

- 1109-1
1. Considered 9-29, 1976
2. Name of Applicant ELMER E. PENNING
3. Post Office Address BELLE FOURCHE
4. Amount of water claimed 1.5
5. Source of water supply WASTEWATER FROM B.F. PROJECT
6. Water to be used for IRRIGATION
- Acres to be irrigated 112
7. Water to be diverted and used in BUTTE county
about 4E miles of NEWELL
8. Proof of Publication Received 9-7-76
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

Map No. 920-1 Water Division No. 1 BELLE FOURCHE RIVER (District)
(Blanks to be filled by the Engineer for the W. R. 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 Elmer E. Penning
Postoffice address R.R. #1, Belle Fourche, 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) _____
3. Name of diversion work Penning #1
4. Amount of water claimed (cubic feet per second) 1.6
5. Source of water supply Wastewater from Belle Fourche Project
6. Location of point of diversion SE 1/4 NW 1/4, Section 26; SW 1/4 SW 1/4 and SE 1/4 SW 1/4, Section 24; NE 1/4 SE 1/4, Section 23, T9N, R6E
County Butte
7. Annual period or periods during which water is to be used April thru October
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
9. For irrigation use, 112 133 143 Total number of acres to be irrigated.

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.
SW 1/4 NW 1/4, Sec. 26	32	SW 1/4 SW 1/4, Section 24	32
E 1/4 SW 1/4, Section 26	42	All in T9N, R6E	
N 1/4 SE 1/4, Section 23	30		
SW 1/4 NE 1/4, Section 23	7		

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 Valley Irrigator, Newell, SD
12. Principal Features of the Proposed Water Supply System.

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

small storage dams

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

mainline

C. Works proposed to apply water to beneficial use.

Big Gun and/or sprinkler system

Estimated Total Cost \$ _____

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

STATE OF SOUTH DAKOTA

County of Hughes

I, Elmer E. Penning

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 Elmer E. Penning
17th day of August 1976

Subscribed and sworn to before me this

Betty Westlund
Notary Public (or other qualified officer)

BETTY WESTLUND, Land Clerk II

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1109-1

ELMER E. PENNING

(Applicant)

R.R. #1, BELLE FOURCHE

(Post Office Address)

SOUTH DAKOTA 57717

(State)

With the following modifications:

Primarily, water available for this permit is return flows from the Belle Fourche Project. Such available flows may be reduced or changed by different water utilization by the project.

The use of water under this permit is contingent upon water supplies being available to prior water rights.

Lands described in this permit which receive water from the Belle Fourche Project may not receive water under this permit at the same time water is being obtained from the Belle Fourche Project.

Date of first receipt of application AUGUST 17, 19 76

Date of return to applicant for correction, amendments or changes required —, 19 —

Date of receipt of corrected application —, 19 —

Approved SEPTEMBER 29, 19 76, Recorded in Book 15 Page 324

WATER RIGHT PERMIT NO. 1109-1

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1109-1 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 AUGUST 17, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 29, 19 79
3. The whole of said work is to be completed on or before SEPTEMBER 29, 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith SEPTEMBER 29, 19 85
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 1.5 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 SEPTEMBER 29, 19 85; and water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 19TH day of NOVEMBER, 19 76

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction issued —, 19 —

Water License issued —, 19 —

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

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

D. Well Information or Estimates

(1) Drill Hole, Diameter _____, Depth _____

(2) Casing, Type (wood, concrete, steel, etc) _____ Diameter _____ Thickness _____

(3) Perforated Screen.

Type _____, Diameter _____, Length _____

(4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates.

(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.)

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

(2) Distance to nearest existing household or livestock watering wells.

On same owner's property _____ rds. On property owned by others _____ rds.

G. Water Storage Dams.

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.

small dams

6' - 8' Deep

8 - 10 surface acres

Approx. 35 ac.ft. storage


Signature of Applicant

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Butte) ss.

