

WQ
only
OK
SENEZON

1. Considered: JUNE 9, 1982 Water Right No. 1250-1
2. Name of Applicant ANNA SLETTA % LOUIS BUDMAYR
3. Post Office Address 919 STATE ST. BELLE FOURCHE SD 57717
4. Amount of Water Claimed NO ADD'L (1.76) maximum acre feet
5. Source of Water Supply BELLE FOURCHE RIVER
6. Water to be used for IRR acres to be irrigated 123 (20 NEW) ^{ADD'L}
7. County BUTTE about 1E, 1 1/2 N miles of BELLE FOURCHE
8. PROOF OF PUBLICATION: Received 6-1-82 Not Received
- APPLICATION: Approved 6/9/82 Subject to same as old permit IQ
- Not Approved Action Deferred

PRIORITY Dated Received 3-31-82 Application complete-yes no FEE 150.00

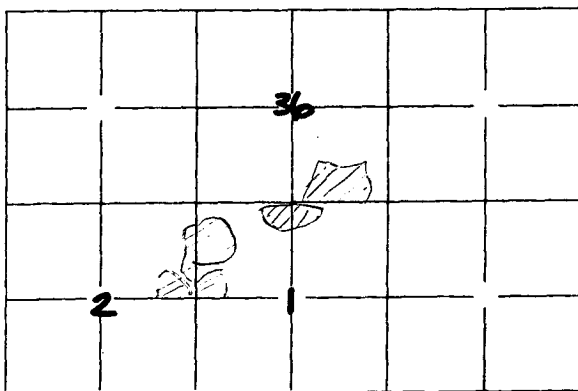
Remarks

Corrected Application received Period of Annual Use MAR thro Nov.

WATER Received yes X no APPROVED / CONDITIONAL (Circle one)

QUALITY WI-1 Description same as application-yes X no Remarks

Disapproved Returned



Diversion Point S ON BELLE FOURCHE
RIVER IN NE⁴NE⁴ SEC. 2-T8N-R2E
AND SW⁴SE⁴ SEC 36-T9N-R2E

Land to be irrigated
E 1/2 NE⁴ SEC 2; W 1/2 NW⁴ & NE⁴ NW⁴
NW⁴NE⁴ SEC 1; T8N-R2E & S 1/2 SE⁴
SEC 36-T9N-R2E

WELL LOG Driller _____ Licensed - yes _____ no _____

Depth _____

Remarks _____

MAP Map No. 1057-1 Map located in Water Right X Map file _____
 Type of Map AERIAL Prepared by MERNAUGH
See also map # 298-1 (w.e# 331-1)

+++++

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:

May 10, 1982

Senay Young
 (Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date
 F.F. & C. Final Decision, including F.F. & C. of Law were adopted _____
 OF LAW, Date
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision was
 DECISIONS adopted _____
 ETC. Remarks _____

No. 1250-1Map No. 1057-1 Water Division No. 1 Belle Fourche R. District
See also 298-1 Above for Office Use

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New _____ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage 2 _____ Additional Acreage 1 _____

1. Name of Applicant Anna Stetta Phone No. _____
 Post Office Address _____ Belle Fourche State South Dakota 57717
 (Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) direct labor3. Name of diversion work The Stetta Pumping Project4. Amount of water claimed (cubic feet per second) 1.76 (no add'l)5. Source of water supply Belle Fourche River

6. Location of point of diversion On the right bank of the Belle Fourche River between Point
"A" 200' S and 200'W of the NE corner Section 2, T8N, R2E and Point "B" 1320' N
and 1950'W of the SE corner Sec 36, T9N, R2E County Butte

7. Annual period or periods during which water is to be used March thru October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation9. For irrigation use, Total number of acres to be irrigated 119 123 (20 add'l)

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.
NE 1/4 NE 1/4 Sec 2, T8N, R2E	2
SE 1/4 NE 1/4 Sec 2 " "	24 20
NW 1/4 NW 1/4 Sec 1 " "	18
SW 1/4 NW 1/4 Sec 1 " "	24

Land Description	No. Acres Irr.
NE 1/4 NW 1/4 Sec 1, T8N, R2E	9
NW 1/4 NE 1/4 Sec 1 " "	4
SW 1/4 SE 1/4 Sec 36 <u>9N</u> " "	18
SE 1/4 SE 1/4 Sec 36 <u>9N</u> " "	24

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 2 1/2 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water BELLE FOURCHE BEE

12. Principal Features of the Proposed Water Supply System.

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

pump and motor

Applicable portions of Permit No. 331-1
 will be incorporated into this Water
 Permit.

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

supply ditches

C. Works proposed to apply water to beneficial use.

flood irrigation
furrow & borders

Estimated Total Cost \$ _____

Attachments: 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 Butte) ss.

