

Water Right Number 4175-3

1. Considered 11-30, 1977
2. Name of Applicant ALBERT TAYLOR
3. Post Office Address PIERRE
4. Amount of water claimed 27.21
5. Source of water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
Acres to be irrigated 1905
7. Water to be diverted and used in HUGHES County,
about 10 N Miles of PIERRE
8. Proof of Publication
Received SP 11-28-77
Not received
9. Application
Approved
Subject to
Not approved
Action deferred

10. Remarks:

No. 4175-3Map No. 3403-3 Water Division No. 3 Missouri River District
(Blanks to be filled by the Engineer for the W. H. C.)

APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Albert Taylor Sherman and Scheff (Partnership)
Postoffice address Pert Ar Pierre, State South Dakota
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Albert Taylor Irrigation Project
4. Amount of water claimed (cubic feet per second) 27.21 C.F.S.
5. Source of water supply Missouri River
6. Location of point of diversion Between the following described points: Intersection of left bank of Missouri River and S. Section line of Section 25, T112N, R79W Approximately 2700 ft. W. of S.E. corner; and the intersection of left bank of the Missouri River and W. Section line Section 25, T112N, R79W County Bully Hughes
7. Annual period or periods during which water is to be used Irrigation Season
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, _____ Total number of acres to be irrigated 1905

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.
Sec. 8, T112N, R79W	638	HW, Sec. 27, T112N, R79W	160
Sec. 20, T112N, R79W	636		
5 1/2 Sec. 21, T112N, R79W	316		
HW, Sec. 28, T112N, R79W	155		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.
11. Choice of newspaper for Notice of Intent to appropriate Water publication Capitol Journal
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Pumps

B. Works proposed to transport water to place of use.

Pipe and Canal

C. Works proposed to apply water to beneficial use.

Sprinklers

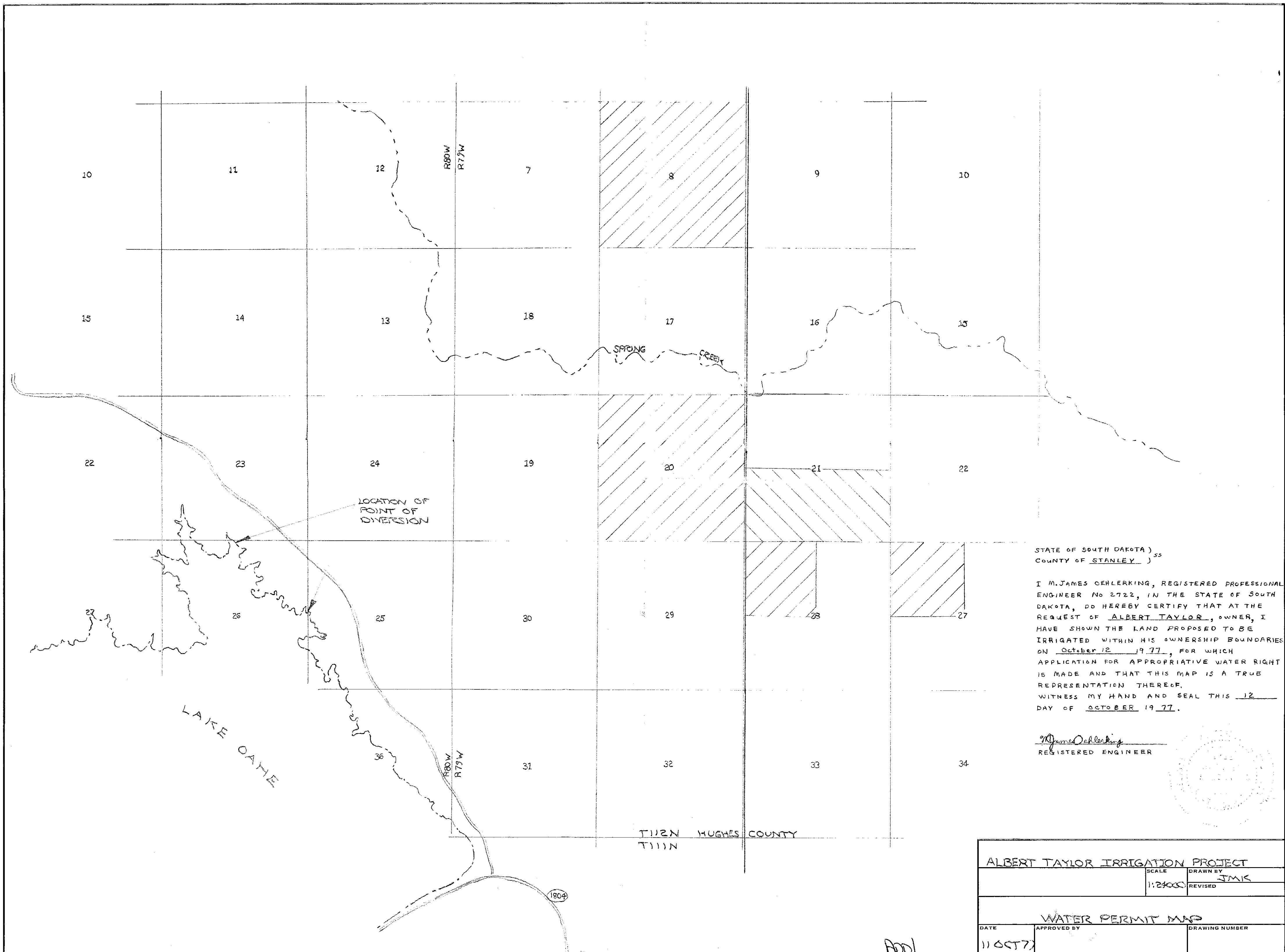
Estimated Total Cost \$1,300,000.00Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of _____

I, _____ the 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.

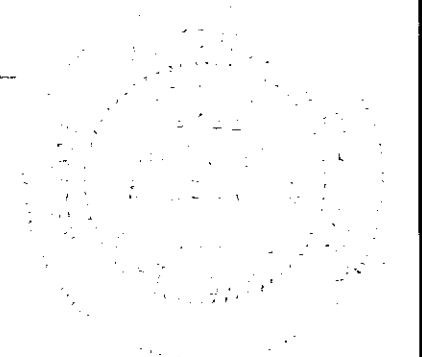
Signed Albert TaylorSubscribed and sworn to before me this 31st day of October, 1977Dean A. Sullivan
Notary Public (or other qualified officer)



STATE OF SOUTH DAKOTA)
COUNTY OF STANLEY)⁵⁵

I M. JAMES OEHLEKING, REGISTERED PROFESSIONAL ENGINEER No 2722, IN THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF ALBERT TAYLOR, OWNER, I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED WITHIN HIS OWNERSHIP BOUNDARIES ON October 12 1977, FOR WHICH APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND THAT THIS MAP IS A TRUE REPRESENTATION THEREOF. WITNESS MY HAND AND SEAL THIS 12 DAY OF OCTOBER 1977.