I, Vernon J. Allison hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Valley Irrigator

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

Newell, South Dakota County of Butte

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

August 25, 1976

September 1, 1976

Vernon J. Allison
(Signature)

Editor
(Title)

September 1, 1976

(Date Signed)

NOTICE OF INTENT TO APPROPRIATE WATER
I, Vernon J. Allison, hereby certify that
the office address in Pierre, 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 1.5
cubic feet of water per second of
time from wastewater and runoff
through the Penning No. 17
point of diversion of which is to be
located in the SE 1/4 NW 1/4
Section 26; SW 1/4 S 1/4 and SE 1/4
SW 1/4 Section 24; NE 1/4 SE 1/4
of Section 23, Twp 2N, Range 6E.
Said water is to be used for the
purpose of providing irrigation of
portions of the following de-
scribed land: SW 1/4 NW 1/4 S 1/4
28; NE 1/4 SE 1/4 S 1/4 NE 1/4
21; SW 1/4 SW 1/4 Section 24; T9N
116E. This application No. 1109-1 will
be considered by the Water
Rights Commission in their office
at Pierre upon the 29th day of
September, 1976 at 10:00 A.M.
All interested persons may ap-
pear and be heard.
Water Rights Commission
RURTON F. JONES
Water Rights Specialist
Publ Aug 25 & Sept 1, 1976



Publish first publication, on or before

September, 1970

70

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 10, 1970

Notice is hereby given that Elmer E. Penningwhose post office address is Belle Fourche, 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 use1.5 cubic feet of water per second of time from the wastewater and runoff through thePenning #1

the point of diversion of which is to be located in the

SE 1/4 NW 1/4, Section 28; SW 1/4 SW 1/4 and SE 1/4 SW 1/4, Section 24; NE 1/4 SE 1/4of Section 23, Twp. 9N, Range 6E. Said water to be used for the purpose

of providing irrigation on the following described land:

SW 1/4 NW 1/4, E 1/2 SW 1/4, Section 26; N 1/2 SE 1/4, SW 1/4 NE 1/4, Section 23;SW 1/4 SW 1/4, Section 24, T9N, R6E

This application No. 1100-1 will be considered by the Water Rights Commission at their office at
Pierre upon the 29th day of September, 1970, at 10:00 A. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc:

Elmer E. Penning, R.R. #1, Belle Fourche, S.D. 57117

**South Dakota Department of
Water & Natural Resources**

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

April 15, 1985

Elmer E Penning
RR 1 Box 118
Belle Fourche SD 57717

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire
Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s) 1109-1. The request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board will:

1. Amend Permit No(s) 1109-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Sincerely,

John Hatch
John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

NOTE: If the questionnaire(s) is received in this office before the May 15th hearing date, your name will be deleted from the agenda for the hearings.

South Dakota
Department of
Water & Natural Resources

Job Foss Building
623 East Capitol
Pierre, South Dakota 57501-3181

June 12, 1985

Notice or Amendment to Water Permit(s)

To: Elmer E. Penning
RR #1, Box 118
Belle Fourche, SD 57717

FROM: John Hatch, Chief Engineer
Water Rights Division 773-3352

SUBJECT: Amendment to Water Permit No(s). 1109-1.

John Hatch

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 1109-1 to add the following qualification:

"This permit is subject to the Irrigation Water Use Questionnaire being submitted each year."

The addition of this qualification to your Permit means that failure to submit the required Irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3191

Attachment to Water Permit No(s). 1109-1

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 1109-1 to add the following qualification:

"This permit is subject to the Irrigation Water Use Questionnaire being submitted each year."

Permit No. 1109-1Belle Fourche River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Elmer E Penning
R.R. #1, Box 118, Belle Fourche, S. Dak 57717 holder of
 Permit No. 1109-1, bearing the priority of August 17 1976 authorizing
 the diversion of 1.5 cu. ft. per second of the waters of Waste Water from Belle Fourche Project
 for Irrigation purposes, in Butte County.