I, Louis W. Budmayer 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 Louis W. BudmayerSubscribed and sworn to before me this 30th day of March, 1982

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1250-1

Anna Stetta 40 Louis Budmayer 919 State Street, Belle Fourche
 (Applicant) (Post Office Address)
South Dakota 57717 With the following qualifications.
 (State)

Diversion of water under this Permit is contingent upon supplies being first available to the prior water rights on the Belle Fourche River.

This permit does not authorize diversions of water from the Belle Fourche River after August 15th of each calendar year or at any time when the river flow is obviously low, unless written orders have been so issued by the Water Management Board, or its legally appointed representative. Diversions under this Permit shall be in accordance with any written orders by the Board or its representative.

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

The applicable portions of Permit No. 331-1 have been incorporated into this Permit No. 1250-1.

Date of first receipt of application March 31, 1982
 Date of return to applicant for correction, amendments or changes required April 1, 1982
 Date of receipt of corrected application May 10, 1982
 Approved June 9, 1982, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. 1250-1

The Water Management Board hereby grants and issues this Water Right Permit No. 1250-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is 1.76 cfs from June 27, 1958, additional acreage from March 31, 1982
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before DECEMBER 9, 1984
3. The whole of said work is to be completed on or before June 9, 1987
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is June 9, 1991
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 1.76 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 irrigation purposes said appropriation must be limited to not more than 2 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 June 9, 1991; said water to be used during the following described annual period: March 1 thru October 31

Witness my hand this 1st day of July, 1982

THE WATER MANAGEMENT BOARD

By: John Hatfield
 Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8788

(Anna Sletta pumping project) PIERRE, MARCH 31, 1942
 LOUIS W. Budmayr, 919 State Street, Belle Fourche, SD 57717

RECEIVED OF

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

Fee for Application for Permit to Appropriate Water No. <u>1250-1</u> (examination, processing, recording and filing) -----	150	00
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 -----		
Fee for certified copy of -----		
Fee for Print copy of map -----		
Fee for Certifying -----		
Fee for -----		
(any other work as provided by law)		
TOTAL	150	00

WATER RIGHTS COMMISSION

By John H. H. H.
 Chief Engineer, Executive Officer

JOHN H. H. H.

NOT TO SCALE

Anna Stetta
331-1

R 2 E 1950'

pt. 8"

40.2
SW $\frac{1}{4}$ SE $\frac{1}{4}$
18 Ac.

SE $\frac{1}{4}$ SE $\frac{1}{4}$
24 Ac

pump site
Flood Irr

T 9 N

36 31

pump site

NE $\frac{1}{4}$ NW $\frac{1}{4}$

9 Ac

4 Ac

NW $\frac{1}{4}$ NE $\frac{1}{4}$

Flood Irr

T 8 N

NW $\frac{1}{4}$ NW $\frac{1}{4}$
18 Ac.

Flood Irr

SW $\frac{1}{4}$ NW $\frac{1}{4}$
24 Ac.

Flood Irr

I

Map # 1057-1
(Apple # 1250-1)
See also
Map # 298-1
w/ R 331-1

File Copy.

Anna Stetla
331-1

Point A

Pump Site

NE $\frac{1}{4}$ NW $\frac{1}{4}$

9 AC

4 AC

NW $\frac{1}{4}$ NE $\frac{1}{4}$

NW $\frac{1}{4}$ NW $\frac{1}{4}$
18 AC

SW $\frac{1}{4}$ NW $\frac{1}{4}$
24 AC
16 AC

SE $\frac{1}{4}$ NW $\frac{1}{4}$
20 AC

OUT

Flood Irr

SE $\frac{1}{4}$ SE $\frac{1}{4}$
24 AC

SW $\frac{1}{4}$ SE $\frac{1}{4}$
18 AC

T 8

N

T 9

N

1320'

36'

75'

1950'

Point B

R 2 E

1320'

36'

75'

1950'

Point B

R 2 E

1320'

36'

75'

1950'

Point B

R 2 E

1320'

36'

75'

1950'

Point B

R 2 E

1320'

36'

75'

1950'

Point B

R 2 E

1320'

36'

75'

1950'

Point B

R 2 E

1320'

36'

75'

1950'

Point B

R 2 E

1320'

36'

75'

1950'

Point B

R 2 E

1320'

36'

75'

1950'

Point B

R 2 E

1320'

36'

75'

1950'

Point B

R 2 E

1320'

36'

75'

1950'

map # 1057-1
April # 1250-1

see also map # 298-1
April 331-1

NOT TO SCALE

Anna Stetta

#331-1

1250-1

2-6R

"PT A"

200'

