

1. Considered: 2-24, 1982 Water Right No. 1269-1
2. Name of Applicant Charles R and Dorothy M Shaykett
3. Post Office Address 225 E 6th Miller, S.D. 57362
4. Amount of Water Claimed no add'l maximum acre feet
5. Source of Water Supply Belle Fourche River
6. Water to be used for IRR acres to be irrigated 219 Add'l
7. County Butte about 2W, 2N miles of Vale
8. PROOF OF PUBLICATION: Received 2-11-83 Not Received
- APPLICATION: Approved 2-24-83 Subject to BF IQ
- Not Approved Action Deferred

PRIORITY

Dated Received 11/10/82 Application complete-yes no FEE 275.00

Remarks Additional acreage on 1162-1 and 1210-1

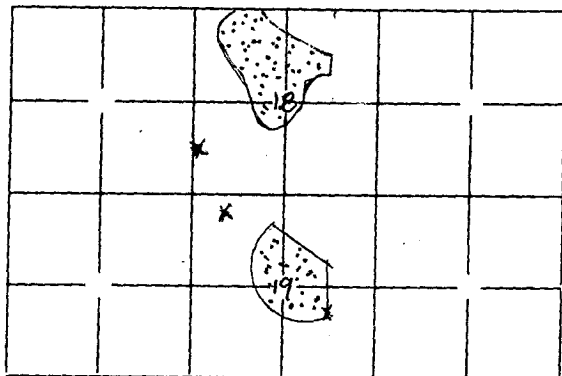
Corrected Application received Period of Annual Use April thru Oct
4/1 - 10/31

WATER
QUALITY

Received yes ☒ no APPROVED CONDITIONAL (Circle one)

WI-1 Description same as application-yes ☒ no Remarks

Disapproved Returned



NW⁴SW⁴

Diversion Point Between points on the
 Belle Fourche River located in NE¹SE¹
 Section 18 and NE¹NW¹ & NW¹SE¹ Section
 19 both in T8N R 6E

Land to be irrigated NW¹₄; NE¹₄SW¹₄;
NW¹₄SE¹₄; W¹₂NE¹₄, Section 18 and
E¹₂NW¹₄; NW¹₄SE¹₄; NE¹₄SW¹₄; NW¹₄NE¹₄;
SW¹₄NE¹₄; Section 19 all in T8N-R6E

WELL LOG

Driller Licensed - yes no

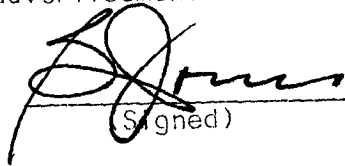
Depth

Remarks

MAP Map No. 50001 Map located in Water Right XX Map file _____
 Type of Map aerial Prepared by Burt Jones WRS

+++++

REVIEWED This Application was ^{reviewed} received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:
1-17-83


 (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. 1269-1Map No. _____ Water Division No. 1 BELLE FOURCHE RIVER District
Above for Office Use (10120202)**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 _____ Additional Acreage XX

605-853-3684 - office

605-853-3703 - home

1. Name of Applicant Charles R & Dorothy M Shaykett Phone No. _____
Post Office Address 225 E 6th Miller State SD 57362
(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) _____

3. Name of diversion work Shaykett - Long #34. Amount of water claimed (cubic feet per second) no additional5. Source of water supply Belle Fourche River6. Location of point of diversion between points in the NW¹/₄ SE¹/₄, Section 18, in the
NE¹/₄ NW¹/₄ and in the NW¹/₄ SE¹/₄, Section 19, T8N, R6ECounty Butte7. Annual period or periods during which water is to be used April 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 219

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.
Section 18, T8N, R6E NW ¹ / ₄ NW ¹ / ₄	12
NE ¹ / ₄ NW ¹ / ₄	37
NE ¹ / ₄ SW ¹ / ₄ - 18 = 6	3
NW ¹ / ₄ SE ¹ / ₄ - 18 = 3	34 28

Land Description	No. Acres Irr.
Section 18, T8N, R6E NW ¹ / ₄ NE ¹ / ₄	22
SW ¹ / ₄ NE ¹ / ₄	26 23
Section 19, T8N, R6E NE ¹ / ₄ NW ¹ / ₄	5
SE ¹ / ₄ NW ¹ / ₄	18