M. James Oehleking
REGISTERED ENGINEER



ALBERT TAYLOR IRRIGATION PROJECT			
SCALE		DRAWN BY	
1:24000		JMK	
REVISED			
WATER PERMIT MAP			
DATE	APPROVED BY	DRAWING NUMBER	
11 OCT 77			

Appd

5505-3 MAP NO 3103-3 APPL NO 4175-3

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4175-3
ALBERT TAYLOR (Applicant) PART A, PIERRE (Post Office Address)
SOUTH DAKOTA 57501 (State) With the following modifications:

Date of first receipt of application NOVEMBER 1, 19 77
 Date of return to applicant for correction, amendments or changes required —, 19 —
 Date of receipt of corrected application NOVEMBER 8, 19 77
 Approved NOVEMBER 30, 19 77, Recorded in Book 19 Page 200

WATER RIGHT PERMIT NO. 4175-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4175-3 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 NOVEMBER 1, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 30, 19 80
3. The whole of said work is to be completed on or before NOVEMBER 30, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 30, 19 86
5. The water appropriated shall be used for the purpose of IRRIGATION
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 27.21 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 beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and 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 NOVEMBER 30, 19 86; said water to be used during the following described annual period: IRRIGATION SEASON

Witness my hand this 8TH day of DECEMBER, 19 77

WATER RIGHTS COMMISSION

By: John H. Hark
 Chief Engineer, Executive Officer

Certificate of Construction Issued —, 19 —

Water License Issued —, 19 —

CONSERVATION COMMISSION
FORM WI #1
6/77

SOIL/WATER COMPATIBILITY APPLICATION FORM

STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE



IMPORTANT: Read Instructions Before Proceeding!!!

NAME ALBERT TAYLOR

ADDRESS PART A, PIERRE, S.D. 57501

COUNTY SULLY COUNTY

In accordance with State Law (Section 1, SB-58), if a water right is granted with a conditional permit (Soil/Water compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.

This action must be taken by the holder of a water right within 6 months of receipt of such water right.

LEGAL DESCRIPTION:

1. WELL LOCATION OR DIVERSION POINT _____
2. LOCATION OF AREA TO BE IRRIGATED SEC 8, SEC 20, S 1/2 SEC 21, NW 1/4 SEC 27
NN 1/2 SEC 27, T112N, R79W, LAUGHER COUNTY

TYPE OF IRRIGATION:

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X _____ GUN _____
" OTHER (SPECIFY) _____
4. CROPS TO BE IRRIGATED CORN, SOYBEANS, ALFALFA, GRASS

WATER QUALITY: (To be completed by SDSU Water Quality Lab)

5. SAMPLE NUMBER _____
6. SALINITY (EC X 10⁶) _____
7. SODIUM (SAR) _____
8. RESIDUAL SODIUM CARBONATE (meg/l.) _____

I do hereby certify that a chemical analysis of the irrigation water representative of that used to irrigate shall be acquired from South Dakota State University and the soils information has been acquired from _____ Conservation District, County Extension Office or Soil Conservation Service; and further, that the legal description for the location of the well and land to be irrigated is true and correct.

SUBSCRIBED AND SWORN BEFORE ME THIS
25 DAY OF JULY, 1977.

(TITLE OR SEAL)

APPLICANT'S SIGNATURE

Albert J. Taylor

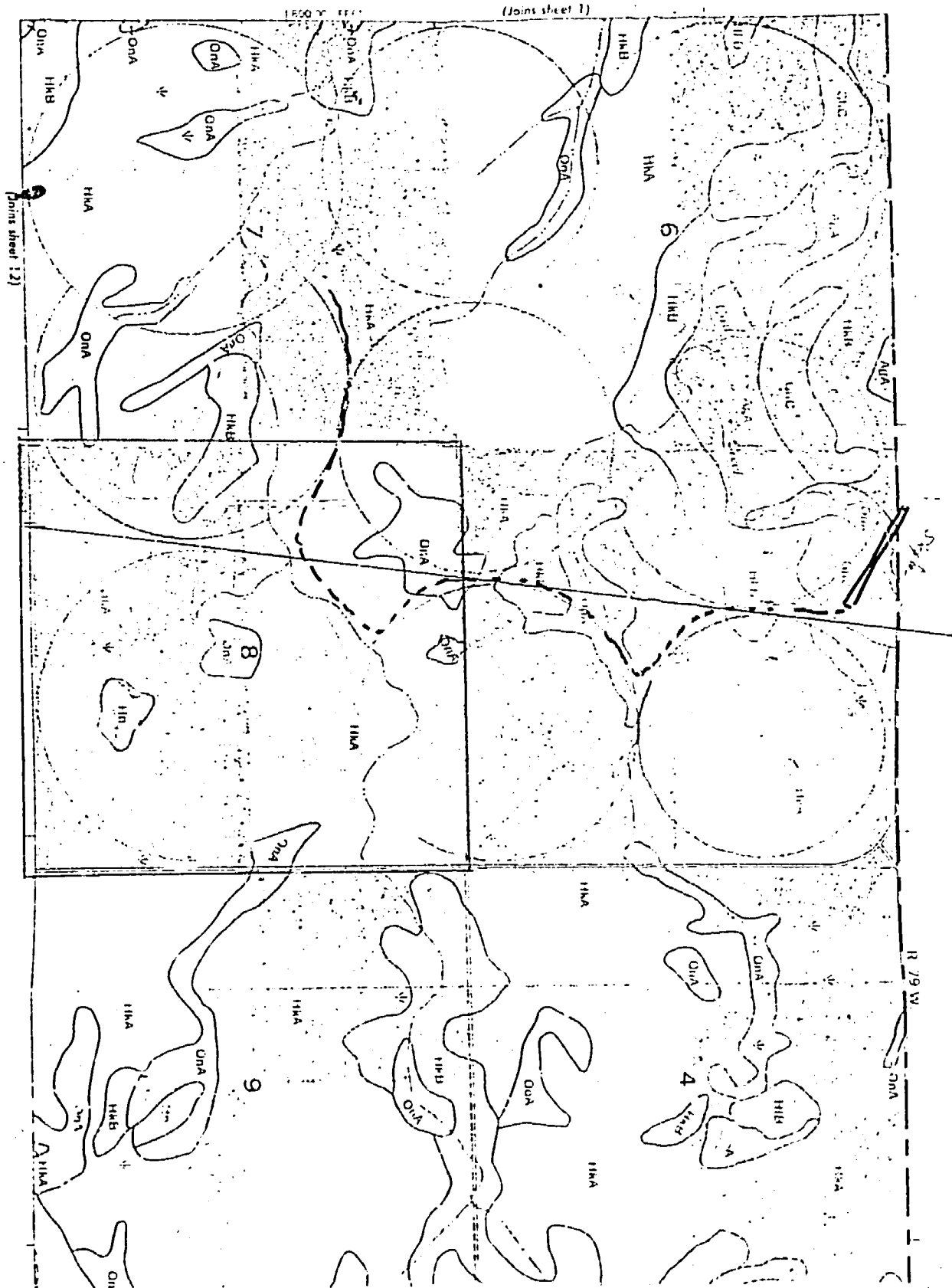
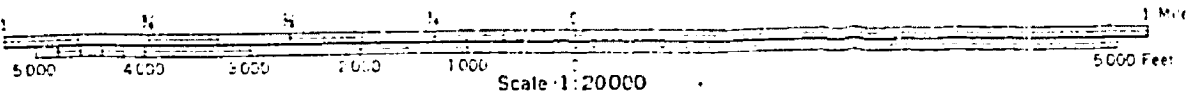
Approved _____