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

- A. Works used to divert the water:
Pump= Berkeley Model-4 FRED, Ser #5315820, Imp dia 10 7/8"
Tractor Power Take-off. Pumps 600 gpm.
- B. Works used to transport water to place of use:
1500 ft - 4" dia. Aluminum Pipe
- C. Works used to apply water to beneficial use:
E-Z Rain Cable Pull Sprinkler Model M 2.2 Traveling Gun,
Ser # 71230-1. Rainbird Nozzle Model 104A. Ring 1.201" dia,
Puls out 275 gpm

The system is in the following condition Good

The point of diversion is located 100' S and 100' W of E 1/4 Cor Sec. 23; 850' N and 850' W
of SW Cor Sec. 24; 1650' S and 360' E of NW Cor Sec. 26, T 9N R 6E

The works are capable of diverting and conveying to the place of use .61cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in T 9N R 6ESW 1/4 NE 1/4 Sec. 23 = 7 Ac. SE 1/4 SW 1/4 Sec 24 = 1 AcNW 1/4 SE 1/4 " 23 = 18 Ac SW 1/4 NW 1/4 Sec 24 = 20 Ac B.M. 7-12-85NE 1/4 SE 1/4 " 23 = 12 Ac.SW 1/4 SW 1/4 " 24 = 29 Ac.comprising a total of 87 acres of land and the license should be issued for .61 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: Date November 7, 1984

LeRoy J Mernaugh
 (signature)

State of South Dakota
Water License No. 1109-1

(1) Elmer E. Penning
RR#1, Box 118, Belle Fourche, South Dakota 57717
made Application No. 1109-1, August 17, 1976 for a water permit to appropriate
1.5 cubic feet per second of water from waste water from the Belle Fourche Project
Butte County, South Dakota for irrigation purposes.
Permit No. 1109-1, with a priority date of August 17, 1976
was approved September 29, 1976 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before September 29, 1981 and for the application to beneficial use of said
water on or before September 29, 1985.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 0.61 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 100'S and 100'W of the E½ Corner of Section 23;
850'N and 850'W of the SW Corner of Section 24, and 1650'S and 360'E of the NW Corner
of Section 26, T9N, R6E

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in T9N, R6E

Section 23 SW $\frac{1}{4}$ NE $\frac{1}{4}$ 7 Acres (AC)

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 18 Acres (DB)

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 12 Acres (DA)

Section 24 SW $\frac{1}{4}$ SW $\frac{1}{4}$ 29 Acres (CC)

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 1 Acre (CD)

Section 26 SW $\frac{1}{4}$ NW $\frac{1}{4}$ 20 Acres (BC)

TOTAL 87 ACRES

(4) Pursuant to §16-5-30.1 Elmer E. Penning

of RR#1, Box 118, Belle Fourche, South Dakota

the holder(s) and/or owner(s) of Water Permit No. 1109-1 is issued a license to appropriate water, the right to use 0.61 cubic feet per second of water from waste water from the Belle Fourche/Project with a priority date of August 17, 1976 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation

This license is subject to any limitations or qualifications listed in Water Permit No. 1109-1 and subject to South Dakota State Law.


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

JOHN HATCH

DEC 2 1985



**Department of
Water & Natural Resources**

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1109-1

February 1, 1985

Elmer E. Penning
RR#1, Box 118
Belle Fourche, South Dakota 57717

Dear Mr. Penning:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 1109-1 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Maxine Stirling
Staff Assistant

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.

SECOND NOTICE

July 8, 1965

Permit No. 1109-1

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Elmer E. Penning
RR 1, Box 118
Belle Fourche, South Dakota 57717

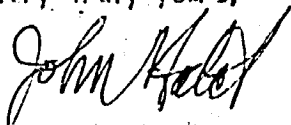
Dear Mr. Penning:

February 1, 1965 you were notified the final inspection fee of \$50.00 is due before Water License No. 1109-1 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,



John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

SD06.WR

RECEIPT

Division of Water Rights

No 410106

South Dakota Department of Water and Natural Resources

Pierre, July 11, 1985

RECEIVED OF Elmer E. Penning, Route #1, Box 118, Belle Fourche, SD 57717

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. <u>No. 1105-1</u>	50	00
Fee for Filing Transfer Form _____		
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	50	00

By John Hatch
Chief Engineer JOHN HATCH

No. 1109-1

South Dakota
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

DEC 2 1985

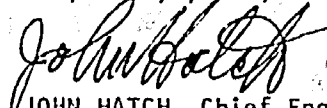
Elmer E. Penning
RR#1, Box 118
Belle Fourche, South Dakota 57717

Dear Mr. Penning:

Enclosed herewith is, Water License No. 1109-1. This is the final water right document completing your process of obtaining a water right.

