STEEL SCREENS
No. 1 - #30 SLOT 3"PS SEVEN FEET
Type No. 2 - #30 SLOT 3"PS SEVEN FEET
No. 1 - 1 1/2" TWENTY NINE FEET
No. 2 - 6 1/2" TWENTY SIX FEET
- (4) Gravel Pack, Thickness No. 2 - 6 1/2" Length of gravel pack TWENTY SIX FEET
ALL GRAVEL PACK MATERIAL 10-20 SAND FROM EAU CLAIRE, WISCONSIN.
- E. Dugout Information or Estimates. N. A.

- (1) Surface dimensions _____, Depth _____
- F. Fill out for Either a Well or a Dugout.
- (1) Water Bearing Materials. (Please attach a copy to test well log if available.) SEE TEST RESULTS ATTACHED HERETO.
- Character of Water bearing materials FINE SAND WITH TRACES OF GRAVEL AT
BOTTOM OF WATER BEARING SAND VEIN
- _____
- _____
- Depth to top of water bearing material TWELVE FEET (AVERAGE)
- Depth to bottom of water bearing material THIRTY THREE FEET (AVERAGE)
- Thickness of water bearing material TWENTY ONE FEET
- Depth to water (ground surface to water level) TWELVE FEET
- (2) Distance to nearest existing household or livestock watering wells.
- On same owner's property N. A. rds. On property owned by others FORTY rds.

G. Water Storage Dams. N. A.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

INITIAL MAP REPRESENTS AREA FOR 250 UNITS. WE HAVE LAND OPTIONED FOR EXPANSION TO 500 UNITS, IN BALANCE OF S# 1 1/4 34-124-64.
ESTIMATED 1 1/2 GPM PER UNIT = 750 GPM = 1.67 CU.FT. PER SEC. DEMAND
COST ESTIMATE INCLUDES AMOUNT REQUIRED FOR 500 UNIT POTENTIAL.

STAGE 1 - 250 UNITS, ESTIMATE	STAGE 2 - 250 UNITS, ESTIMATE
2 @ WELLS, CPT., @ 2000 4000	2 @ WELLS, CPT., @ 2000 4000
7000' WATERMAIN @ 2.50 17500	7000' WATERMAIN @ 2.50 17500
30000 GAL RESERVOIR 10000	
HYDRO-PNEUMATIC SYSTEM 5000	
250 SERVICES @ 100.00 25000	250 SERVICES @ 100.00 25000
VALVES, HYDRANTS & MISC. 5000	VALVES, HYDRANTS & MISC. 5000
TOTAL ESTIMATE, STAGE 1 50500	51500
	CONTINGENCIES 5200
	TOTAL ESTIMATE, STAGE 2 56700

STON INVESTMENT COMPANY, INC.
BY [Signature] PRESIDENT
Signature of Applicant

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1888-3

(1) WHEREAS, On the 5th day of October A. D. 19 71
Stun Investment Co., Inc.

made Water Right Application No. 1888-3 for a permit to use 1.67 cubic feet per second of the waters
of groundwater (four wells)

County of Brown, State of South Dakota, for commercial (housing development)
purpose; and

(2) WHEREAS, On the 10th day of November A. D. 19 71

Permit No. 1888-3 with a date of priority of October 5, 1971
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 November A. D. 19 72 and for the
application to beneficial use of said water on or before the 10th day of November A. D. 19 74

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 .36 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,

water to be used in place for a housing development

(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 Stun Investment Co., Inc.

of Aberdeen SD

the holder S and owner S of said permit No. 1888-3 a water right, dating from October 5, 1971

to use of .36 cubic feet per second of the waters of groundwater (four wells)

in the County of Brown and State of South Dakota or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at Well #1: 605 feet north & 692 feet east; Well #2: 300 feet north & 445 feet east; Well #3: 390 feet north & 280 feet east; Well #4: 610 feet north & 265 feet east. All from the SW corner of Section 34-T124N-R64W.

and conduct to and upon ~~conducted through the Housing development's distribution system~~
XXXXXXXXXXXXXXXXXXXX

for the purpose of commerical use

Subject to any limitations Eted in Water Right Permit No. 1888-3 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 December A. D.