Attach sheet if more space is needed NW¹/₄ NE¹/₄ 2 NW¹/₄ SE¹/₄ 25
SW¹/₄ NE¹/₄ 30 NE¹/₄ SW¹/₄ 510. Time required to complete construction of water supply system COMPLETED years. Additional time required
to complete application of water to the proposed beneficial use COMPLETED years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water VALLEY IRRIGATOR12. Principal Features of the Proposed Water Supply System. Newell SDA. Works proposed to divert water from its natural source.
Pumps & motorsB. Works proposed to transport water to place of use.
mainlineC. Works proposed to apply water to beneficial use.
center pivot, big gun & gravity

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 Hughes)ss.I, Charles R & Dorothy Shaykett 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 Charles R. Shaykett
10th day of November, 1982

Subscribed and sworn to before me this _____ day of _____, 1982

Karen Schlaak
Notary Public (or other qualified officer)KAREN SCHLAACK
Administrative Secretary
Water Rights Division

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1269-1

Charles R. & Dorothy M. Shaggett 225 E. 6th Miller
(Applicant) (Post Office Address)
South Dakota 57362 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, nor at any time when the river flow is obviously low, unless written orders have been so issued by the State 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.

Date of first receipt of application November 10, 1982

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

Date of receipt of corrected application _____, 19____

Approved February 24, 1983, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. 1269-1

The Water Management Board hereby grants and issues this Water Right Permit No. 1269-1 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 November 10, 1982
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before August 24, 1985
3. The whole of said work is to be completed on or before February 24, 1988
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is February 24, 1992
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 No addl 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 February 24, 1992; said water to be used during the following described annual period: April - October

Witness my hand this 9th day of March, 1983

THE WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

Attachment A
 Water License No. 1269-1
 Dorothy M Shaykett

		1162-1 Priority date 10-31-1977	1269-1 Priority date 11-10-1982
T8N, R6E Section 18	NW 1/4 NW 1/4		2
	NE 1/4 NW 1/4		12
	SW 1/4 NW 1/4	25	3
	SE 1/4 NW 1/4	6	34
	NW 1/4 NE 1/4		4
	SW 1/4 NE 1/4	13	22
	NW 1/4 SW 1/4	30	
	NE 1/4 SW 1/4	34	6
	SW 1/4 SW 1/4	4	
	SE 1/4 SW 1/4	35	
	NW 1/4 SE 1/4	38	
	SW 1/4 SE 1/4	40	
	SE 1/4 SE 1/4	31	
T8N, R6E Section 19	NE 1/4 NW 1/4	3	
	NW 1/4 NE 1/4	25	
	NE 1/4 NE 1/4	40	
	SUBTOTAL	324	83
	TOTAL ACRES IRRIGATED	407	

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9024

PIERRE, November 10, 1932

Charles Shaykett, 225 N Broadway, Miller SD 57362

RECEIVED OF -----

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

Fee for Application for Permit to Appropriate Water No. 1269-1 (examination, processing, recording and filing) -----	275	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	275	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer

JOHN HATCH

(ks)

Division of Conservation

WR#

OWNERS NAME CHARLES R. SHAYKETT OWNERS ADDRESS: PO Box 162

COUNTY LAND LOCATED IN: BUTTE PHONE: 853-3684 - OFFICE
853-3703 - HOME

TENANT'S NAME AND ADDRESS: _____

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

1. WELL LOCATION _____
Depth _____

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: BELLE FOURCHE RIVER
Diversion Location BETWEEN POINTS IN NE 1/4 SEC 18, IN THE NE 1/4 NW 1/4
& NW 1/4 SE 1/4, SEC 19, T8N, R6E

Legal Description	Acres	Legal Description	Acres
SECTION 18, T8N, R6E	NW 1/4 NW 1/4 12	SECTION 19, T8N, R6E	NE 1/4 NW 1/4 5
	NE 1/4 NW 1/4 37		SE 1/4 NW 1/4 18
	SW 1/4 NW 1/4 3		NW 1/4 NE 1/4 2
	SE 1/4 NW 1/4 34 28		SW 1/4 NE 1/4 20
	NW 1/4 NE 1/4 22		NW 1/4 SE 1/4 25
	SW 1/4 NE 1/4 34 23		NE 1/4 SW 1/4 5
	NE 1/4 SW 1/4 6		
	NW 1/4 SE 1/4 3		