NE 1/4 NE 1/4
2 AC

SE 1/4 NE 1/4
2 AC

Flood Irr

2

18.6

10.6

13.5

8.9

7.2

7.3

8.5

2.7

10.7

9.3

6.6

8-2

2-6R

Map # 1057-1

App'l # 1250-1

See also
Map # 298-1
w/R 331-1

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE



OWNERS NAME: Louis Budmayer Anna Statta OWNERS ADDRESS: Belle Fourche, SD 57717

COUNTY LAND LOCATED IN: Butte PHONE: 892-7117

TENANT'S NAME AND ADDRESS: Louis W Budmayer
917 5th St Belle Fourche S.D. 57717

In accordance with State Law SDCL 46-5-6.5, if a water permit is granted with a conditional Soil/Water Compatibility permit, A COPY OF SUCH CONDITIONAL SOIL/WATER COMPATIBILITY PERMIT MUST BE FILED WITH THE COUNTY REGISTER OF DEEDS. THIS ACTION MUST BE TAKEN BY THE HOLDER OF A WATER PERMIT WITHIN 6 MONTHS OF RECEIPT OF SUCH WATER PERMIT.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION _____
2. SURFACE WATER SOURCE AND DIVERSION LOCATION: Right bank Belle Fourche River

Legal Description	Acres	Legal Description	Acres
<u>SE 1/4 Sec 2 T8N, R2E</u>	<u>20</u>		

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED 58

LEGAL DESCRIPTION: Sec 1 South T8, R2E Sec 36 T9 NR 2

IN WHAT NAME: Anna Statta

4. LOCATION OF AREA TO BE IRRIGATED NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

5. TYPE OF IRRIGATION: GRAVITY: X TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: (Specify) _____

6. CROPS TO BE IRRIGATED: Alfalfa

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)	
7. WATER SAMPLE NUMBER:	<u>82-0808</u>
8. SALINITY (EC X 10 ⁶):	<u>1250</u>
9. SODIUM (SAR):	<u>0.78</u>
10. ADJUSTED (SAR):	<u>1.86</u>

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at 2:30 a.m./p.m. on March 30, 1982, at the following location: Belle Fourche River - Diversion Dam by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

30th DAY OF March 1982

Louis Budmayer
(NOTARY PUBLIC)

Louis Budmayer
APPLICANT'S SIGNATURE

Ted M. Fajal
Director, Division of Conservation

IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER RIGHT must be obtained from the Board of Water Management, Foss Building, Pierre.

X APPROVED
____ DISAPPROVED
____ CONDITIONALLY APPROVED

April 22, 1982

Anna Stetta
Belle Fourche, SD 57717

Dear Mrs. Stetta:

Enclosed is your copy of the laboratory report of analysis for water sample No. 82-0808.

I have plotted the approximate quality of your water by means of a red cross in the chart located on the back cover of the accompanying AES pamphlet #13.

Sample No. 82-0808 is classed as a high saline, low sodic water. It is suitable as a source for irrigation.

The Glenberg fine sandy loam and the Haverson loam located in SE 1/4 of the NE1/4 of Section 2-8-2 are compatible with the quality of your water.

The WI-1, soils information, and a copy of the water analysis are being forwarded to the Division of Conservation for their action.

Sincerely yours,

Michael H. Sanders
Water Quality Lab
Division of Conservation

MHS:ckb

Enclosures

cc: Division of Conservation
D. Pahl, Extension Service
Division of Water Rights

Louis W. Budmayr, Belle Fourche



REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57007

Name: STETTA, ANNA
Address: BELLE FOURCHE SD 57717
cc: LOUIS W BUDMAYR
919 STATE ST, BELLE F.

Date Rec'd: Apr 01, 1982
Sample No.: 82-0808
Identification: BELLE FOURCHE RIVER
008N 02E 02 A

WATER ANALYSIS

Calcium (Ca)	184	ppm*	9.18	me/l**
Magnesium (Mg)	43	ppm	3.54	me/l
Sodium (Na)	45	ppm	1.96	me/l
Potassium (K)	7	ppm	0.18	me/l
Sulfate (SO4)	550	ppm	11.45	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	8	ppm	0.23	me/l
Bicarbonate (HCO3)	200	ppm	3.28	me/l
Carbonate (CO3)	0	ppm	0.00	me/l
Iron (Fe)		ppm		me/l
Flouride (F)		ppm		me/l
Manganese (Mn)		ppm		
Boron (B)	0.09	ppm		
Hardness (EDTA asCaCO3)		ppm		g.p.g.***
Total solids		ppm		
Total Cations			14.85	me/l
Total Anions			14.96	me/l
Alkalinity (Methyl Orange)	164	ppm(as CaCO3)		
Alkalinity (Phenolphthalein)	0	ppm(as CaCO3)		
Electrical Conductivity	1250	micromhos per cm at 25 C		
Sodium Adsorption Ratio	0.78	Adjusted SAR	1.86	
Sodium	13.17	% of Cations		
Residual sodium carbonate	0.00	me/l		
pH	7.53			

Others:

*ppm=parts per million

***g.p.g.=grains per gallon

**me/l=millequivalents per liter

COMMENTS

By: Shirley Mittan

Service Performed:

Total Cost: \$ 28.00

Irrigation Analysis

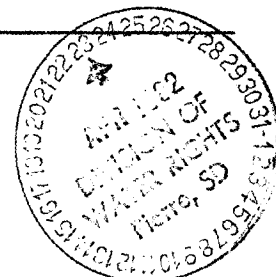
Amount Received: 0.00

Balance Due: 28.00

Make checks payable to: "SDSU Water Quality Lab"

Please write lab number on your check!