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

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures

SOUTH DAKOTA
Department of
Water & Natural Resources

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

March 23, 1987

ELMER E PENNING
RR #1 BOX 118
BELLER FOURCHE, SD 57717

NOTICE

Re: Violation of Water Permit No(s). 1109-1

Our records indicate that the 1986 Irrigation Questionnaire has not been received for Permit No(s). 1109-1. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1109-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

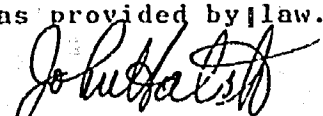
The hearing(s) will be at 2:00 pm, May 6, 1987, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s) the Water Management Board can:

1. Suspend Permit No(s). 1109-1 until either the 1986 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.


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

NOTE: If the questionnaire(s) is received in this office before the hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.



**Department of
Water & Natural Resources**

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

April 29, 1987

1109-1

Elmer E Penning
RR #1, Box 342
Belle Fourche, SD 57717

Dear Mr. Penning:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 1109-1 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,

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

1109-1

pm

1995 WATER MANAGEMENT BOARD IRRIGATION QUESTIONNAIRE
PLEASE FILL OUT AND RETURN BEFORE DECEMBER 15, 1995

1109-1 ELMER E PENNING RR #1 BOX 342 BELLE FOURCHIE, SD 57717	CHANGES TO ADDRESS LABEL, IF ANY: Telephone No. _____
--	---

COMPLETE AND RETURN THIS FORM TO THE WATER RIGHTS PROGRAM AT 523 E CAPITOL, PIERRE, SD 57501-3181 (605) 773-3352

HAS SYSTEM BEEN CONSTRUCTED? YES _____ NO _____

DID YOU IRRIGATE IN 1995? YES _____ NO X IF YES, NUMBER OF ACRES IRRIGATED _____

SOURCE OF WATER _____

DID YOU CHEMIGATE IN 1995? YES _____ NO _____

TYPE OF SYSTEM (CHECK ALL THAT APPLY):

CENTER PIVOTS _____ TOWNLINES _____ BIG GUN _____

FLOOD _____ SPRINKLERS _____ OTHER _____



COMMENT SECTION:

I have sold the farm and no longer have use for this permit

(Signature)

THE PORTION OF THE FORM FOR REPORTING ACRES IRRIGATED IS ON THE BACK OF THIS PAGE. LISTED BELOW ARE TWO EXAMPLES OF HOW TO COMPLETE THE FORM:

EXAMPLE 1: IN JUNE & JULY, 130 ACRES WERE IRRIGATED USING A CENTER PIVOT SYSTEM (70 ACRES OF CORN & 60 ACRES OF BEANS). THE PUMP RATE OF THE PIVOT IS 800 GALLONS PER MINUTE AND YOU PUMPED 10 DAYS (@ 24 HOURS PER DAY) ON THE CORN AND 20 DAYS ON THE BEANS.

MONTH	CROP	ACRES	PUMP RATE	# DAYS	AVE/HRS DAY
JUNE	CORN	70	800 GPM	10	24
	BEANS	60	800 GPM	10	24
JULY					
	BEANS	60	800 GPM	10	24

EXAMPLE 2: IN JUNE, 40 ACRES OF ALFALFA WERE IRRIGATED (USING GATED PIPE @ 3000 GPM) FOR 5 DAYS - 24 HOURS PER DAY; 60 ACRES OF BEANS WERE IRRIGATED (USING BIG GUN @ 380 GPM) FOR 10 DAYS AT 24 HOURS PER DAY:

JUNE	ALFALFA	40	3000 GPM	5	24
	BEANS	60	380 GPM	10	24

PLEASE SPECIFY IF ACTUAL IRRIGATION HOURS OR KILOWATT HOURS ARE BEING REPORTED. FOR KILOWATT HOURS, INCLUDE DEPTH TO WATER & SYSTEM PRESSURE IN COMMENT SECTION.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 12, 1996

1109-1

Elmer Penning
RR 1 Box 342
Belle Fourche, SD 57717

Dear Mr. Penning:

I am contacting you in regard to Water Right No. 1109-1, currently listed in your name. On your 1995 irrigation questionnaire, you indicated you had sold the farm and no longer had a use for the water right.