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED 1981

LEGAL DESCRIPTION: SECTIONS 18 & 19, T8N, R6E (PERMITS NO 1162-1 & 12101)
IN WHAT NAME: SAME

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: ☒ TOWLINE: _____ CENTER PIVOT: ☒ GUN: ☒ OTHER: _____ (Specify)

6. CROPS TO BE IRRIGATED: _____

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: _____ 10. ADJUSTED (SAR): 4.66 (3.26)
8. SALINITY (EC X 10⁶): 1775 11. PERCENT SODIUM _____
9. SODIUM (SAR): 1.95

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 _____ a.m./p.m., on _____, 19____, at the following location: _____
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.

Signature

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (46-5-6.4)

SUBSCRIBED AND SWORN BEFORE ME THIS

17th DAY OF November, 1982
Charles R. Shaykett
(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date

APPROVED

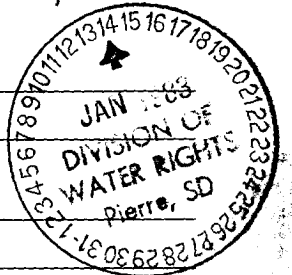
DISAPPROVED

☒ CONDITIONALLY APPROVED

Conditional soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

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.



CONDITIONAL APPROVAL

DATE _____



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 • Pierre, South Dakota 57501
Phone 605/773-3258

November 15, 1982

Charles Shaykett
Box 162
Miller, SD 57362

Dear Mr. Shaykett:

In reviewing your soil and water compatibility application for portions of Sec 18 & 19-8-6 (219 acres) using water from the Belle Fourche River the staff is recommending a Conditional Approval of your application to the State Conservation Commission at their January 13, 1982 meeting.

The Conditional recommendation is based on the soils and the water quality, and the management recommendations are as follows:

- 1.) BaA - Baca silty clay loam 0-2% additional water should be applied to allow leaching of the salts. You may experience some water erosion if you use a center pivot.
- 2.) The areas of GgA - Glenbarga fine sandy loam and AeA Haverson loam 0-2% are susceptible to wind erosion and should be managed to prevent it.

If you have any questions concerning your permit please feel free to contact this office.

Sincerely,

Jim Stukel
Irrigation Program Director

cf

Publish first publication, on or before February 2, 1983NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

January 18, 1983Notice is hereby given that Charles R & Dorothy M Shaykett whose post office

address is PO Box 162, Miller, 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, 46-6-6.1, 46-6-10, 46-6-13, 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 AFA) 74:02:07:01 thru 74:02:07:03, for a permit to appropriate for beneficial use

~~no additional~~ cubic feet of water per second of time from Belle Fourche River

through the Shaykett-Long #3, the point (s) of diversion which ~~is~~ (are) to be located ^{between points} ~~in the~~ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 18, and NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 19, Twp. 8N, Range 6E. Said water to be used for purpose of providing irrigation on portions of the following described land:

NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ & NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18; E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$,

Section 19, all in T8N, R6E

This Application No. 1269-1 will be considered by the Water Management Board at Joe Foss Bldg, Room 216, 523 E Capitol, Pierre SD upon the 24th day of February, 1983

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

BURTON F JONES ~~XXXXXXXXXXXXXX~~, Water Rights Specialist

WNR-806-2/82

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Butte)

I, Rozella Bracewell 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 _____

City of Newell

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

February 2, 1983

February 9, 1983

Rozella Bracewell
(Signature)

Editor/Co-publisher
(Title)

(Date Signed)

Cost of Printing: \$26.93



NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER

Pierre, South Dakota 57501
January 18, 1983

Notice is hereby given that Charles R. & Dorothy M. Shaykett whose post office address is PO Box 166, Miller, 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 additional cubic feet of water per second of time from Belle Fourche River through the Shaykett-Long No. 3, the points of diversion which are to be located between points in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 18, and NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, Twp. 8N, Range 6E. Said water to be used for purpose of providing irrigation on portions of the following described land:
NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ & NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18; E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 19, all in T8N, R6E.