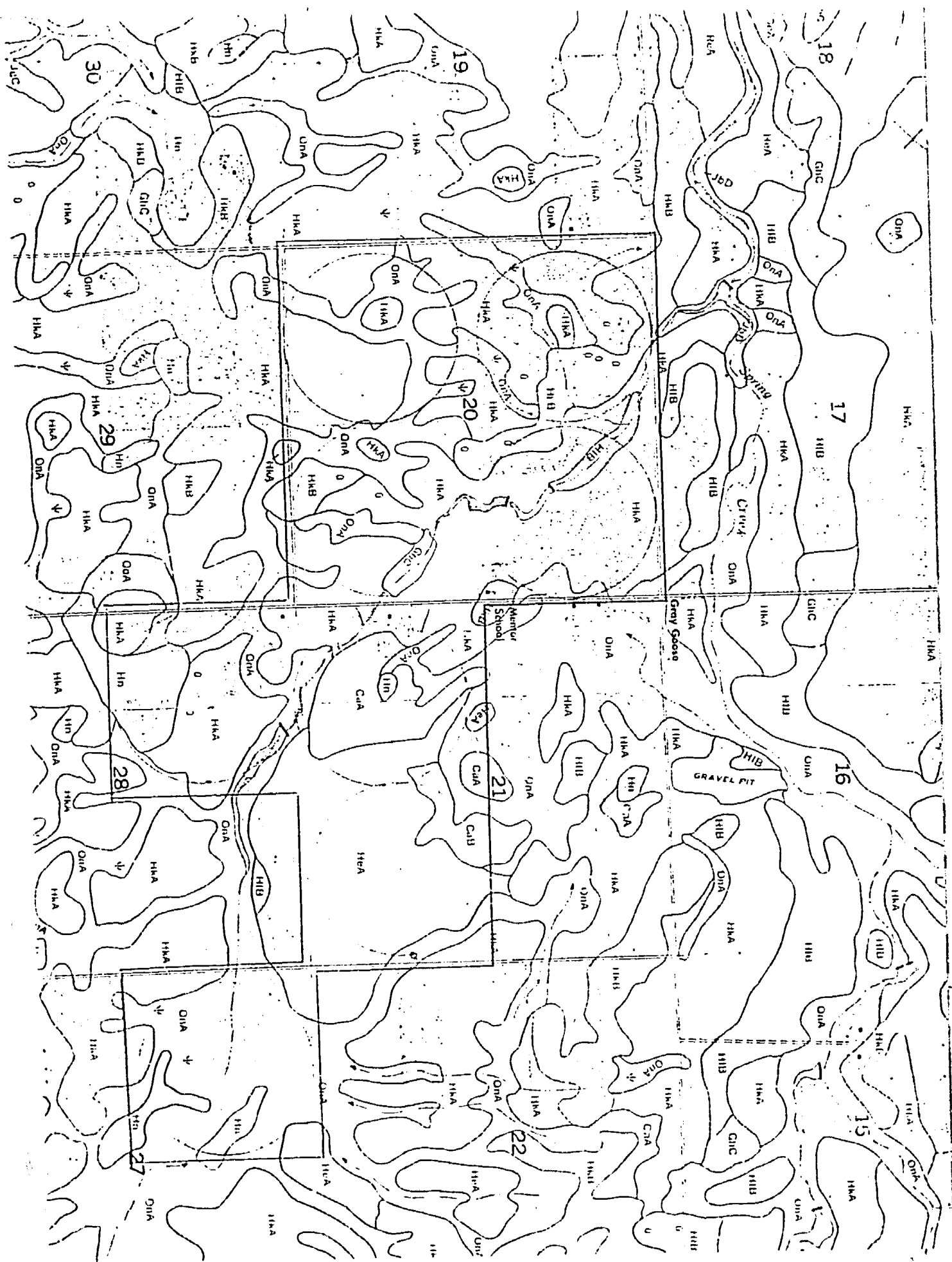
Disapproved _____

X

Conditionally Approved

(SOILS INFORMATION ON REVERSE SIDE)





SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

(RECOMMENDED MANAGEMENT)

NAME OF APPLICANT Albert Taylor, Part A, Pierre, South Dakota

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than 1, 2, 3, 4, 5, times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least 1, 2, 3, 4, inches of water.
3. (☒) Yes () No Surface drainage suggested - Swales should be shaped or graded to prevent ponding.
4. () Yes () No Subsurface drainage suggested
5. (☒) Yes () No Specific land areas that should be avoided
Hoven depression soils which comprise about 20% of the pivot in NW $\frac{1}{4}$ Sect. 28 have natural salt accumulations in the profile and is not suited for irrigation especially gravity. Ordinarily Onita soils occur in swales and can be included as inclusions; however, in NW $\frac{1}{4}$ -Sec. 27 the Onita appears to be flat and catch drainage from both North and East. The Hoven areas tend to lend fact that this quarter will give you operational problems in comparison to Sec. 20 and Sec. 21.
6. (☒) Deep tillage (For the purpose of aiding movement of water through dense subsoils)
7. (☒) Heavy fall application of irrigation water

In view of the fact that many acres will be irrigated in the Blue Goose project and in as much as drainage from some of these units cross Sec. 28 and Sec. 20, you may be smart to consider not to take out the dam in Section 20, and in fact not to put a pivot on the drainageway. It would appear that the natural drainageway with "C" slope and dam should be kept in grass. Conservation for this particular land function should be restored as part of your irrigation project.

Deep tillage statement will apply to this unit as stated on the Edgar Taylor application.

Copy to Applicant - 1
Copies to Water Rights - 2
Copy to File - 1

Hughes Co. S.D.