The water right should be transferred to the new owner of the land. Please take a few minutes to write or call and let me know who purchased your land and if they intend to irrigate. I would like to get in touch with them regarding the water right and the possibility of transferring it to their name(s).

I am enclosing a postage paid envelope for your reply. Thank you for your assistance in this matter.

Sincerely,

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

enclosure



April 12, 1996



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

1109-1

Elmer Penning
RR 1 Box 342
Belle Fourche, SD 57717

Dear Mr. Penning:

I am contacting you in regard to Water Right No. 1109-1, currently listed in your name. On your 1995 irrigation questionnaire, you indicated you had sold the farm and no longer had a use for the water right.

The water right should be transferred to the new owner of the land. Please take a few minutes to write or call and let me know who purchased your land and if they intend to irrigate. I would like to get in touch with them regarding the water right and the possibility of transferring it to their name(s).

I am enclosing a postage paid envelope for your reply. Thank you for your assistance in this matter.

Sincerely,

Genny McMath

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

enclosure

*Frank & Linda
Robison*

605-456-9880



1109-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 29, 1996

1109-1

Frank Robison
RR 1 Box 87A
Newell SD 57760

Dear Mr. Robison:

This letter is in regard to ownership of land described in Water Right No. 1109-1. During our May 28th telephone conversation, you confirmed that you had purchased the land from Elmer Penning.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review the form for accuracy and make any necessary corrections. You will need to fill in the portion titled "*be transferred to: (name & 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.

I am also enclosing a copy of Water Right No. 1109-1. You may keep this for your records. If you have any questions concerning the water right or completion of the transfer form, please contact me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP



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

No. 1109-1

Date: 6-17-96

I/We request that Water Right No. 1109-1

formerly owned by: Elmer E Penning

be transferred to: (name & address) FRANK L. ROBINSON & L. KAY ROBINSON
RA1 Box 87A NEWELL SD 57760 Telephone No. 605 456-9880

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

87 acres - SW 1/4 NE 1/4, N 1/2 SE 1/4 Sec 23; S 1/2 SW 1/4 Sec 24; SW 1/4 NW 1/4 Sec 26, all in T9N, R6E

I/We understand that the validity of Water Right No. 1109-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

STATE OF SOUTH DAKOTA)

County of Butte)

I/We Frank L. & L. Kay Robinson 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.

Frank L. Robinson
L. Kay Robinson
(Signed)

Subscribed and sworn to before me this 3 day of July, 19 96.

COLGAN HUBER
Butte County

My Commission Expires May 7, 2003

Colgan Huber
(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

414999

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

Pierre, _____ July 8, 19 96

RECEIVED OF Frank L. & L. Kay Robison, RR 1, Box 87A, Hewell, SD 57767

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 Water Right No. 1109-1

Fee for Filing Extension Request _____

Fee for _____

2 50

()

Total

2 50

(Any Other Work Provided by Law)

By

Chief Engineer

John Hatch



1109-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 4, 1996

No. 1109-1

Frank L. and L. Kay Robison
RR 1, Box 87A
Newell, SD 57760

Dear Mr. and Ms. Robison:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 1109-1.

Our records now show you as the owner of Water Right No. 1109-1.

Sincerely,

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

enclosure

2000 WATER MANAGEMENT BOARD IRRIGATION QUESTIONNAIRE
Please fill out and return before December 1, 2000

1109-1157
FRANK L & L KAY ROBISON
PO BOX 494
BLACK HAWK SD 57718 0494

CHANGES TO ADDRESS LABEL, IF ANY:

Telephone No. _____

605 456-9880 - *not for service*

COMPLETE AND RETURN THIS FORM TO THE WATER RIGHTS PROGRAM AT 523 E CAPITOL, PIERRE, SD 57601-3181 (605) 773-3352

1. Is the system constructed? *yes _____ no ☒

*Type of system used (check all that apply):

center pivots _____ towlines _____ big gun _____

flood _____ sprinklers _____ other _____

2. Did you irrigate in 2000? *yes _____ **no ☒

*If yes, number of acres irrigated _____

**If no, list reason(s) in comment section:

Comment Section:

3. Source of water: _____

4. Is land enrolled in CRP? *yes _____ no ☒

*If yes, through what year? _____

5. Did you apply chemicals or fertilizer through the system in 2000? *yes _____ no ☒

* If yes, a separate chemigation form is NOT needed.