This Application No. 1269-1 will be considered by the Water Management Board at Joe Foss Bldg, Room 216, 523 E Capitol, Pierre SD upon the 24th day of February, 1983 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 by 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, DWNRR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board
Burton F. Jones,
Water Rights Specialist

Publish February 2 and 9, 1983
Valley Irrigator



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

(605) 773-3352

March 9, 1983

Charles & Dorothy M. Shaykett
225 E. 6th
Miller, South Dakota 57362

Dear Mr. & Mrs. Shaykett:

Enclosed herewith is your Water Right Permit No. 1269-1 as approved by the Water Management Board authorizing you to construct your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said Water Right Permit No. 1269-1.

Also enclosed is FORM 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Water Management Board when you have completed the system and/or have put the water to beneficial use. The Board can then schedule an inspection so that your Certificate of Construction and/or Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

August 15, 1983

Division of Water Rights
605 773-3352

1269-1

Charles R Shaykett
PO Box 162
Miller SD 57362

Dear Mr. Shaykett:

In response to your request by telephone on August 15, 1983 the Water Rights Division hereby authorizes continuation of irrigation under Permit Nos. 1162-1, 1210-1 and 1269-1 from the Belle Fourche River through September 15, 1983.

This authorization is subject to flows remaining available for downstream domestic users and prior water rights.

If there are any questions, do not hesitate to contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:JW:ks



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1269-1

February 19, 1986

Dorothy Shaykett
225 E 6th
Miller SD 57362

Dear Mrs. Shaykett:

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. 1269-1 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,

KAREN SCHLAACK
Administrative Aide

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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410340

Pierre, March 3, 1986

RECEIVED OF Dorothy M. Shaykett, Box 166, 225-E-6th, Miller, SD 57362

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>1269-1</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/ms

WATER RIGHTS DIVISION
(605) 773-3352

August 15, 1986

Dorothy M. Shaykett
225 # 6th
Box 166
Miller, South Dakota 57362

Dear Ms. Shaykett:

I am contacting you in regard to Water Permit No. 1269-1 listed under Charles & Dorothy Shaykett. In writing up the Water License I noticed the permit had not been transferred to your name. In order for the license to be issued in your name, a transfer must be filed.

Enclosed is a partially completed "Notice of Transfer". Please check over, sign and have the form notarized before returning it to our office. A \$2.50 filing fee is required. Upon receipt of the completed form and the filing fee, Water License No. 1269-1 will be issued,

If you have any questions, please contact our office. I apologize for not catching this and notifying you sooner. Thank you for your assistance in this matter.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc.

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: August 18, 1986

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

407 Acres - NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18; NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$

Section 19, T8N-R6E.

formerly owned by Charles & Dorothy Shaykett

has been transferred to Dorothy M. Shaykett, Box 166, Miller, South Dakota 57362
(please include complete mailing address)

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

Water Right Permit No. 1269-1 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)
County of HAND) ss.



I, Dorothy M. Shaykett being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Dorothy M. Shaykett
(Signed)

Subscribed and sworn to before me this 18th Day of August, 19 86.

Janet M. Annis
(Notary Public)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410521

Pierre, August 19, 1986

RECEIVED OF Dorothy M. Shaykett, PO Box 166, Miller, SD 57362

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>1269-2</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer

JOHN HATCH/ms

Belle Fourche River Water District

10120202

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 Dorothy M. Shaykett

225 E. 6th

• Miller, S. Dak. 57362

holder of

Permit No. 1269-1, bearing the priority of No. CFS from Nov. 10 1982 authorizing

19 82

authorizing

the diversion of 4.6 cu. ft. per second of the waters of Belle Fourche River

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:

Motor = Marathon, 125 HP, Model-404 TTD57311AA W FL, 3555 RPM.

Pump - Cornell, Model 54B150-2 Ser # 41913, 9 1/2"

Motor = Century, 75 HP, 3550 RPM Part # 6399174-01

Pump = Berkeley, Model B4EPBI, Ser # 7830687 Imp dia 9"

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

12" & 10" Dia PVC pipes to North Center Pivot.

10 + 8" " " " " East " "

10" dia Gated Pipe.

C. Works used to apply water to beneficial use:

N. Center Pivot - Valley. Model # 4271, Ser # 26268. Set for 1100gpm

E. " " Valley Model # 4721, Ser. # 26267 " " 700 ppm

Gated Pipe for furrow and flood irrigation

The system is in the following condition Good

The point of diversion is located 600 ft S and 830 ft W of N $\frac{1}{4}$ Corner of Section 19, T8N R6E

he works are capable of diverting and conveying to the place of use 4.0

1. 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:

See Attached Sheet.