Nineteen hundred and Seventy-eight

WATER RIGHTS COMMISSION

By

John Hatch
Chief Engineer, Executive Officer, JOHN HATCH

Permit No. 1888-3

Water Diversion No. 3 James River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Stun Investment Co. Inc.

_____ the holder _____ of
Permit No. 1888-3, issued upon Application No. 1888-3, bearing date of priority of October 5,
1971 authorizing the diversion of 1.67 cu. ft. per second of the waters of _____
groundwater (four wells) County of Brown, State of South Dakota at _____
Well #1: 605 feet North & 692 feet east; Well #2: 390 feet north & 445 feet east;
Well #3: 390 feet north & 280 feet east; Well #4: 610 feet north & 265 feet east.
all from the SW corner of Section 34-T124N-R64W, for commercial
xxx

_____ purposes, has not 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 .36 cu. ft. per second of water.

Date December 28, 1972

By: WATER RIGHTS COMMISSION
John Hatch
JOHN HATCH, Chief Engineer

1888-3

Publish first publication, on or before October 14, 19 71

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 5, 19 71

Notice is hereby given that Stun Investment Company, Inc.

whose post office address is Aberdeen, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.67 cubic feet of water per second of time from the ground water through the Country Village Distribution System, the point of diversion of which is to be located in the SW 1/4 SW 1/4

of Section 34, Twp. 124N, Range 64W. Said water to be used for the purpose of providing irrigation on the following described land:
water supplies for the Country Village Trailer Park

This application No. 1888-3 will be considered by the Water Resources Commission at their office at Pierre upon the 10th day of November, 19 71, at 2:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: Don A. Boyd, President, Stun Investment Company, Inc., Box 484, Aberdeen, S.D. 57401

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Brookings)

I, Marlys Stollenwerk hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Aberdeen American-News

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 Aberdeen _____

County of Brown and State of South Dakota;
that the said notice was published in said newspaper on the following
four dates:

October 11, 1971

October 18, 1971

October 25, 1971

November 1, 1971

Marlene Stoltenberg
(Signature)

Principal Clerk
(Title)

November 1, 1971

(Date Signed)

(No. 471 - Oct 11 1925 Nov. 1 - 4T)

NOTICE
INTENT TO APPROPRIATE WATER
Pierre, South Dakota 57501. October
8, 1971.

Notice is hereby given that Staw. Investment Company, Inc. whose post office address is Aberdeen, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.67 cubic feet of water per second of time from ground water through the Country Village Distribution System, the point of diversion of which is located on the SW 1/4 of Sec. 34, Twp. 124N., Range 65W. of Sec. 34, Twp. 124N., Range 65W. of water to be used for the purpose of providing water supplies for the Country Village Trailer Park.

This application No. 1885-3 will be considered by the Water Resources Commission at their office at Pierre upon the 10th day of November, 1971, at 2:00 P.M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION
By: Burton F. Jones, Water Rights
Specialist.

RECEIVED
NOV 3 1971

STATE WATER RESOURCES COMM
PIERRE, SOUTH DAKOTA

We protest the use of pump and wells to furnish water for the trailer court being constructed on the S. W. 1/4 of sec. 34 - 124 - 64 north east of Aberdeen.

We think the large volume of water that will be pumped for this project will endanger our wells nearby.

Howard Wagner	Route 2	Aberdeen S.D.	Nov 23, 1971
Gary Palmer	Route 2	Aberdeen S.D.	Nov 25, 1971
Mrs. Bruce Bean	Route 2	Aberdeen S.D.	Nov 23-1971
Mr. Alan Krause	Route 2	" S.D.	Nov-29-71
Mr. Rudolph Schlosser	Route 2	S.D.	Nov 27-1971
Mr. Richard L. Stevens	Route 2	Aberdeen S.D.	Nov 30, 1971
Mrs. Richard L. Stevens	Route 2	Aberdeen S.D.	11/30/71
Dwight Cornett	Route 2	Aberdeen S.D.	11/30/71
Douglas Ham	Route 2	Aberdeen S.D.	11/30/71
Dora Ham	R.R. 2	Aberdeen S.D.	11/30/71
Kenneth Miller	Route 2	Aberdeen S.D.	Nov 30, 1971
Robert R. Miller	Route 2	Aberdeen S.D.	November 30, 1971
Charles Haskell	Route 2	Aberdeen S.D.	Nov 30, 1971
Alta Haskell	Route 2	Aberdeen S.D.	Nov 30, 1971
Russell Rounding	Route 2	Aberdeen S.D.	Nov 30, 1971
Alvin E. Miller	" 2	Aberdeen S.D.	Dec. 1-1971
Labette	" 2	Aberdeen S.D.	1, 1971
Lynn Lynn	Box 2	Aberdeen S.D.	