Office use only



The portion of the form for reporting acres irrigated is on the back of this page. Listed below are two examples of how to complete the form:

EXAMPLE 1: In June & July, 120 acres were irrigated using a pivot system (70 acres of corn & 60 acres of alfalfa). The pump rate of the pivot is 800 gallons per minute and you pumped 8 days (@ 24 hours per day) on the corn and 22 days on the alfalfa:

MONTH	CROP	ACRES	PUMP RATE	# DAYS	AVE/HRS DAY
JUNE	CORN	70	800 GPM	8	24
	ALFALFA	60	800 GPM	10	24
JULY	ALFALFA	60	800 GPM	12	24

EXAMPLE 2: In June, 40 acres of alfalfa were irrigated (using gated pipe @ 3000 gpm) for 5 days - 24 hours per day; 60 acres of beans were irrigated (using big gun @ 380 gpm) for 10 days at 24 hours per day:

JUNE	ALFALFA	40	3000 GPM	5	24
	BEANS	60	380 GPM	10	24

For ease in calculating water use, please specify if actual irrigation hours or kilowatt hours are being reported. For kilowatt hours, include depth to water & system pressure in comment section.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 8, 2001

No. 1109-1

Frank L & L Kay Robison
PO Box 494
Black Hawk SD 57718-0494

Dear Mr. & Mrs. Robison:

Thank you for returning the 2000 Irrigation Questionnaire. The form indicated the property has been sold. Who would the new landowners be?

Enclosed is a postage prepaid envelope. Could you please drop us a note with the name and address of the new owner. We will then send the new owner the information required to transfer the water right to their name.

Thank you for your cooperation. If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2001

No. 1109-1

Peter Friis
RR 1 Box 87A
Newell SD 57760

Dear Mr. Friis:

The 2000 Irrigation Questionnaire recently returned to our office by Frank L & L Kay Robison indicated you are now the owner of the land authorized for irrigation under Water Right No. 1109-1. Enclosed is a copy of Water Right No. 1109-1 and a partially completed "Notice of Transfer" form for use in filing an ownership change. The water right is currently listed in the name of Frank L & L Kay Robison.

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,

Karen Schlaak
Karen Schlaak
Water Rights Program
605 773-3352

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 8, 2001

No. 1109-1

Frank L & L Kay Robison
PO Box 494
Black Hawk SD 57718-0494

Dear Mr. & Mrs. Robison:

Thank you for returning the 2000 Irrigation Questionnaire. The form indicated the property has been sold. Who would the new landowners be?

Enclosed is a postage prepaid envelope. Could you please drop us a note with the name and address of the new owner. We will then send the new owner the information required to transfer the water right to their name.

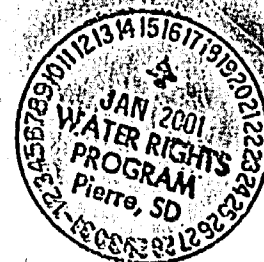
Thank you for your cooperation. If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosure



Peter Friis

RR1 Box 87A

Newell SD 57760



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 9, 2003

1109-1

Paula Walker
Butte County Register of Deeds
839 5th Ave
Belle Fourche SD 57717

Dear Ms. Walker:

I am contacting you in regard to land ownership for acreage described in a water right we have on file. The legal description of the land is as follows:

T9N, R6E	Section 23	SW ¼ NE ¼ NW ¼ SE ¼ NE ¼ SE ¼
T9N, R6E	Section 24	SW ¼ SW ¼ SE ¼ SW ¼
T9N, R6E	Section 26	SW ¼ NW ¼

I would appreciate any information you have as to ownership of the land and a current mailing address of the owner(s).

Thank you in advance for your help.