- 1162-1 324 Ac. Priority date October 31, 1977

1269-1 83 Ac " " November 10, 1982

prising a total of 407 acres of land and the license should be issued for 4.0 cfs

plicable permit qualifications have been complied with X Yes No

Deviations to compliance are: _____ Date August 15, 1985

Le Roy I Manual.

1162-1

Dorothy M. Shaykett.

1269-1

Priority Date Oct. 31, 1977

Section 18, T8N R6E

 $NW\frac{1}{4} NW\frac{1}{4}$ $NE\frac{1}{4} NW\frac{1}{4}$ $SW\frac{1}{4} NW\frac{1}{4} = 25 \text{ Ac}$ $SE\frac{1}{4} NW\frac{1}{4} = 6$ $NW\frac{1}{4} NE\frac{1}{4} =$ $SW\frac{1}{4} NE\frac{1}{4} = 13$ $NW\frac{1}{4} SW\frac{1}{4} = 30$ $NE\frac{1}{4} SW\frac{1}{4} = 34$ $SW\frac{1}{4} SW\frac{1}{4} = 4$ $SE\frac{1}{4} SW\frac{1}{4} = 35$ $NW\frac{1}{4} SE\frac{1}{4} = 38$ $SW\frac{1}{4} SE\frac{1}{4} = 40$ $SE\frac{1}{4} SE\frac{1}{4} = 31$

Section 19 T8N R6E

 $NE\frac{1}{4} NW\frac{1}{4} = 3 \text{ Ac.}$ $NW\frac{1}{4} NE\frac{1}{4} = 25$ $NE\frac{1}{4} NE\frac{1}{4} = 40$

Totals

324

+

1269-1

Priority Date Nov. 10, 1982

Section 18, T8N R6E

2 Ac

12

3

34

4

22

6

83

= 407 Ac.

State of South Dakota

Water License No. 1269-1

(1) Charles R. and Dorothy M. Shaykett
of 225 E. 6th, Miller, South Dakota
made Application No. 1269-1, November 10, 1982 for a water permit to appropriate
No Add'l cubic feet per second of water from the Belle Fourche River,
Butte County, South Dakota for irrigation purposes.
Permit No. 1269-1, with a priority date of November 10, 1982
was approved February 24, 1983 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before February 24, 1988 and for the application to beneficial use of said
water on or before February 24, 1992.

Water Permit No. 1269-1 was obtained to add additional acreage on Water Permit No. 1162-1. The applicable portions of Water Permit No. 1162-1 are incorporated into this Water License No. 1269-1. Priority dates for specific acres irrigated are described in Attachment A.

August 19, 1986, Water Permit No. 1269-1 was transferred to Dorothy M. Shaykett.

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 4.0 cubic feet per second of water for beneficial use. The location of the diversion point(s) is 600'S and 830'W of the N $\frac{1}{4}$ Corner of Section 19, T8N-R6E.

and

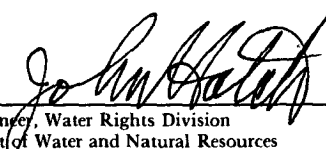
(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, SEE ATTACHEMENT A

(4) Pursuant to §46-5-30.1 Dorothy M. Shaykett

of 225 E. 6th, Miller, South Dakota 57362

the holder(s) and/or owner(s) of Water Permit No. 1269-1 is issued a license to appropriate water, the right to use 4.0 cubic feet per second of water from the Belle Fourche River with a priority date of October 31, 1977 & November 10, 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. 1269-1 and subject to South Dakota State Law.


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

JOHN HATCH

DEC 1 1986



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

No. 1269-1

DEC 1 1986

Dorothy M. Shaykett
Box 166
Miller, South Dakota 57362

Dear Mrs. Shaykett:

Enclosed herewith is, Water License No. 1269-1. 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

JHms

Enclosures

Applicable portions of Water Permit No. 1162-1 are incorporated into this License No. 1269-1.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 16, 1992

1269-1

Dorothy M Wellner
HCR 69 Box 64A
Chamberlain, SD 57325

Dear Ms Wellner:

Enclosed is a partially completed "Notice of Transfer" form for use in filing a change on Water Right No. 1269-1. Steve Shaykett indicated on the 1991 irrigation questionnaire that the name should be changed from Dorothy Shaykett to Dorothy Wellner.

