

No. 0545-1

Office of State Engineer
DOCUMENT FILE

Name: Keffeler, Monnick

County: Meade

Date: Oct. 28, 1894

Location: Bear Butte Creek

5/13/81

owner: Earl Bachard

Howe St, Box 15

Sturgis

This covered under 919-1

This permit not been used
Should be cancelled

WATER LOCATION NOTICE.

Certificate of Location of Water Right.

Notice is hereby given to whom it may concern that on the 28th day of February, 1894, the following described water right was located, to-wit: Commencing on the North half of the North West quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$) Section 24, Township 6 North, Range 7 East, (the head of said water right being on what is known as Bear Butte Creek) the land from which said water right starts being owned by John L. Parwell of Claremont, N. H. the Ditch runs from the head described in a North Easterly direction through the following described property, to-wit: North half of North West quarter of Section 24, Township 6 Range 7 and also in an Easterly direction through the East half of the North West quarter and lots 1 and 2 of Section 19, township 6 Range 8 East of the Black Hills Meridian, Meade County, South Dakota.

Name of Locator. Dominick Koffeler.

Number of inches claimed, Twelve (12).

Purpose of Appropriation, Agricultural and Milling purposes.

Dominick Koffeler.

Dated February 28th, 1894.

Recorded Feb. 28th, 1894 at 4-30 P. M., in Book 6 on Page 418 of the Records of Meade County, S. D.

STATE OF SOUTH DAKOTA, COUNTY OF MEADE, SS.

Office of Register of Deeds.

I hereby certify that the above and foregoing is a full, true, correct and complete transcript of the original record in this office.

Dated this 21st day of July, A. D., 1906.

Frank Smith
Register of Deeds.

Ms. 1575-1

CERTIFIED COPY

Water Location.

Dominick Keffeler

Meade County.

Bear Butte Cr.

Water Rights Division - DVNR
Conversation or File Documentation

File No. 0545-1

NAME OF PERSON OR FILE: Leah Bachard
ADDRESS: 4077 Box 152 Sturgis, S.D. COUNTY Meade
DATE: March 12, 1984 TELEPHONE _____
RE: Cancellation of Water Right Filing # 0545-1

COMMENTS:

I talked to Leah Bachard and she has not
used the particular filing. It is very old and has
been abandoned years ago. There are some modern
permits in the area of this filing.

I also talked to Keith Ketteler and he said that
there was no irrigation on his property from this
filing. He too has a modern permit. There had been
no irrigation on his property for many years prior
to his modern permit.

Send cancellation notice to: (send copies of filing)

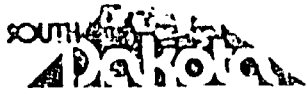
Keith Ketteler

H.C. 75, Box 154

Sturgis, S.D. 57785

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: Leroy J. McLaughlin



Department of Water & Natural Resources

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

March 31, 1986

NOTICE OF CANCELLATION

TO: Earl Bachand
HC 77, Box 152
Sturgis, South Dakota 57785

Keith Keffeler
HC 75, Box 151
Sturgis SD 57785

FROM: John Hatch, Chief Engineer
Water Rights Division *John Hatch*

SUBJECT: Cancellation of Water Right Filing No. 0545-1

The Water Management Board will consider cancellation of Water Right Filing No. 0545-1 at 9:00 am., May 14, 1986, Room 216, Joe Foss Building, 523 East Capitol, Pierre, SD.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-1 thru 46-1-10, 46-1-14 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-5-36, 46-5-37, 46-5-37.1; 46-2A-1 thru 46-2A-7; and Board Rules ARSD 74:02:01:36 thru 74:02:01:41. These are contested cases pursuant to procedures contained in SDCL 1-26.

The Chief Engineer of the Water Rights Division is recommending cancellation of Water Right Filing No. 0545-1 because the filing has been abandoned or forfeited.

The recommendation of the Chief Engineer is not final or binding upon the Board. The Board is authorized to 1) cancel, 2) cancel portions of, 3) delay action on, or 4) take no action on Water Right Filing No. 0545-1 based upon facts presented at the public hearing. Our records show you to be the owner of property covered by Water Right Filing No. 0545-1. If you wish to oppose the cancellation and if you intend to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, you must file a written petition with the Chief Engineer by May 5, 1986. The petition may be informal, but it must include a statement describing the reasons for your opposition to the cancellation, and your signature and mailing address or your legal counsel if legal counsel is obtained. The Board may consider any abandoned or forfeited water to be available for appropriation subject to the provisions of SDCL 46-1, 46-2, 46-2A and 46-5.

These hearings are adversary proceedings. Any party has the right to be present or to be represented by a lawyer. These any other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

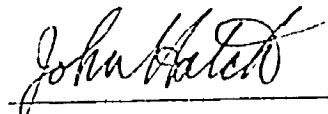
Further information on the proposed cancellation or to assure access to the hearing by the handicapped can be obtained by contacting the Water Rights Division, DWR, Joe Foss Building, Pierre, SD (605-773-3352) for assistance prior to the hearing. The time of the hearing will be automatically extended for at least twenty days upon your written request to the Chief Engineer after a petition has been filed to oppose the cancellation. If an extension is requested, the hearing on the cancellation will be continued until the next regular Board Meeting July 1-2, 1986, in Pierre, SD. Any request for extension must be filed with the Chief Engineer by May 5, 1986.

S504.WR

RECOMMENDATION OF CHIEF ENGINEER
FOR WATER RIGHT FILING NO. 0545-1, Dominick Keffeler

Pursuant to SDCL 46-5-37.1 and 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Right Filing No. 0545-1, now owned by Earl Bachand and Keith Keffeler.

The Chief Engineer is recommending cancellation of the above Water Right Filing because an inspection by LeRoy Hernaugh, March 12, 1986 found irrigation was no longer being done under the filing. The filing has been abandoned or forfeited.



JOHN HATCH, Chief Engineer

March 18, 1986

WRF 0545-1

 **Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3187
Water Rights Division
(605) 773-3352

May 21, 1986

NOTICE

Earl Bachand
HC 77, Box 152
Sturgis, South Dakota 57785

Keith Keffeler
HC 75, Box 154
Sturgis, South Dakota 57785

Dear Sir:

This will notify you that the Water Management Board cancelled
your Water Right Filing No. 0545-1.

This action was taken under the conditions outlined in our
notice to you dated March 31, 1986.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Equal Opportunity Employer