Sincerely,

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

23-9-6
SW 1/4 NE 1/4

23
NW 1/4 SE 1/4

23
NE 1/4 SE 1/4

24
SW 1/4 NW 1/4

24
SE 1/4 NW 1/4

26
SW 1/4 NW 1/4

00-127 ✓
97-911
272-968
272-950

01-2237
01-477
00-127 ✓
97-911
272-968
272-950

01-2237
01-477
00-127 ✓
97-911
272-968
272-950

00-127 ✓
97-911
272-968
272-950

00-127 ✓
97-911
272-968
272-950

01-1252 ✓
00-2026
98-1023
98-1017
97-911
272-968
272-950

2000-127 WD (last deed of record)
Robison to C Phillip + Anne K. Fries 1-25-2000
~~421 E 26th St Apt A, Carper, WY 82601-5647~~
man = Bob Box 87A Newell, SD 57760

2002-1252 Contract (last deed of record)
Johnson to Jack + Kelly Dally 6-18-2002
Box 107 Newell, SD 57760

attest my hand

RECORDED
INDEXED
JUL 1 2002
SOUTH DAKOTA



1109B-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

INTERNAL MEMORANDUM

July 8, 2004

To: Water Right No. 1109-1 File
Donald E. Stroup
From: Donald E. Stroup
Natural Resources Project Engineer
Subject: Water Right Usage

On June 24, 2004 I made an on-site examination of water use from an irrigation wasteway at T9N R6E Sections 23, 24, and 26. The system through these sections consists of small ditches meandering through pastures. These ditches obtain water from a Belle Fourche Irrigation Project wasteway and it is a passive irrigation system.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 20, 2004

1109-1

Philip Friis
RR 1 Box 87A
Newell SD 57760

Jack & Kelly Gully
PO Box 107
Newell SD 57760

Dear Mr. Friis and Mr. & Mrs. Gully:

I am contacting you in regard to ownership of Water Right No. 1109-1. The water right is still listed in the name of Frank & Kay Robison. The water right authorizes use of waste water from the Belle Fourche Irrigation District to irrigate 87 acres in the following descriptions:

Section 23, T9N, R6E	Section 24, T9N, R6E	Section 26, T9N, R6E
SW ¼ NE ¼	S ½ SW ¼	SW ¼ NW ¼
N ½ SE ¼	30 acres	20 acres
37 acres		

It is our understanding that Mr. Friis owns the land in Sections 23 and 24 and Mr. & Mrs. Gully own the land in Section 26. Under South Dakota Water Law, 46-5-30.3, the notice of any sale, grant, lease, conveyance or other transfer of a permit or license to appropriate water issued under the provisions of this title shall be filed with the chief engineer within ninety days.

I am enclosing partially completed "Notice of Transfer of Ownership" forms for use in filing the ownership changes. Once they are received, we will divide and reissue the water right to reflect separate ownership. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you concerning the water right or filing the ownership change, please contact me.

Sincerely,

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

enclosure

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date July 22, 20 04

RECEIVED OF Jack or Kelly Gully, PO Box 107, Newell SD 57760

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	2	50
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>1109-1</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	2.50	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

001072

By

Darland Erbe

Chief Engineer

gm

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

JUL 22 2004

WATER RIGHTS
PROGRAM

No. 1109B-1

Date: July 21-05

I/We request that portions of Water Right No. 1109-1

formerly owned by: Frank & Kay Robison

be transferred to: (name & address)

Jack and or Kelly Gully

PO 107

Newell, SD

Telephone No 605-456-1332

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

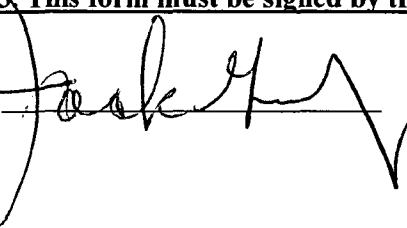
20 acres - SW ¼ NW ¼ Section 26, T9N, R6E

I/We understand that the validity of Water Right No. 1109-1 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 required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We



the new owner, certify that the above information is true and correct.