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

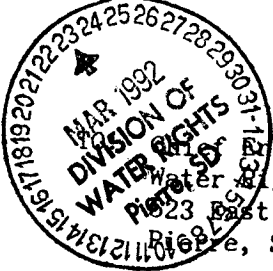
South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosure



NOTICE OF TRANSFER OF OWNERSHIP

Change of NAME

No. 1269-1

Engineer
Water Rights Division, DWR
623 East Capitol
Pierre, SD 57501-3181

Date: Mar 19, 1992

I/We request that Water Permit/Right No. 1269-1

formerly owned by: Dorothy Shaykett

be transferred to: (name & address) Dorothy Shaykett Wellner
H.C.R 69 Box 64-A Chamberlain, SD 57325 (telephone No.) 605-245-2230

Title to the following described land(s)/property has been transferred as described above:
407 acres - NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18; NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 19,
T8N, R6E

I/We understand that the validity of Water Permit/Right No. 1269-1 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 Hand) Wellner

I/We Dorothy Shaykett 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.

Dorothy Shaykett Wellner
(Signed)

Subscribed and sworn to before me this 19th day of March, 1992.

[Signature]
(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 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.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413141

Pierre, _____ March 23, 1992

RECEIVED OF Dorothy M. Shaykett Wellner, HCR 69, Box 64A, Chamberlain, SD 57325

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 1269-1</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch (CE)
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 27, 1992

No. 1269-1

Dorothy Shaykett Wellner
HCR 69, Box 64A
Chamberlain, SD 57325

Dear Ms. Shaykett Wellner:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 1269-1.

Our records now show you as the owner of Water 1269-1.

Sincerely,

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

enclosure



January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: DOROTHY SHAYKETT WELLNER, HCR 69 BOX 64A, CHAMBERLAIN, SD 57325
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program
SUBJECT: Violation of Water Permit No(s) 1269-1.

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 1269-1. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1269-1 qualification:

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

The hearing will be held at 9:45 am, March 6, 1996 in the 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(s) 1269-1 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 1, 1996, 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 at (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.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

DOROTHY SHAYKETT WELLNER
HCR 69 BOX 64A
CHAMBERLAIN SD 57325

4a. Article Number

4b. Service Type

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

7. Date of Delivery

DEC 1-31-86

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)

X [Signature]

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 6, 1996

1269-1

Dorothy Shaykett Wellner
HCR 69 Box 64A
Chamberlain, SD 57325

Dear Mrs. Wellner:

I am writing to acknowledge receipt of your 1995 irrigation questionnaire. You may disregard the January 30, 1996, **Notice of Violation of Water Permit No. 1269-1.**

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 Division
(605) 773-3352



1269-1
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 14, 2000

NOTICE

TO: DOROTHY SHAYKETT WELLNER, 225 E 6TH ST, MILLER, SD 57362
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1269-1. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 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) 1269-1 qualification:

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

The hearing will be held at 1:30 pm, March 1, 2000 in the 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(s) 1269-1 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 February 28, 2000, 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 at (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.

1269-1

SENDER: COMPLETE THIS SECTION		COMPLETE THIS 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)  B. Date of Delivery 	
1. Article Addressed to:		C. Signature X <u>Dorothy Shaykett Wellner</u> ☐ Agent ☐ Addressee	
		D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
DOROTHY SHAYKETT WELLNER 225 E 6TH ST MILLER SD 57362		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
2. Article Number (Copy from service label)		4. Restricted Delivery? (Extra Fee) ☐ Yes	
Z 227 670 235			



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

February 3, 2000

1269-1

Steve Shaykett
601 N Minnesota Ave
Sioux Falls, SD 57104

Dear Mr. Shaykett:

I am writing to acknowledge receipt of your 1999 irrigation questionnaire. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Right No. 1269-1.

The information was received in our office prior to the Water Management Board meeting and 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

c: Dorothy Wellner



1269-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2004

NOTICE

TO: STEVE SHAYKETT, 601 N MINNESOTA AVE, SIOUX FALLS, SD 57104

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1269-1. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 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) 1269-1 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 3, 2004 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) 1269-1 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 February 27, 2004, 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 at (605) 773-3352.

cc: DOROTHY SHAYKETT WELLNER, 225 E 6TH ST, MILLER, SD 57362

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.