1885-3

8-11-78

1885-3

4 Halls 36 ft deep

8-11-78

Notes 24 ft

Subj. - The pumps are

1/2" dia. 3 ft tall

Model 4CM5 all

Pumping capacity to 40 gpm

4000 ft. diameter

Talked to Mr. Boyle at 10:30

8-11-78

Permit No. 1888-3Water Division 3 James River Water DistrictREPORT 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 Star Investment Co., Inc. of P.O. Box 484, Aberdeen, South Dakota 57401 holder of Permit No. 1888-3, bearing date of priority of October 5, 1971 authorizing the diversion of 1.67 cu. ft. per second of the waters of Wells for Commercial purposes, in Brown 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:

Four Wells all the same: Berkeley 1½ HP, 3 ph Submersible Pumps, Model HC M5.
Each Pumping 40 gpm.

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

Housing development water system.
3000 gallon reservoir.

C. Works used to apply water to beneficial use.

Houses in the development.

The system is in the following condition: Excellent

The point of diversion is located Well #1: 651 ft North 692 ft East, Well #2: 300 ft North 445 ft East, Well #3: 370 ft North and 280 ft East, Well #4: 610 ft North and 265 ft East. All from the SW corner of Sec. 34, T124N R64W.

The works are capable of diverting and conveying to the place of use 0.36cu. ft. per second of water which is to be used for Commercial Purposes - housing development

Water has been put to beneficial use to the maximum extent as follows:

comprising a total of _____ acres of land.

Wells. All four 36 ft deep
static water at 24 ft.
Each pumping 40 gpm

Date December 12, 1978

Leroy J. Merritt
(Signature)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6622

December 18

73

PIERRE, 19

RECEIVED OF Stun Investment Co., Inc. P.O. Box 484, Aberdeen SD

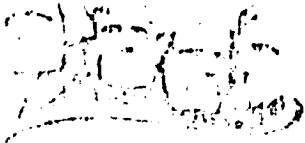
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filling)		
Fee for Inspecting Construction, and Issuing Cert of Construction No. <u>1835-3)</u>	12	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. <u>1835-3)</u>		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filling		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	12	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH kjw

South Dakota



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 10, 1991

1888-3

Country Village Mobile Home Park
Myron Underberg, Manager
Box 120
Aberdeen SD 57401

Dear Mr. Underberg:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 1888-3. The water right is currently listed in the name of Stun Investment Co. Inc.

The transfer form should be checked over for accuracy and 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 25, 1992

**SECOND NOTICE
PERMIT NO. 1888-3**

Country Village Mobile Home Park
Myron Underberg, Manager
Box 120
Aberdeen, SD 57401

Dear Mr. Underberg:

On October 10, 1991, notice was sent to you concerning the transfer of Water Right No. 1888-3 in the name of Stun Investment Company. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed is an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The right can then be transferred to your name. If you are not the present owner of the land covered under this right, please notify this office. It is very important that ownership records be kept current. 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 Genny McMath, (605) 773-3352.

Very truly yours,

RON DUVALL
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

enclosure

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3 and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

1888-3

Country Village Mobile Home Park
Myron Underberg, Manager
Box 120
Aberdeen, SD 57401

5. Signature (Addressee)

6. Signature (Agent)

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

P 906 559 906

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

6-26

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 * U.S.G.P.O. : 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



September 22, 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501 3181

**THIRD NOTICE
WATER RIGHT NO. 1888-3**

Country Village Mobile Home Park
Myron Underberg, Manager
Box 120
Aberdeen, SD 57401

Dear Mr. Underberg:

On October 30, 1992 and June 25, 1992, notices were sent to you concerning the transfer of Water Right No. 1888-3 in the name of Stun Investment Company. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed is an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The water right can then be transferred to your name. If you are not the present owner of the land covered under this water right, please notify this office. It is very important that ownership records be kept current. 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 be filed with this office within ninety days.