- AgA Agar silt loam, 0-2% slope, Agar soils have high available water capacity, moderate permeability and are well suited to irrigation.
- CaA Canning loam, 0-2% slope, Canning soils have moderate available water capacity, moderate permeability and are well suited to irrigation.
- CaB Canning loam, 2-5% slope, same physical characteristics as CaA except that under marginal management there may be slight erosion problems.
- GhC ³ Glenham - Highmore silt loams, 5-9% slope, these soils have high available water capacity, moderate permeability, and due to their slope can be successfully irrigated only with proper equipment.
- HeA Highmore silt loam, 0-2% slope, Highmore soils have high available water capacity, moderate permeability and are well suited to irrigation.
- HkA Highmore - Eakin silt loams, 0-2% slope, these soils have high available water capacity, moderate permeability, and are well suited to irrigation.
- HkB Highmore - Eakin silt loams, 2-5% slopes, these soils have the same physical characteristics as HkA except that under marginal management there may be slight erosion problems.
- HlB Highmore - Glenham silt loams, 2-5% slope, these soils have high available water capacity, moderate permeability and under marginal management may have slight erosion problems.
- Hv Hoven silt loam, nearly level slope, Hoven soils have high available water capacity, slow permeability and have a restrictive clay buildup at 8-16 inches. Even if proper precautions are taken they are marginally suited for irrigation.
- OnA Onita silt loam, 0-2% slope, Onita soils have high available water capacity, moderate permeability and are suited to irrigation.
- OoA Onita - Hoven silt loams, 0-2% slope, these soils have a combination of the physical characteristics of both Hv and OnA and are marginally suited for irrigation.

Publish first publication, on or before November 17, 1977

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

November 9, 1977

Notice is hereby given that Albert Taylor whose post office address is Pierre, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 27.21 cubic feet of water per second of time from the Missouri River through the Albert Taylor Irrigation Project, the point of diversion of which is to be located in the between points in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 26, Twp. 112N Range 80W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

Sections 8 and 20, S $\frac{1}{2}$, Section 21, NW $\frac{1}{4}$, Section 27, NW $\frac{1}{4}$, Section 28, all in

T112N, R73W

This Application No. 4175-3 will be considered by the Water Rights Commission at Pierre, South Dakota upon the 30th day of November, 1977 at 10 AM. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

WATER RIGHTS COMMISSION

BURTON F. JONES
Water Rights Specialist III

cc: Albert Taylor, Part A., Pierre, S.D. 57501

NOTE: The final proof of publication must be received before the hearing date for the Commission to take action.

No. 4175-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Hughes) ss.

I, John H. Hipple hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Daily Capital Journal

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 Pierre

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

November 15, 1977 and

November 22, 1977

John H. Hipple
(Signature)

Business Manager
(Title)

November 22, 1977
(Date Signed)

No. 4122 - 2d dly. Nov. 15-22

No. 4175-3
NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER

Pierre, South Dakota 57501
November 9, 1977

Notice is hereby given that
Albert Taylor whose post office
address is Pierre, South Dakota,
has made an application in ac-
cordance with the provisions of
SDCL 46-1-1 thru 46-1-8; 46-2-9
thru 46-2-11, 46-2-13; 46-5-1 thru
46-5-8, 46-5-10 thru 46-5-7; 46-5-41,
and Commission Rules ARSD
52:01:01:01 thru 52:01:01:13, for a
permit to appropriate for bene-
ficial use 27.21 cubic feet of water
per second of time from the
Missouri River through the
Albert Taylor Irrigation Project,
the point of diversion of which is
to be located in the between
points in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and
NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Twp.
112N Range 80W. Said water to be
used for the purpose of provid-
ing irrigation on portions of the
following described land:

Sections 8 and 20, S $\frac{1}{2}$, Sec-
tion 21, NW $\frac{1}{4}$, Section 27, NW $\frac{1}{4}$,
Section 28, all in T112N, R79W.

This Application No. 4175-S will
be considered by the Water
Rights Commission at Pierre,
South Dakota upon the 30th day of
November, 1977 at 10 A.M. The
Commission is authorized to
make a determination on this
application at the hearing. All
interested persons may appear
and be heard. Any person who
may be affected by a Commission
decision who desires to present
evidence or cross-examine wit-
nesses according to SDCL 1-26
may notify the Commission in
writing prior to the hearing or
orally at the hearing.

WATER RIGHTS COMMISSION

BURTON F. JONES
Water Rights Specialist III



RECEIPT

WATER RIGHTS COMMISSION

No 4 6926

State of South Dakota

PIERRE, May 29, 1979

RECEIVED OF Ericson and Thorpe Insurance Agency, Pierre
for Harvey Sheehan, Pierre
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. 4175-3		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 Hatch*
Chief Engineer, Executive Officer
JOHN HATCH 97

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
Foss Building
Pierre, SD 57501

Date: MAY 29, 1979

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

638 acres Section 8, 636 acres Section 20, 316 acres S½ of Section 21,

155 acres NW¼ Section 28, 160 acres NW¼ Section 27, all in T112N, R79W

total 1905 acres

formerly owned by Albert Taylor, Part A, Pierre, SD

has been transferred to HARVEY D. SHEEHAN, BOX 1132, PIERRE, SOUTH DAKOTA

together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 4175-3 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 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 cover filing fees
as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Stanley) ss.

I, ALBERT TAYLOR 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.

Albert Taylor

(Signed)

Subscribed and sworn to before me this 29 Day of MAY 1979.

Karl T. Fischer
(Notary Public)

KARL T. FISCHER
MY COMMISSION EXPIRES
OCT. 9, 1983

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7225

PIERRE, January 17, 1980

RECEIVED OF Sheehan and Schafer Partnership, Pierre, SD 57501

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. 4175-3		250
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL		250

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH (87)

FORM 20



NO. 4175-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 1/1/80

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

Sec. 8, 20, S $\frac{1}{2}$ Sec. 21, NW $\frac{1}{4}$ Sec 28 NW $\frac{1}{4}$ Sec. 27, all in T112N, R79W

1905 acres

formerly owned by Harvey Sheehan

has been transferred to Sheehan and Schafer Partnership, Pierre, SD

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 4175-3 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 Office of the Board of Water Management 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 Hughes) ss.

I, Sheehan & Schafer 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.

Harvey Sheehan
(Signed)

Subscribed and sworn to before me this 17th Day of January, 1980.

Barbara W. Wynn
(Notary Public)

South Dakota Department of
Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

January 18, 1980

Sheehan & Schafer Ptr.
% Harvey Sheehan
Box 1132
Pierre, SD 57501

Dear Sirs:

This will confirm the transfer of Water Permit Nos. 1589-3, 1713-3, 1781-3, 1991-3, 3434-3, 4174-3 and 4175-3 formerly in the name of Harvey Sheehan to Sheehan and Schafer Partnership of Pierre.

The fees for these transfers were paid, and the receipts given to you per your visit to this office January 17, 1980.

Enclosed, as you requested, are the copies of the permits which were transferred.

If you have any questions, please contact this office.

Sincerely,

GENNY YOUNG
Staff Assistant III

gy

encl

Equal Opportunity Employer

May 31, 1979

Harvey D. Sheehan
Box 1132
Pierre, SD 57501

Dear Mr. Sheehan:

This will acknowledge the transfer of Water Right Permit Nos. 4174-3 and 4175-3 from Edgar and Albert Taylor to Harvey D. Sheehan.