Lab No. 82-0808



No. 1250-1

Publish first publication, on or before May 21, 1982

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

May 11, 1982

Notice is hereby given Anna Stetta whose post office

address is %Louis Burmayr, 919 State St., Belle Fourche, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-25, 46-5-41 (~~ground~~) ~~46-6-3 thru 46-6-5, 46-6-8.1, 46-6-10, 46-6-12, 46-6-14, (future use) 46-5-38; (transfer lands) 46-5-33 thru 46-5-35 and Board Rules ARSD~~ 74:02:01:01 thru 74:02:01:15, (~~future use~~) ~~74:02:01:23 thru 74:02:01:26 (10,000 AKA) 74:02:07:01 thru 74:02:07:09~~, for a permit to appropriate for beneficial use

no add'l cubic feet of water per second of time from Belle Fourche River

through the Stetta Pumping Project, the point (s) of diversion which

~~do~~ (are) to be located ^{on} ~~in~~ the Belle Fourche River in the NE 1/4 NE 1/4 Section 2

T8N, R2E and SW 1/4 SE 1/4

of Section 36, Twp. 9N, Range 2E. Said water to be used for purpose of providing irrigation on portions of the following described land:

E 1/2 NE 1/4, Section 2; W 1/2 NW 1/4, NE 1/4 NW 1/4 & NW 1/4 NE 1/4, Section 1;

T8N, R2E and S 1/2 SE 1/4, Section 36 (portions of this land covered under Permit No. 331-1)

This Application No. 1250-1 will be considered by the Water Management Board at Meeting Room #1, Kneip Bldg. Church & Illinois, Pierre SD upon the 9th day of June, 1982.

at 10 A.M. The Board 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 Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNr, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board

cc: applicant

Genny Young

BETTY WESTLAND, Water Rights Specialist

WNR-806-2/82

No. 1250-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Butte) ss.

I, Marion Lucca hereby

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

Water was taken from the Daily Belle Fourche Post

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 Belle Fourche

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

May 18, 1982

May 25, 1982

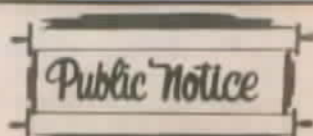
Steve Kennedy
(Signature)

Dee Trac
(Title)

May 27-1982
(Date Signed)

Cost of Printing: 21.25

WNR-808-7/79
Proof of Publication



No. 1250-1

NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER

Pierre, South Dakota 57501

May 11, 1982

Notice is hereby given Anna Stetta, whose post office address is c/o Louis Budmayr, 919 State St. Belle Fourche, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-25, 46-5-41 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, for a permit to appropriate for beneficial use no add'l cubic feet of water per second of time from Belle Fourche River through the Stetta Pumping Project, the points of diversion which are to be located on the Belle Fourche River in the NE 1/4 NE 1/4 Section 2 T8N R2E and SW 1/4 SE 1/4 of Section 36, Twp. 9N, Range 2E. Said water to be used for purpose of providing irrigation on portions of the following described land:

E 1/2 NE 1/4, Section 2; W 1/2 NW 1/4, NE 1/4 NW 1/4 & NW 1/4 NE 1/4, Section 1; T8N, R2E and S 1/2 SE 1/4, Section 36 (Portions of this land covered under Permit No. 331-1).

This Application No. 1250-1 will be considered by the water management Board at Meeting Room #1, Kneip Bldg. Church & Illinois, Pierre, S.D. upon the 9th day of June, 1982, at 10 A.M. The Board 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 Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNR, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water
Management Board
Genny Young,
Water Rights Specialist

2t5/18-25

meeting commenced -
no problem
paper not initialed p4



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1250 -1

May 26, 1987

Anna Stetta
c/o Louis Budmayr
919 State Street
Belle Fourche, South Dakota 57717

Dear Mrs. Stetta:

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. 1250-1 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
Secretary

ms/

NOTE: On check or money order, please indicate the number of the water permit. This insures proper handling of the fee.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

No. 1250-1

NOV 2 1987

Anna Stetta
c/o Louis Budmayr
919 State Street
Belle Fourche, South Dakota 57717

Dear Mrs. Stetta:

Enclosed herewith is, Water License No. 1250-1. 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



Department of Water & Natural Resources

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

June 21, 1988

1250-1

NOTICE

TO: Anna Stetta
c/o Louis Budmayr
919 State Street
Belle Fourche SD 57717

FROM: John Hatch, Chief Engineer 
Water Rights Division
605 773-3352

SUBJECT: Notice of Shutoff Order to Belle Fourche River
Irrigators Above Belle Fourche Irrigation Project
Diversion Canal

The Belle Fourche Irrigation District has ordered releases of water from the Keyhole Reservoir in Wyoming. As a Belle Fourche River Irrigator, you are ordered to Shutoff any irrigation pumping from the Belle Fourche River effective immediately.