Failure to keep records current can mean a delay in receiving a notice or even no receipt of a notice that pertains to the water right. In some cases, a notice from this office includes an order which could result in up to one year suspension of a permit or other penalty if not complied with.

The Statutes provide that a permit for irrigation remains appurtenant to the land. If there is an ownership change; however, no such assignment (transfer) shall be binding except upon the parties thereto, unless filed for record in this office.

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

Very truly yours,

RON DUVAL
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

enclosure

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

1888-5

Country Village Mobile Home Park
% Myron Underberg, Manager
Box 120
Aberdeen, SD 57401

4a. Article Number

P 906 559 937

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

SEP 24 1992

5. Signature (Addressee)

Myron Underberg

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 U.S.G.P.O. : 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

Water Rights Division - DWRP
Conversation or File Documentation

File No. 1888-3

NAME OF PERSON OR FILE: Wayne Fisher - Stun Investment Company

ADDRESS: _____ COUNTY _____

DATE: September 24, 1992 TELEPHONE _____

RE: ownership of Water Right No. 1888-3

COMMENTS:

Upon receiving the "Third" Notice for filing of a transfer for No. 1888-3,
Mr. Fisher called to let us know that the land is still owned by Stun Investment
Company - the mobile home park is a "part" of the company. He wanted the
water right left under Stun Investment Company.

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: Wayne P. Fisher

1888-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 17, 1993

No. 1888-3

Chuck Huber
Dakota Partners
Box 832
Bismarck, ND 58502

Dear Mr. Huber:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 1888-3. The water right is currently listed in the name of Stun Investment Company.

The transfer form should be checked over for accuracy and 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,

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

enclosure



1888-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 1994

Chuck L. Huber
Dakota Partners
Box 832
Bismarck, ND 58502

Dear Mr. Huber:

We are in receipt of your completed "Notice of Transfer of Ownership" form for Water Right No. 1888-3, but have not received the required \$2.50 fee. Before we can proceed with the transfer of ownership, we must be in receipt of this fee.

Your immediate response is appreciated, and if you have any questions, please feel free to contact Genny McMath at (605) 773-3352.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division

1888-3

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1888-3Date: 1-10-94I/We request that Water Right No. 1888-3formerly owned by: Stun Investment Company

be transferred to: (name & address) DAKOTA Partners Box 832, Bismarck
N.D. 58502 - Chuck L. Huber - Pte (Telephone No) 701-222-0212

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

DAKOTA Partners

I/We understand that the validity of Water Right No. 1888-3 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.

NORTH
STATE OF SOUTH DAKOTA)
County of Burleigh)

I/We DAKOTA Partners 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.

Chuck L. Huber - Partner
(Signed)

Subscribed and sworn to before me this 10th day of January, 19 94.

Debra L. Stolman

(Notary Public)
DEBRA L. STOLMAN
Notary Public, BURLEIGH CO., N. DAK.
My Commission Expires MAR 22, 1996

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 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

Division of Water Rights

South Dakota Department of Environment and Natural Resources

1888-
414004

Pierre, _____ January 20, 19 91

RECEIVED OF Dalota Partners, Box 832, Bismarck, ND 58502

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>Water Right No. 1888-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)		
Total	2	50

By John Hatch
Chief Engineer



1888-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 1994

No. 1888-3

Chuck Huber
Dakota Partners
Box 832
Bismarck, ND 58502

Dear Mr. Huber:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 1888-3.

Our records now show you as the owner of Water Right No. 1888-3.

Sincerely,

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

enclosure

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. ☐ Addressee's Address
 - 2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

Chuck Huber
Dakota Partners
Box 1132
Bismarck, ND 58502

1888-3 4a

Article Number
P 318 052 615

4b. Service Type

- ☐ Registered ☐ Insured
- ☒ Certified ☐ COD
- ☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

1-10-94

5. Signature (Addressee)

6. Signature (Agent)

Huber

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991

U.S. GPO: 1992-023-402

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



1888-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

January 6, 1994

SECOND NOTICE
Permit No. 1888-3

Chuck Huber
Dakota Partners
Box 832
Bismarck, ND 58502

Dear Huber:

On August 17, 1993, notice was sent to you concerning the transfer of Water Right No. 1888-3 in the name of Stun Investment Company. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed is an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The water right can then be transferred to your name. If you are not the present owner of the land covered under this water right, please notify this office. It is very important that ownership records be kept current. 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 Genny McMath, (605) 773-3352.