The filing fees were paid by, and the receipts forwarded to Ericson and Thorpe Insurance Agency, Pierre, South Dakota.

Sincerely,

GENNY YOUNG
Staff Assistant

gy

cc: Ericson and Thorpe Insurance Agency

*Sheehan
came in 2/1/80 for cert
copy of ass w/ E.T.*

1589-3

1713-3

1781-3

1991-3

3434-3

4174-3

4175-3

WATER RIGHTS DIVISION (605) 773-3352

December 8, 1982

Dave Snyder
Agri Management
108 N. Euclid Avenue
Pierre, South Dakota 57501

Dear Mr. Snyder:

Per our telephone conversation of December 7, 1982, enclosed please find transfer forms for transferring Water Permit Nos. 1589-3, 1713-3, 1781-3, 1991-3, 3434-3, 4174-3 and 4175-3 from Sheehan and Schafer, Partnership to J.E.S. Farms.

The forms should be checked over, dated, signed and notarized before returning them to this office with a \$2.50 filing fee for each transfer (total of \$17.50). Upon receipt of the transfer forms and filing fees, the permits can be transferred to J.E.S. Farms.

If you have any questions, please advise.

Sincerely,

Genny Young
Water Rights Specialist

GY:ms
Encl.

1589-3
1713-3
1781-3
1991-3
3434-3
4174-3
4175-3

November 19, 1983

J.E.S. Farms
c/o Agrl Management, Inc
108 N. Euclid Avenue
Pierre, South Dakota 57501

Dear Sirs:

Enclosed are receipts Nos. 4-9104, 4-9105, 4-9106, 4-9107, 4-9108, 4-9109 and 4-9110 in the amount of \$2.50 each which you paid for transfer of Water Right Nos. 1713-3, 1781-3, 1991-3, 3434-3, 4174-3, 4175-3 and 1589-3.

Our records now show J.E.S. Farms as the owner of the above numbered Water Rights.

Sincerely,

GENNY YOUNG
Water Rights Specialist

GY:ms
ENC.

RECEIPT

WATER RIGHTS COMMISSION

No 4 9109

State of South Dakota

January 12

83

PIERRE, 19

RECEIVED OF J.E.S. Farms, c/o Agri Manggement Inc., 188 N. Euclid, Pierre, SD 57501
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 WR# 4175-3	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 J.E. Hestak
Chief Engineer, Executive Officer

NO. 4175-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 1-6-83

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

1905 acres - Section 8, 20; S $\frac{1}{2}$ Section 21; NW $\frac{1}{4}$ Section 27; all in T112N, R79W

formerly owned by Sheehan & Schafer, Partnership

has been transferred to J.E.S. Farms

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

Water Right Permit No. 4175-3 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 Office 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 Hughes) ss.

I, Harvey Sheehan 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.

Harvey Sheehan
(Signed)

Subscribed and sworn to before me this 6 Day of January, 1983.

Thomas R. McNamee
(Notary Public)



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, March 10, 1937

RECEIVED OF Davenport, Evans, Hurwitz & Smith ATT: Robert E. Hayes PO Box 1020 Sioux Falls
the following amount in fees for services rendered as provided for by law: for JES Trust SD 57101-1030

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. _____		2 50
Fee for Filing Transfer Form <u>4175-3</u>		
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

By [Signature]
Chief Engineer JOHN HATCHER (10)

NO. 4175-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: December 22, 1986

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

1905 acres - Section 8, 20; S½ Section 21; NW¼ Section 27;

all in T112N, R79W.

formerly owned by Harvey and Andrea Sheehan dba J.E.S. Farms

has been transferred to *J.E.S. Trust & Mrs. Laurel Olson
(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 4175-3 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 AWCHUT) ss.

I, Harvey Sheehan 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.

(Signed)

Subscribed and sworn to before me this 22 Day of December, 1986.

Lyne M. Siefle
(Notary Public)

LYNE M. SIEFLE, Notary Public
My Commission Expires
May 11, 1991

* Mrs. Laurel Olson
1431 Opus Place, Suite 665
Downers Grove, IL 60515



Department of Water & Natural Resources

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

3434-3
1991-3
1781-3
1713-3
1589-3
4175-3
4174-3

March 19, 1987

Davenport, Evans, Hurwitz & Smith
PO Box 1030
Sioux Falls, South Dakota 57101-1030

ATTENTION: Robert E. Hayes

Dear Mr. Hayes:

Enclosed are receipt numbers 410766, 410767, 410768, 410769, 410770, 410771 and 410772 in the amount of \$2.50 each for transfer of Water Right Numbers 3434-3, 1991-3, 1781-3, 1713-3, 1589-3, 4175-3 and 4174-3.

Our records now show J.E.S. Trust, c/o Mr. Laurel Olson as the owner of these Water Rights.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

4175-3

J.E.S. FARMS

HARVEY D. SHEEHAN
OWNER

February 27, 1992

HCR 37 • BOX 82
PIERRE, SOUTH DAKOTA 57501

Chief Engineer
Water Rights Division, DWR
523 E. Capitol
Pierre, S. D. 57501

Dear Sir:

Enclosed please find seven original "Notice of Transfer of Ownership" forms which need to be filed. The water right numbers are as follows: 1991-3, 1781-3, 1713-3, 1589-3, 4175-3, 4174-3, and 3434-3.

I am including a check in the amount of \$17.50 to cover the filing fees.

If you should have any questions, don't hesitate to contact us.

Very truly yours,

Harvey D. Sheehan
Harvey D. Sheehan

HDS:as
Enclosures
cc: Mark Marshall



NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4175-3

Date: February 27, 1992

I\We request that Water Permit No. 4175-3

formerly owned by: J E S Trust

be transferred to: (name & address) Harvey D Sheehan and Andrea L Sheehan, husband and
wife, HCR 37 Box 82, Pierre, SD 57501 (Telephone No.) _____

Title to the following described land(s)/property has been transferred as described above:
1905 acres - Section 8, Section 20, S 1/2 Section 21, NW 1/4 Section 27; all in
T112N, R79W

I/We understand that the validity of Water Permit No. 4175-3 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.

STATE OF SOUTH DAKOTA)
)
County of Hughes)

I/We _____ 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.

Henry M. Cohen
Auditor & Treasurer
(Signed)

Subscribed and sworn to before me this 2nd day of March, 1992.

Karen Schaal
(Notary Public)

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 Water and Natural Resources

Pierre, February 27, 1991

RECEIVED OF Harvey and Andrea Erickson, MCP 37-02, Pierre, SD 57501

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 <u>Water Transfer Form, 3-1-77</u>	4	00
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

By John W. Erickson
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 5, 1992

Harvey & Andrea Sheehan
HCR 37 Box 82
Pierre, SD 57501

Dear Mr. & Mrs. Sheehan:

Enclosed are copies of the "Notice of Transfer of Ownership" forms you filed with our office. The transfers have been completed and Water Permit Nos. 1589-3, 1713-3, 1781-3, 1991-3, 3434-3, 4174-3, 4175-3, 5505-3 and Water Permit Application No. 5621-3 are now listed as Harvey D Sheehan and Andrea L Sheehan, husband and wife.