Contact us, if you have any questions.

cc: Belle Fourche Irrigation District



CERTIFICATION

I hereby certify that on June 21, 1988 I have personally deposited with the U.S. Mail, postage prepaid envelopes containing Notice of Shutoff Order to Belle Fourche River Irrigators Above Belle Fourche Irrigation Project Diversion Canal addressed as follows:

Anna Stetta
c/o Louis Budmayr
919 State Street
Belle Fourche SD 57717

Harold Skjoldah, Manager
Belle Fourche Irrigation District
PO Box 225
Newell SD 57760

Karen Schlaak
KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 22nd day of June, 1988.

John H. H. H.
Notary Public





Department of Water & Natural Resources

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

June 24, 1988

NOTICE

TO: Anna Stetta
c/o Louis Budmayer
919 State St.
Belle Fourche, SD 57717

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Rescission of Shutoff Order Dated June 21, 1988 for
Water Permit No. 1250-1 Owned by Anna Stetta

The shutoff order was mistakenly issued to you. A review of the locations of the water rights showed that your water right is below the Belle Fourche Irrigation District's diversion dam. Therefore, the shutoff order issued to you is rescinded. We apologize for any inconvenience that the order may have caused you.

cc: Belle Fourche Irrigation District



CERTIFICATION

I hereby certify that on June 24, 1988 I have personally deposited with the U.S. Mail, postage prepaid envelopes containing Notice to Rescind Shutoff Order dated June 21, 1988 addressed as follows:

Anna Stetta
c/o Louis Budmayr
919 State Street
Belle Fourche SD 57717

Harold Skjoldah, Manager
Belle Fourche Irrigation District
PO Box 225
Newell SD 57760

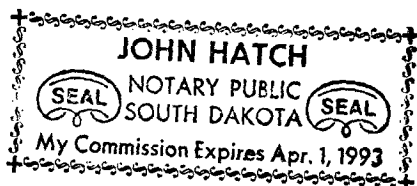
Karen Schlaak

KAREN SCHLAAK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 5th day of July, 1988.

John Galdo
Notary Public



DATE: June 3, 1992
MEMO TO: File- Water Right No. 1250-1
FROM: M. RASSOOL AHADI *MA*
RE: Correction of Priority dates

Inspection of May 18, 1992 showed that the same acreage is being irrigated as on License No. 1250-1. Priority date and acreage should read as follow:

March 31, 1982, for a diversion rate of 0.29 cfs for irrigation of 20.0 acres located in the SE1/4 NE1/4 Section 2, T8N-R2E.

June 27, 1958, for a diversion rate of 1.3 cfs for irrigation of the remainder 91 acres.

Since Mr. Budmyer now owns the acreage under Water Right No. 1250-1, Transfer Form should be sent to him.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 4, 1992

1250-1

Louis Budmayer
919 State Street
Belle Fourche, SD 57717

Dear Mr. Budmayer:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 1250-1. The water right is currently listed in the name of Anna Stetta.

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosure



COPY

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 16, 1992

Louis Budmayr
919 State Street
Belle Fourche, SD 57717

Dear Mr. Budmayr:

The "Notice of Transfer of Ownership" you submitted for filing an ownership change on Water Right No. 1250-1 has been received.

Unfortunately, the transfer can not be processed without the required filing fee of \$2.50. Please return the fee to our office as soon as possible. Upon receipt of the fee, Water Right No. 1250-1 will be transferred from Anna Stetta to your name.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413254

Pierre, _____ June 22, 19⁹²

RECEIVED OF Louis W Budmayr, 9191 State Street, 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. _____

Fee for Filing Transfer Form Water Right No. 1250-1

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

2 50

By

Chief Engineer

JOHN HATCH



NOTICE OF TRANSFER OF OWNERSHIP

No. 1250-1

TO: Chief Engineer
Water Rights Division
523 East Capitol
Pierre, SD 57501

Date: June 3, 1992I/We request that Water ~~Permit~~ Right No. 1250-1formerly owned by: Anna Stetta

be transferred to: (name & address) Louis Budmayer, 919 State Street, Belle Fourche
SD 57717 (telephone No.) (605)892-3837

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

NE1/4, Section 2; NW1/4 and NE1/4 Section 1 all in T8N-R2E;SE1/4 Section 36, T9N-R2E.

I/We understand that the validity of Water ~~Permit~~ Right No. 1250-1 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 at the Division of Water Rights, as evidence of the change of ownership.