(Signed by new owner)

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

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 23, 2004

1109B-1

Jack or Kelly Gully
PO Box 107
Newell SD 57760

Dear Mr. & Mrs. Gully:

Thank you for following up on the ownership change for portions of Water Right No. 1109-1. The transfer for your portion has been completed. The water right will be divided and reissued as 1109A-1 (Philip Friis) and 1109B-1 (your names).

The reissued license will be sent to you under separate cover as soon as the Chief Engineer has had a chance to review and sign it. As we discussed on the phone, I am forwarding you a map of the area showing the land irrigated and the diversion point locations. The map was prepared after the inspection of the system back in 1985.

Enclosed is your Receipt No. 001372 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 16 2004

1109B-1

Jack & Kelly Gully
PO Box 107
Newell SD 57760-0107

Dear Mr. & Mrs. Gully:

Enclosed is Reissued Water License No. 1109B-1 authorizing diversion of wastewater from the Belle Fourche Project for irrigation purposes. Based on the ownership change you filed July 22, 2004, Water Right No. 1109-1 was divided and reissued to reflect separate ownership.

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.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosure

STATE OF SOUTH DAKOTA
REISSUED WATER LICENSE NO. 1109B-1
DIVISION OF NO. 1109-1 INTO 1109A-1 AND 1109B-1

(1) Elmer Penning was issued Water License No. 1109-1, December 2, 1985 for a water right to divert 0.61 cubic feet of water per second from wastewater (from the Belle Fourche Irrigation Project), Butte County, South Dakota for irrigation purposes. Water License No. 1109-1, with a priority date of August 17, 1976 was issued to the permit holder for diversion of water with construction of the described water supply system completed and the application to beneficial use of water completed.

On July 22, 2004, an ownership change was filed with the water right, transferring a portion of Water Right No. 1109-1. The water right is being divided and reissued to reflect separate ownership.

Water Right No. 1109B-1 is being issued to Jack and/or Kelly Gully, PO Box 107, Newell SD 57760-0107 for the portion they now own.

(2) The water supply system is completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, Jack and/or Kelly Gully the holders and/or owners of Water Right No. 1109B-1 are issued a license, bearing a priority date of August 17, 1976 to appropriate 0.14 cubic feet of water per second from wastewater (from the Belle Fourche Project) to irrigate 20 acres.

The diversion point is located:

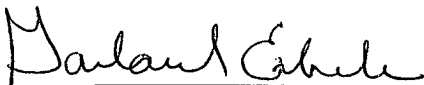
1,650 feet S and 360 feet E of the NW corner of Section 26, T9N, R6E (SW ¼ NW ¼)

The acres authorized for irrigation are as follows:

SW ¼ NW ¼ Section 26, T9N, R6E - 20 acres

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1109-1 including the following qualification:

- Primarily, water available for this permit is return flows from the Belle Fourche Project. Such available flows may be reduced or changed by different water utilization by the project. The use of water under this permit is contingent upon water supplies being available to prior water rights. Lands described in this permit which receive water from the Belle Fourche Project may not receive water under this permit at the same time water is being obtained from the Belle Fourche Project.

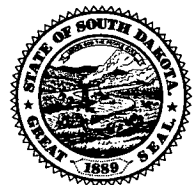


Garland Erbele, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

AUG 16 2004

date





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

July 21, 2025

No. 1109 - 1

Joseph & Theresa Bruch
13486 old Hwy 212
Newell, SD 57760

Dear Mr. & Mrs. Bruch:

I'm writing to you today in reference to Water Right 1109-1. This license authorizes the use of wastewater from the Belle Fourche Irrigation District to irrigate portions of land in Section 23, Section 24, and Section 29; all in T9N, R6E.

It is the understanding of the Water Rights Program that you are the current owner of property in Section 23 and Section 24, T9N, R6E. If irrigation is taking place a "Transfer of Ownership" will need to be completed. I have included a partially completed form for your convenience. Please return the form with a check for \$50.00 made payable to "SD Water Rights Program" to cover the transfer fee. If you would prefer to pay by card, you may call our Fiscal Office at 605.773.5559. This form will still need to be returned even if you are submitting payment over the phone.

If no irrigation is taking place, please contact the Water Rights Program with that information.

Sincerely,

Miranda Smith
Water Rights Program
605 773-3352
Miranda.Smith@state.sd.us

enclosure