Enclosed are Receipt Nos. 412109 and 413110 in the amount of \$2.50 each. These receipts were for transferring Nos. 5505-3 and 5621-3. The receipts for the remaining transfers were given to Mr. Sheehan February 27, 1992.

Thank you for stopping in the office and completing the transfer forms. If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 733-3352



SEP 22 1992

4175-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

5505-3

Harvey D. and Andrea L. Sheehan
HCR 37, Box 82
Pierre, SD 57501

Dear Mr. and Mrs. Sheehan:

Enclosed is Water License No. 5505-3 and Receipt No. 411901 for \$50.00 which was assessed for an inspection and issuance of the license. Water License No. 5505-3 is the final document which completes the process of obtaining a water right.

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

Very truly yours,

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

enclosures

cc: Kent Rasmussen, P.O. Box 866, Rapid City, SD 57709-0866

NOTE: The applicable portions of Water Permit Nos. 1589-3, 1713-3, 1991-3, 3434-3, 4174-3 and (4175-3) are incorporated into this Water License.

NOTICE OF CONDITIONAL ASSIGNMENT OF OWNERSHIP



No. _____

TO: Chief Engineer
Water Rights Division
Department of Environment & Natural Resources
523 East Capitol
Pierre, South Dakota 57501-3181

DATE: October 27, 1992

Please take notice that Harvey D. Sheehan and Andrea L. Sheehan, husband and wife, have granted to The Equitable Life Assurance Society of the United States, Post Office Box 410379, St. Louis, Missouri 63141 (the "Lender") a security interest in certain easements, water rights, water permits, and water licenses, evidencing water rights appurtenant to certain real property more fully described in Schedule "A" attached to this Notice and incorporated herein by reference, including without limitation the following water permits and licenses:

Water Permit No. 1589-3
Water Permit No. 1713-3
Water Permit No. 1991-3
Water Permit No. 3434-3
Water Permit No. 4174-3
Water Permit No. (4175-3)
Water Permit No. 5505-3
Water Permit No. 5621-3
Water License No. 5505-3

You are requested to file this Notice of Conditional Assignment in the appropriate file at the Division of Water Rights as evidence of the security interest granted to the Lender in all such water permits and water rights.

A fee of \$2.50 is attached to cover the filing fees as required under SDCL § 46-2-13.

STATE OF SOUTH DAKOTA)
 : SS
COUNTY OF SULLY)

We, Harvey D. Sheehan and Andrea L. Sheehan, husband and wife, being first duly sworn on oath depose and say that our relationship to the above-described undertaking is that of Owner, that we have read the above foregoing statement, and that we know of our own personal knowledge that the information herein stated is true.

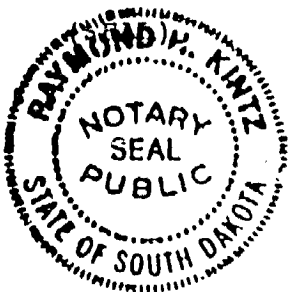
Harvey D. Sheehan
Harvey D. Sheehan

Andrea L. Sheehan
Andrea L. Sheehan

Subscribed and sworn to before me
this 27th day of October, 1992.

Raymond P. Kintz
Notary Public - South Dakota

My Commission Expires:



SCHEDULE "A"

LEGAL DESCRIPTION

Harvey D. & Andrea L. Sheehan

Hughes & Sully Counties, SD.

TOWNSHIP 112 NORTH, RANGE 79 WEST 5th P.M. HUGHES CO., SD

SECTION 5: ALL
SECTION 6: ALL
SECTION 7: ALL
SECTION 8: ALL
SECTION 20: ALL
SECTION 21: S2, except Plat of Lots 1 & 2
SECTION 27: NW4
SECTION 28: NW4 except lot 1 of Gavits
Subdivision; SE4

TOWNSHIP 112 NORTH, RANGE 80 WEST 5th P.M. HUGHES CO., SD

SECTION 2: NW4 [Lots 3 & 4, & S2NW4]
SECTION 3: N2NE4 [Lots 1&2]

TOWNSHIP 113 NORTH, RANGE 79 WEST 5th P.M. SULLY CO., SD

SECTION 11: NW4, SW4
SECTION 16: SE4, SW4
SECTION 18: SW4, SE4
SECTION 19: ALL
SECTION 20: ALL
SECTION 21: ALL
SECTION 22: NE4, NW4
SECTION 28: ALL
SECTION 29: ALL, including Lots A-1 & A-2
SECTION 30: ALL
SECTION 31: ALL
SECTION 32: ALL
SECTION 33: W2

TOWNSHIP 113 NORTH, RANGE 80 WEST 5th P.M. SULLY CO., SD

SECTION 20: SE4NE4NE4, S2SW4NE4NE4, S2SE4NW4NE4,
SE4SE4NE4, N2SE4NE4, NE4SW4NE4,
LOT 3, except North 660 feet thereof;
LOT 4, NE4SE4, NE4SE4SW4, N2SE4SE4SW4
LOT 8 except South 500 feet of
West 70 acres
SECTION 21: S2NE4, S2NW4NW4, SW4NW4, S2
SECTION 22: ALL, except Lot H-1 [2.647 ac] in
NE4 and Lot H-1 [2.346 ac] in SE4

LEGAL DESCRIPTION CONTINUED:
Harvey D. & Andrea L. Sheehan

TOWNSHIP 113 NORTH, RANGE 80 WEST 5th P.M., SULLY CO., SD

- SECTION 23: ALL
SECTION 24: ALL
SECTION 25: ALL
SECTION 26: ALL, except "ER-1 1.46 acres, more or less, conveyed to East River Power Cooperative, Inc. Madison, SD. as shown by Plat recorded Book 4 of Plats, Page 53, and Deed recorded Book 47 of Deeds, Page 94, being part of the NW4NW4
SECTION 27: ALL, except S2SW4SW4SW4
SECTION 28: N2N2, North 10 acres of Lot 1, SE4NW4, S2NE4, except South 15 acres of SE4SW4NE4 and SW4SE4NE4 thereof, E2NE4SE4, N2SE4SE4, N2S2SE4SE4
SECTION 29: The North 1650 feet of Lots 1 & 2 except the West 600 feet of South 600 feet
SECTION 34: N2N2NE4NW4NW4, N2N2NW4NE4NW4, NE4NE4NE4NW4
SECTION 35: SW4, NW4
SECTION 36: ALL