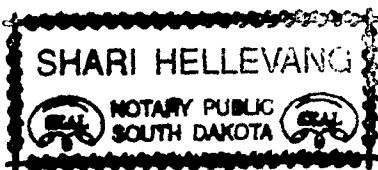
A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Butte)

I/We Louis Budmayer 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.

Louis Budmayer
(Signed)

Subscribed and sworn to before me this 11th day of June, 1992.



Shari Hellevang
(Notary Public)
My Comm. Exp = 1-21-00

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 water 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 57501-3181

June 23, 1992

No. 1250-1

Louis Budmayr
919 State St.
Belle Fourche, SD 57717

Dear Mr. Budmayr:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 1250-1.

Our records now show you as the owner of Water Right No. 1250-1.

Sincerely,

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

enclosure



GREAT FACES. GREAT PLACES.

NOV 30 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

1250-1

Louis Budmayr
919 State Street
Belle Fourche, SD 57717

Dear Mr. Budmayr:

Enclosed is your reissued Water License No. 1250-1. The license was reissued to correct the priority dates as they pertained to the diversion rate. Reissuance of this license did not alter the remaining portions of the original license.

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,

A handwritten signature in cursive script, appearing to read "John Hatch".

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

enclosures

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410909

Pierre, June 12, 19 37

RECEIVED OF ~~XXXXXXXXXXXXXXXXXXXX~~ Louis W. Budmayr, 919 State St., 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>1250-1</u> (Anna Stetta)	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 (ms)

Belle Fourche River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Anna Stetta% Louis Budmayr, 919 State Street, Belle Fourche, SD. 57717 holder of
20 add'l Acres from March 31, 1982Permit No. 1250-1, bearing the priority of 1.76 cfs June 27 1958 authorizingthe diversion of 1.76 cu. ft. per second of the waters of Belle Fourche Riverfor 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 = Rainmaster Model 8DP, Ser # 142279
Tractor Power Take-off.

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

200 ft 12" Rubber Hose

C. Works used to apply water to beneficial use:

Flood Irrigation
Furrows + BordersThe system is in the following condition GoodThe point of diversion is located on the right bank of the Belle Fourche River between
Point "A" 200'S and 200'W of the NE Cor of Sec. 2 T8N R2E and Point "B"
1320'N and 1480'W of the SE Cor. Sec. 36 T9N R2EThe works are capable of diverting and conveying to the place of use 4.0cu. ft. per second of water which is to be used for Irrigation.

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

<u>NE 1/4 NE 1/4 Sec. 2 T8N R2E = 2 Ac.</u>	<u>NE 1/4 NW 1/4 Sec. 1 T8N R2E = 9 Ac.</u>
<u>* SE 1/4 NE 1/4 Sec 2 " " = 20 Ac</u>	<u>NW 1/4 NE 1/4 Sec 1 " " = 4 Ac</u>
<u>NN 1/4 NW 1/4 Sec. 1 " " = 18 Ac</u>	<u>SW 1/4 SE 1/4 Sec. 36 T9N R2E = 18 Ac</u>
<u>SW 1/4 NW 1/4 Sec 1 " " = 16 Ac</u>	<u>SE 1/4 SE 1/4 Sec. 36 " " = 24 Ac</u>

comprising a total of 111 acres of land and the license should be issued for 1.59 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: Date May 19, 1987* priority date of 3-31-82
remaining acres - 6-27-58LeRoy J. Mernaugh
(signature)

Office
Copy

Water License 1250-1



State of South Dakota
Water License No. 1250-1

(1) Anna Stetta
of c/o Louis Budmayr, 919 State Street, Belle Fourche, South Dakota 57717
made Application No. 1250-1, March 31, 1982 for a water permit to appropriate
1.76 cubic feet per second of water from the Belle Fourche River,
Butte County, South Dakota for irrigation purposes.
Permit No. 1250-1, with a priority date of June 27, 1958 & March 31, 1982
was approved June 9, 1982 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before June 9, 1987 and for the application to beneficial use of said
water on or before June 9, 1991.

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 1.59 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is on the right bank of the Belle Fourche
River between Point "A" 200'S and 200'W of the NE Corner of Section 2, T8N, R2E
and Point "B" 1320'N and 1950'W of the SE Corner of Section 36, T9N, R2E.

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:

T8N, R2E Section 2 NE $\frac{1}{4}$ NE $\frac{1}{4}$ 2 Acres

*SE $\frac{1}{4}$ NE $\frac{1}{4}$ 20 Acres

Section 1 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 18 Acres

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 16 Acres

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 9 Acres

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 4 Acres

T9N, R2E Section 36 SW $\frac{1}{4}$ SE $\frac{1}{4}$ 18 Acres

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 24 Acres

111 ACRES

* Acreage in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 2 has a priority date of March 31, 1982

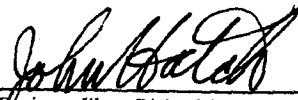
Remaining acres have a priority date of June 27, 1958

(4) Pursuant to §46-5-30.1 Anna Stetta

of c/o Louis Budmayr, 919 State Street, Belle Fourche, South Dakota 57717

the holder(s) and/or owner(s) of Water Permit No. 1250-1 is issued a license to appropriate water, the right to use 1.59 cubic feet per second of water from the Belle Fourche River with a priority date of 1.59 cfs and 91 acres - June 27, 1958 of 20 acres - March 31, 1982 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. 1250-1 and subject to South Dakota State Law.