1269-1

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 9647

Your item was delivered at 11:19 am on January 15, 2004 in SIOUX FALLS, SD 57104. The item was signed for by C WALSH.

[Shipment Details >](#)

Notification Options

- ▶ Track & Confirm by email [What is this?](#) [Go >](#)
- ▶ Request Proof of Delivery [What is this?](#) [Go >](#)



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Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 9647

STEVE SHAYKETT
601 N MINNESOTA AVE
SIOUX FALLS SD 57104

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail®
☐ Package Services

PS Form 153, July 2001

(See Reverse)



1269-1

Track & Confirm

Current Status

You entered 2301 3460 0000 8516 0100

Your item was delivered at 12:18 pm on January 15, 2004 in MILLER, SD 57362. The item was signed for by D WELLNER.

[Shipment Details >](#)

Notification Options

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Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8516 0100

DOROTHY SHAYKETT WELLNER
225 E 6TH ST
MILLER SD 57362

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail®
☐ Package Services

PS Form 153, July 2001

(See Reverse)

1269-1

Steven C. Shaykett
601 N. Minnesota Avenue
Sioux Falls, South Dakota 57104-2436
(605) 332-3553 * Fax (605) 332-0243

MEMO

RECEIVED
JAN 20 2004
WATER RIGHTS
PROGRAM

DATE: January 16, 2004

RE: Water Permit # 1269-1

TO: Genny McMath

FROM: Steve

MESSAGE:

Enclosed is the completed 2003 Irrigation Questionnaire, for some reason I could not complete it on line.

Also my mother, the holder of the permit has transferred the property to myself and my brother, and we have transferred the property to an LLC. Need to know the procedure for transferring this water right.

Thank you for your assistance, and call me if you have any questions.

Steve





1269-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 21, 2004

1269-1

Steve Shaykett
601 N Minnesota Ave
Sioux Falls SD 57104-2436

Dear Mr. Shaykett:

I am writing to acknowledge receipt of the 2003 irrigation questionnaire for Water Right No. 1269-1. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for the water right. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

In reference to your letter concerning the ownership change, I am enclosing a partially completed "Notice of Transfer of Ownership" form for use in filing the change. Please complete as needed. 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.

I included a copy of the water right in the event you need one. 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

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1269-1

Date: 1-23-04

I/We request that Water Right No. 1269-1

formerly owned by: Dorothy Shaykett Wellner

be transferred to: (name & address)

Shaykett-Longmont Ranch, LLC
601 N Minnesota Avenue

Stouffville, SD 57104

Telephone No. 605-332-3553

ATTN: Steve Shaykett

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

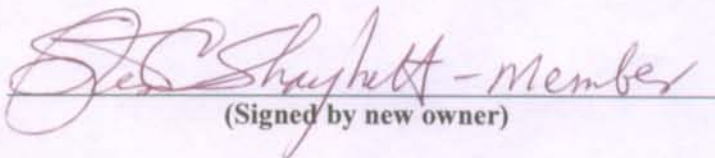
407 acres - portions of Sections 18 and 19, T8N, R6E

I/We understand that the validity of Water Right No. 1269-1 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 Shaykett-Longmont Ranch, LLC, 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.

RECEIVED
JAN 26 2004
WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 26, 2004

RECEIVED OF Shaykett Appraisal Company Inc., 601 N Minnesota Ave., Sioux Falls SD 57104

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>1269-1</u>		2 50
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	2.50

No.

001118

By

Darland Erbe
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2004

1269-1

Steve Shaykett
Shaykett-Longmont Ranch, LLC
601 N Minnesota Ave
Sioux Falls SD 57104

Dear Mr. Shaykett:

Thank you for following up on the ownership change for Water Right No. 1269-1. The transfer has been completed. The water right formerly listed in the name of Dorothy Shaykett Wellner is now listed in the name of Skaykett-Longmont Ranch LLC.