RECEIPT

413500

Division of Water Rights

South Dakota Department of Environment and Natural Resources

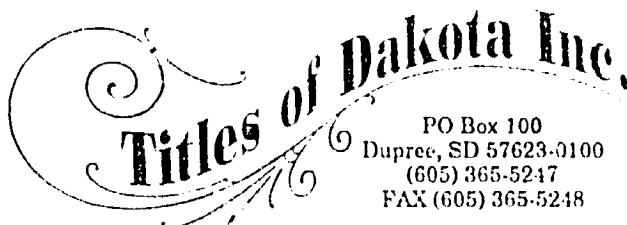
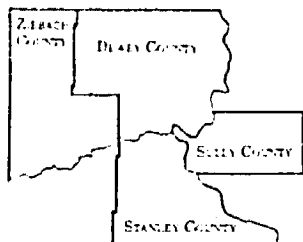
Pierre, November 17, 19 87

RECEIVED OF Raymond Lintz (Larvey Sheehan) Titles of Dakota, Inc., PO Box 100, Papree, SD
the following amount in fees for services rendered as provided for by law: 57623-0160

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 _____		
Fee for Filing Extension Request _____		
Fee for <u>Notice of Conditional Assignment of Ownership</u> <u>Water Permit No. 4175-3</u>	2	50
(Any Other Work Provided by Law)	Total	2 50

By John H. H. H. H.
Chief Engineer

4175-3



PO Box 100
Dupree, SD 57623-0100
(605) 365-5247
FAX (605) 365-5248

TIDAK

Lorraine J. Kintz, President
Raymond H. Kintz, Secretary



November 4, 1992

DEWEY COUNTY
TITLE COMPANY
P.O. Box 402
Timber Lake, SD 57656-0402
(605) 365-5247

ATTN: Genny
Division of Water Rights
523 East Capitol
Pierre, SD 57501

STANLEY COUNTY
ABSTRACT COMPANY
P.O. Box 278
Ft. Pierre, SD 57532-0278
(605) 223-2727

Re: Sheehan Conditional Transfer

Dear Genny:

SULLY COUNTY LAND
& ABSTRACT COMPANY
P.O. Box 167
Onida, SD 57564-0167
(605) 258-2291

Enclosed please find our rissued check in the
above matter to cover the cost of Filing on 8 permits
rather than the 9 permits originally paid for

Please return the filing information to our
Fort Pierre Office as originally requested.

Thank you.

ZIEBACH COUNTY
ABSTRACT COMPANY
P.O. Box 100
Dupree, SD 57623-0100
(605) 365-5247

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Raymond H. Kintz".

Raymond H. Kintz

TIDAK
MICROFILM SERVICES, INC.
P.O. Box 100
Dupree, SD 57623-0100
(605) 365-5247



4175-3

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

November 4, 1992

Raymond Kintz
Titles of Dakota, Inc
PO Box 100
Dupree, SD 57623-0100

Dear Mr. Kintz:

Enclosed, as we discussed, is your check in the amount of \$22.50. The amount actually needed for filing the eight "Conditional Assignments" is \$20.00.

Upon receipt of the \$20.00 fee from you, the "Notice of Conditional Assignment of Ownership" will be placed in Water Permit Nos. 1589-3, 1713-3, 1991-3, 3434-3, 4174-3, 4175-3, and 5621-3 and Water Right No. 5505-3.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosure: Check #2230 in the amount of \$22.50



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 6, 1992

Raymond Kintz
Titles of Dakota, Inc
PO Box 100
Dupree, SD 57623-0100

Dear Mr. Kintz:

Enclosed are Receipt Nos. 413495, 413496, 413497, 413498, 413499, 413500, 413502 and 413503 in the amounts of \$2.50 each. The "Notice of Conditional Assignment of Ownership" dated October 30, 1992, has been filed in Water Permit Nos. 1589-3, 1713-3, 1991-3, 3434-3, 4174-3, (4175-3 and 5621-3 and Water Right No. 5505-3.

Water Permit Nos. 1589-3, 1713-3, 1991-3, 3434-3, 4174-3 and 4175-3 were incorporated into Water Right No. 5505-3. All of the lands developed for irrigation under these permits are now described in Water Right No. 5505-3. As we discussed by phone, you indicated you felt the "Assignment" should still be filed with each water permit.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures: Receipts

4175-3

WATER RIGHTS PROGRAM FILE DOCUMENTATION

NAME OF PERSON OR FILE: Elizabeth Lewis

ADDRESS: w/Woods, Fuller, Shultz & Smith, Sioux Falls, SD

DATE: February 27, 1997

TELEPHONE: 605 336-3890

RE: Assignment of Water Rights held by Harvey & Andrea Sheehan

COMMENTS:

Ms. Lewis called to find what they needed to do to assign water rights held by Sheehans to Equitable Life Assurance Co. She also had some concerns over the number of permits or rights the Sheehans currently held.

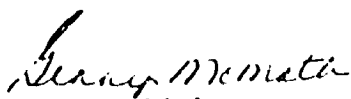
I told her that the Sheehans currently had Water Right No. 5505-3 and Water Permit No. 5621-3. The remaining water permits (Nos. 1589-3, 1713-3, 1991-3, 3434-3, 4174-3 and 4175-3) had been incorporated into No. 5505-3. An assignment was already on file with each of them (assigning them to the Equitable) and unless a change has occurred, filing additional assignments would not be necessary.

A letter was received from Ms. Lewis on March 6th confirming our conversation.

I later received a call from Raymond Kintz s/Titles of Dakota, Inc in Dupree asking about the same matter. He was concerned that the information should be again filed with all of the water permits or rights. I explained that the assignments were previously filed and that most of the permits were incorporated into No. 5505-3. The only two numbers we were now working with would be No. 5505-3 and No. 5621-3.

He understood but wanted to know if they could re-file the assignments in all of the permits or rights under Sheehan's name. I told him that it would not be necessary, however if they wanted to do it that way, it wouldn't harm anything.

March 31, 1997: Mr. Kintz filed a "NOTICE OF CONDITIONAL ASSIGNMENT" with Nos. 1589-3, 1713-3, 1991-3, 3434-3, 4174-3, 4175-3, 5505-3 and 5621-3. Send receipt for filing fees to him at PO Box 278, Ft. Pierre, SD 57532.


Genny McMath
Environmental Scientist

NOTICE OF CONDITIONAL ASSIGNMENT OF OWNERSHIP

No. _____

TO: Chief Engineer
Water Rights Division
Department of Environment & Natural Resources
523 East Capitol
Pierre, South Dakota 57501-3181

DATE: March 7, 1997

Please take notice that Harvey D. Sheehan and Andrea L. Sheehan, husband and wife, have granted to The Equitable Life Assurance Society of the United States, Post Office Box 410379, St. Louis, Missouri 63141 (the "Lender") a security interest in certain easements, water rights, water permits, and water licenses, evidencing water rights appurtenant to certain real property more fully described in Schedule "A" attached to this Notice and incorporated herein by reference, including without limitation the following water permits and licenses:

Water Permit No. 1589-3
Water Permit No. 1713-3
Water Permit No. 1991-3
Water Permit No. 3434-3
Water Permit No. 4174-3
Water Permit No. 4175-3
Water Permit No. 5505-3
Water Permit No. 5621-3
Water License No. 5505-3

The security interests granted by Harvey D. Sheehan and Andrea L. Sheehan to the Lender secures the principal sum of \$2,000,000.00, with interest thereon at the initial rate of seven and 65/100 percentum (7.65%) per annum according to the terms of a certain Adjustable Interest Rate Promissory Note, as well as other obligations as provided in the Security Agreement and other loan documents. This security interest and conditional assignment of ownership is in addition to any security interest and conditional assignment of ownership previously made, executed and delivered by Harvey D. Sheehan and Andrea L. Sheehan, husband and wife, to the Lender in connection with an earlier loan by the Lender of the sum of \$5,500,000.00 pursuant to a Promissory Note dated October 9, 1992.