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

JOHN HATCH

NOV 2 1987

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 1250-1

(1) Anna Stetta, & Louis Budmayr of 919 State Street, Belle Fourche, SD 57717 was issued Water License No. 1250-1, November 1, 1987, for a water right to appropriate 1.59 cubic feet per second of water (cfs) from the Belle Fourche River, Butte County, South Dakota for irrigation purposes. Water License No. 1250-1, with priority dates of June 27, 1958 and March 31, 1982 was issued to the applicant for diversion of water with construction of the described water supply system completed and the application of water to beneficial use completed.

On June 15, 1992, Water Right No. 1250-1 was transferred from Anna Stetta to Louis Budmayr.

The priority dates in the original license were not described correctly. The dates were applied to the acreage irrigated and should have also specified a diversion rate from each priority date. The correct priority dates, acreage and diversion rates are as follows:

March 31, 1982: 0.29 cfs for irrigation of 20.0 acres located in the SE 1/4 NE 1/4 Section 2, T8N, R2E; and

June 27, 1958: 1.30 cfs for irrigation of the remaining 91 acres (described in [3] of this license).

This license is being reissued to correct the description of the priority dates. The remaining portions of the original license are not affected by this reissuance.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 1.59 cubic feet per second of water for beneficial use.

The location of the diversion points are:

on the right bank of the Belle Fourche River between Point "A" 200'S and 200'W of the NE corner of Section 2, T8N, R2E and Point "B" 1320'N and 1950'W of the SE corner of Section 36, T9N, R2E.

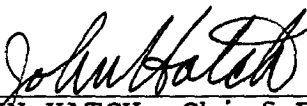
(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the irrigate the following land:

T8N, R2E Section 2	NE 1/4 NE 1/4	2 acres	June 27, 1958 priority
	SE 1/4 NE 1/4	20 "	March 31, 1982 priority
Section 1	NW 1/4 NW 1/4	18 "	June 27, 1958 priority
	SW 1/4 NW 1/4	16 "	" " "
	NE 1/4 NW 1/4	9 "	" " "
	NW 1/4 NE 1/4	4 "	" " "
T9N, R2E Section 36	SW 1/4 SE 1/4	18 "	June 27, 1958 priority
	SE 1/4 SE 1/4	24 "	" " "

Total 111 acres

(4) Pursuant to SDCL 46-5-30.1, Louis Budmayr of 919 State Street, Belle Fourche, SD 57717, the holder and owner of Water Right No. 1250-1 is issued a license to appropriate water, the right to use 1.59 cubic feet per second of water from the Belle Fourche River with priority dates of March 31, 1982 (for a diversion rate of 0.29 cfs) and June 27, 1958 (for a diversion rate of 1.30 cfs) 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 Right No. 1250-1 and subject to South Dakota Law.


 NOV 30 1992
 JOHN HATCH, Chief Engineer
 Water Rights Division
 Department of Environment & Natural Resources

1250-1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 19, 2001

NOTICE

TO: LOUIS W BUDMAYR, 919 STATE ST, BELLE FOURCHE, SD 57717 1537
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaires

Our records indicate that the 2000 Irrigation Questionnaires have not been submitted for Permit Nos. 1250-1, and 789-1. The request for the Questionnaires was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No. 789-1 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No. 1250-1 qualification:

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

The hearing will be held at 10:00 am, March 7, 2001 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No. 1250-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No. 789-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing 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.

If the questionnaires are received in this office on/or before March 2, 2001, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2001

789-1
1250-1

Louis W Budmayr
919 State St
Belle Fourche, SD 57717-1537

Dear Mr. Budmayr:

I am writing to acknowledge receipt of your 2000 irrigation questionnaires. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right Nos. 789-1 and 1250-1.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

1250-1

SENDER'S SECTION		RECIPIENT'S SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Received by (Please Print Clearly) <u>Russell W Budmayr</u> B. Date of Delivery <u>1-20-01</u> C. Signature <u>X Russell W Budmayr</u> ☐ Agent ☐ Addressee D. Is delivery address different from item 1? ☒ Yes ☐ No If YES, enter delivery address below:	
1. Article Addressed to: LOUIS W BUDMAYR 919 STATE ST. BELLE FOURCHE SD 57717 1537		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
2. Article Number (Copy from service label) <u>7099 3220 0004 5201 0691</u>		4. Restricted Delivery? (Extra Fee) ☐ Yes	

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



1250-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 18, 2010

789-1
1250-1

Louis W Budmayr
PO Box 187
Belle Fourche SD 57717 0187

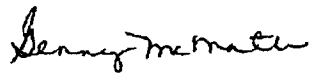
Dear Mr. Budmayr:

Enclosed is a "Notice" dated October 15, 2010 concerning the 2010 irrigation questionnaire.