Very truly yours,

RON DUVAL
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

enclosure

1888-



June 25, 1997

Cheryl F. Frost, Secretary
Water Rights Division
Department of Environment
and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

RE: Water Right No. 1888-3

Dear Ms. Frost:

ARC SPEI I, L.L.C., a Delaware limited liability company ("ARC"), recently purchased Country Village Mobile Home Park in Aberdeen, South Dakota from Dakota Partners. Included in the purchase of this park are the rights to Water Right No. 1888-3. Please provide me with information to transfer recorded ownership of this Water Right to ARC. You may return the information to me in the enclosed self-addressed, stamped envelope.

If you have any questions or need additional information in this regard, please directly at (303) 383-7506. Thank you in advance for your help.

Sincerely,

Scott L. Geseff
Vice President and
General Counsel

slg/trs

S:\PARKS\Country Village\CF70625.ltr.doc



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3121

July 1, 1997

1888-3

Scott L. Gesell
Vice President & General Counsel
Affordable Residential Communities
555 17th St., Suite 1600
Denver CO 80202-5555

Dear Mr. Gesell:

Thank you for your letter of June 25th, informing us of your recent purchase of County Village Mobile Home Park in Aberdeen, SD. The water right is currently listed in the name of Dakota Partners and is transferable to you as the new owner of the land.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in transferring the water right. Please review the form and make any necessary corrections. Complete the portion titled "be transferred to: (name and address)"..... Upon completion, please sign the form in the presence of a notary public and return it to our office with a required filing fee of \$2.50.

The water right will be transferred as soon as the completed form and filing fee are returned us. If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosure



July 7, 1997

Genny McMath
Department of Environment
and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

RE: Transfer of Water Rights

Dear Ms. McMath:

Enclosed herewith please find the completed Notice of Transfer of Ownership with a check in the amount of \$2.50 for transfer of the water rights associated with Country Village Mobile Home Park in Aberdeen, South Dakota. Please return to me a "File" stamped copy of this notice in the enclosed self-addressed, stamped envelope at your earliest convenience

Thank you for your help in this regard.

Sincerely,

Scott L. Gesell
Vice President and
General Counsel

slg/trs

Enclosure

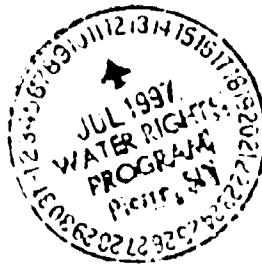
S. PARKS Country Village GM70707 ltr.doc

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1888-3

Date: July 7, 1997



I/We request that Water Right No. 1888-3

formerly owned by: Dakota Partners

be transferred to: (name & address) ARC SPEI I, L.L.C., 555 Seventeenth Street, Suite 1600,
Denver, Colorado 30202

Telephone No. (303) 291-0222

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

4 wells located in the S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 34, T124N, R64W

I/We understand that the validity of Water Right No. 1888-3 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.

COLORADO
STATE OF ~~SOUTH CAROLINA~~)
County of Denver)

I, ~~we~~ Scott L. Gesell, Vice President, 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.

ARC SPEI I, L.L.C.

(Signed)
By: Scott L. Gesell

Its: Vice President

Subscribed and sworn to before me this 7th day of July, 19 97.



Lisa Petersen
(Notary Public) LISA PETERSEN
My Commission Expires 12-11-97

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 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

Division of Water Rights South Dakota Department of Environment and Natural Resources

415416

Pierre, _____ July 14, 1997

RECEIVED OF ARC SPEI I, I.L.C., 555 17th Street, Suite 1600, Denver, CO 80202
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>Water Right No. 1688-3</u>		
Fee for Filing Extension Request _____		50
Fee for _____		

(Any Other Work Provided by Law)		
Total		50

By *Jim McEachern*
Chief Engineer



1888-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 21, 1997

No. 1888-3

Scott L. Gesell, Vice President
ARC SPELL, L.L.C.
555 Seventeenth St., Suite 1600
Denver, CO 80202

Dear Mr. Gesell:

Enclose I is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 1888-3. Our records now show ARC SPELL, L.L.C. as the owner of Water Right No. 1888-3.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

enclosure