You are requested to file this Notice of Conditional Assignment in the appropriate file at the Division of Water Rights as evidence of the security interest granted to the Lender in all such water permits and water rights.

A fee of \$2.50 is attached to cover the filing fees as required under SDCL § 46-2-13

STATE OF SOUTH DAKOTA)

SS

COUNTY OF STANLEY)

We, Harvey D. Sheehan and Andrea L. Sheehan, husband and wife, being first duly sworn on oath depose and say that our relationship to the above-described undertaking is that of Owner, that we have read the above foregoing statement, and that we know of our own personal knowledge that the information herein stated is true.

Harvey D. Sheehan

Andrea L. Sheehan
Andrea L. Sheehan

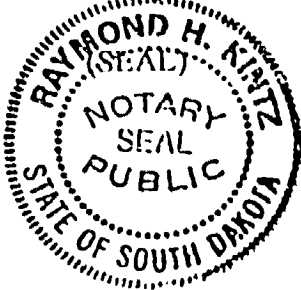
Subscribed and sworn to before me

this 7TH day of March, 1997

Notary Public - South Dakota

My Commission Expires: October 26, 1997

Raymond H. Kintz - Notary Public



SCHEDULE "A"

LEGAL DESCRIPTION

Harvey D. & Andrea L. Shuehan

Hughes & Sully Counties, SD.

TOWNSHIP 112 NORTH, RANGE 79 WEST 5th P.M. HUGHES CO., SD.

SECTION 5: ALL
SECTION 6: ALL
SECTION 7: ALL
SECTION 8: ALL
SECTION 20: ALL
SECTION 21: S1/2, except Plat of Lots 1 & 2
SECTION 27: NW1/4
SECTION 28: NW1/4 except lot 1 of Gavits
Subdivision; SE1/4

TOWNSHIP 112 NORTH, RANGE 80 WEST 5th P.M. HUGHES CO., SD

SECTION 2: NW1/4 (Lots 3 & 4, & S1/2NW1/4)
SECTION 3: N1/2NE1/4 (Lots 1&2)

TOWNSHIP 113 NORTH, RANGE 79 WEST 5th P.M. SULLY CO., SD

SECTION 11: NW1/4, SW1/4
SECTION 16: SE1/4, SW1/4
SECTION 18: SW1/4, SE1/4
SECTION 19: ALL
SECTION 20: ALL
SECTION 21: ALL
SECTION 22: NE1/4, NW1/4
SECTION 28: ALL
SECTION 29: ALL, including Lots A-1 & A-2
SECTION 30: ALL
SECTION 31: ALL
SECTION 32: ALL
SECTION 33: W1/2

TOWNSHIP 113 NORTH, RANGE 80 WEST 5th P.M. SULLY CO., SD

SECTION 20: SE1/4NE1/4NE1/4, S1/2SW1/4NE1/4NE1/4,
S1/2SE1/4NW1/4NE1/4, SE1/4SE1/4NE1/4,
N1/2SE1/4NE1/4, NE1/4SW1/4NE1/4,
LOT 3, except North 660 feet thereof;
LOT 4, NE1/4SE1/4, NE1/4SE1/4SW1/4,
N1/2SE1/4SE1/4SW1/4
LOT 8 except South 500 feet of
West 20 acres
SECTION 21: S1/2NE1/4, S1/2NW1/4NW1/4,
SW1/4NW1/4, S1/2
SECTION 22: ALL, except Lot H-1 [2.647 ac] in
NE1/4 and Lot H-1 [2.346 ac] in SE1/4

SCHEDULE "A" CONTINUED

LEGAL DESCRIPTION CONTINUED:
Harvey D. & Andrea L. Sheehan

TOWNSHIP 113 NORTH, RANGE 80 WEST 5th P.M. SULLY CO., SD

- SECTION 23: ALL
- SECTION 24: ALL
- SECTION 25: ALL
- SECTION 26: ALL, except "RR-1 1.46 acres, more or less, conveyed to East River Power Cooperative, Inc. Madison, SD. as shown by Plat recorded Book 4 of Plats, Page 53, and Deed recorded Book 47 of Deeds, Page 94, being part of the NW1/4NW1/4
- SECTION 27: ALL, except S1/2SW1/4SW1/4SW1/4
- SECTION 28: N1/2N1/2, North 10 acres of Lot 1, SE1/4NW1/4, S1/2NE1/4, except South 15 acres of SE1/4SW1/4NE1/4 and SW1/4SE1/4NE1/4 thereof, E1/2NE1/4SE1/4, N1/2SE1/4SE1/4, N1/2S1/2SE1/4SE1/4
- SECTION 29: The North 1650 feet of Lots 1 & 2 except the West 600 feet of South 600 feet
- SECTION 34: N1/2N1/2NE1/4NW1/4NW1/4, N1/2N1/2NW1/4NE1/4NW1/4, NE1/4NE1/4NE1/4NW1/4
- SECTION 35: SW1/4, NW1/4
- SECTION 36: ALL

RECEIPT

Division of Water Rights

415300

South Dakota Department of Environment and Natural Resources

Pierre, _____ March 31, 19 97

RECEIVED OF Titles of Dakota, Inc., P.O. Box 100, Dupree, SD 57623

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 Permit No. 4175-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)		
Total	2	50

By *[Signature]*
Chief Engineer

4175-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 28, 1997

Randy Kintz
Stanley County Abstract Office
PO Box 278
Ft Pierre, SD 57532

Dear Mr. Kintz:

Enclosed are your Receipt Nos. 415295, 415296, 415297, 415298, 415299, 415300, 415301 and 415302 in the amount of \$2.50 each. The fees were paid for filing a "Notice of Conditional Assignment of Ownership" with Nos. 1589-3, 1713-3, 1991-3, 3434-3, 4174-3, 4175-3, 5505-3 and 5621-3 (Harvey and Andrea Sheehan).

You submitted the fees and assignment papers to our office on March 31, 1997. Copies of the assignment were placed with the files; however, I didn't realize until today that I had not forwarded the receipts to you. I apologize for the delay in getting them out to you.

If you have any questions, please contact me.

Sincerely,

Genny McMath

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

encl