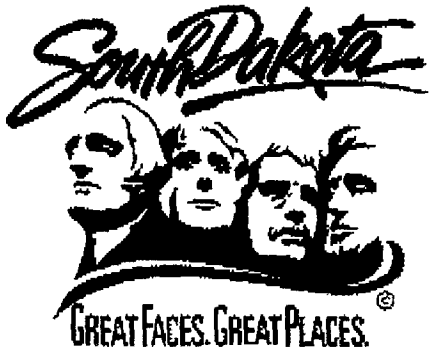
The notice was originally mailed to 919 State Street. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, 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
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

November 8, 2010

1250-1

Robert Budmayr
PO Box 314
Belle Fourche SD 57717

Dear Mr. Budmayr:

I am writing in follow-up to the ownership change listed on the 2010 irrigation questionnaire submitted for Water Right No. 1250-1.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. 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 \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

I have included a copy of the water right for your records. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

August 10, 2011

1250-1

Robert Budmayr
PO Box 314
Belle Fourche SD 57717 0314

Dear Mr. Budmayr:

I am writing in regard to ownership of land described in Water Right No. 1250-1. In November, 2010, a transfer form was sent to you for changing ownership of the water right. This was done based on a notation you made on the 2010 irrigation questionnaire. To date, we have not received anything back from you.

In the event you no longer have the original form, I am sending an additional partially completed Notice of Transfer of Ownership form for filing an ownership change. 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 \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions or if ownership should not be changed, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosure

RECEIVED

AUG 12 2011

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1250-1

Date: 8-11-11

I/We request that Water Right No. 1250-1

formerly owned by: Louis W Budmayr

be transferred to: (name & address)

Robert Budmayr (605)
PC Box 314
Belle Fourche SD 57717 Telephone No. (605)-310-0609
(605)-592-9876

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

E ½ NE ¼ Section 2, W ½ NW ¼, NE ¼ NW ¼, NW ¼ NE ¼ Section 1, T8n, R2E

S ½ SE ¼ Section 36, T9N, R2E

I/We understand that the validity of Water Right No. 1250-1 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 Fifty Dollars (\$50.00) 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 Robert Budmayr the new owner, certify that the above information is true and correct.

Robert Budmayr
(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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 8/12, 2011

RECEIVED OF Robert Budmayr PO Box 314 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 and to put water to beneficial use	50 00	
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>1250-1</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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **05016**

By

Leah E. Eide
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

August 15, 2011

1250-1

Robert Budmayr
PO Box 314
Belle Fourche SD 57717 0314

Dear Mr. Budmayr:

The transfer of ownership and filing fee for transferring ownership of Water Right No. 1250-1 has been received. The ownership change has been completed.

Water Right No. 1250-1, formerly held by Louis W Budmayr, is now listed in your name. Enclosed for your records is Receipt No. 05016 in the amount of \$50.00.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosure



1250-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2013

NOTICE

TO: ROBERT BUDMAYR, PO BOX 314, BELLE FOURCHE, SD 57717 0314
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1250-1. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1250-1 qualification:

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

The hearing will be held at **8:30 am, March 7, 2013** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1250-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing 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.

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

January 29, 2013

1250-1

Robert Budmayr
PO Box 314
Belle Fourche SD 57717 0314

Dear Mr. Budmayr:

I am writing to acknowledge receipt of your 2012 irrigation questionnaire.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right No. 1250-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2022

NOTICE

TO: ROBERT BUDMAYR, PO BOX 314, BELLE FOURCHE, SD 57717 0314

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1250-1. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1250-1 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1250-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing 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.

If the questionnaire(s) is (are) received in this office before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: PEDQEH**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 1, 2022

1250-1

Robert Budmayr
PO Box 314
Belle Fourche SD 57717-0314

Dear Mr. Budmayr:

I am writing to acknowledge receipt of your 2021 irrigation questionnaire.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right No. 1250-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

1250-1



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2023

NOTICE

TO: ROBERT BUDMAYR, PO BOX 314, BELLE FOURCHE, SD 57717 0314

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1250-1. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1250-1 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1250-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing 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.

If the questionnaire(s) is (are) received in this office before the **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: PYIBEG**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 26, 2023

1250-1

Robert Budmayr
PO Box 314
Belle Fourche SD 57717-0314

Dear Mr. Budmayr:

I am writing to acknowledge receipt of your 2022 irrigation questionnaire.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right No. 1250-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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