Enclosed is your Receipt No. 001118 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

enclosure



1269-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2005

NOTICE

TO: SHAYKETT-LONGMONT RANCH LLC, STEVE SHAYKETT, 601 N MINNESOTA AVE,
SIOUX FALLS, SD 57104

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire(s)

Our records indicate that the 2004 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1269-1. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 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) 1269-1 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 2, 2005 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) 1269-1 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 February 25, 2005, 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 at (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**

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

January 26, 2005

1269-1

Steve Shaykett
Shaykett-Longmont Ranch LLC
601 N Minnesota Ave
Sioux Falls SD 57104

Dear Mr. Shaykett:

I am writing to acknowledge receipt of your 2004 irrigation questionnaire. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 1269-1.

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,

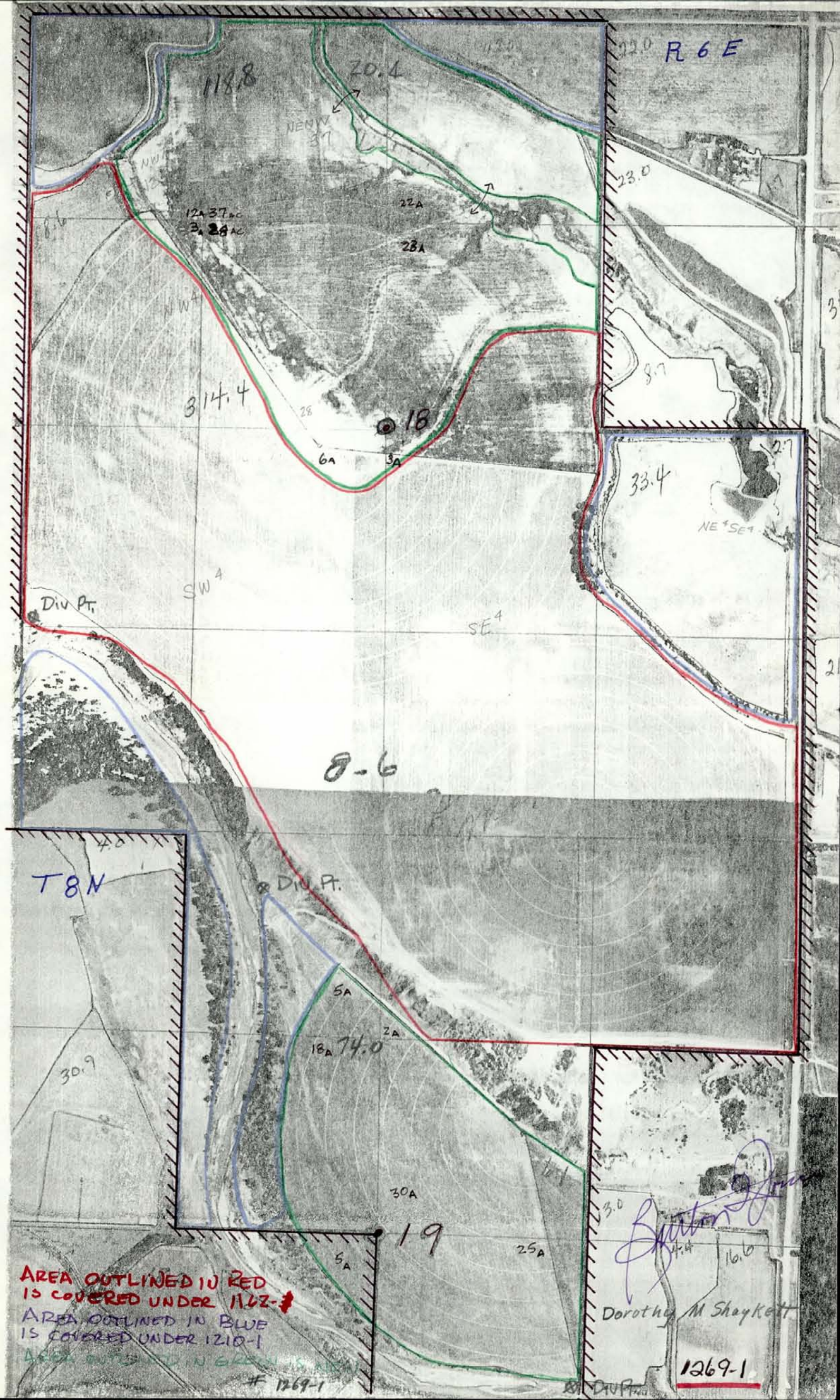
Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

T8N

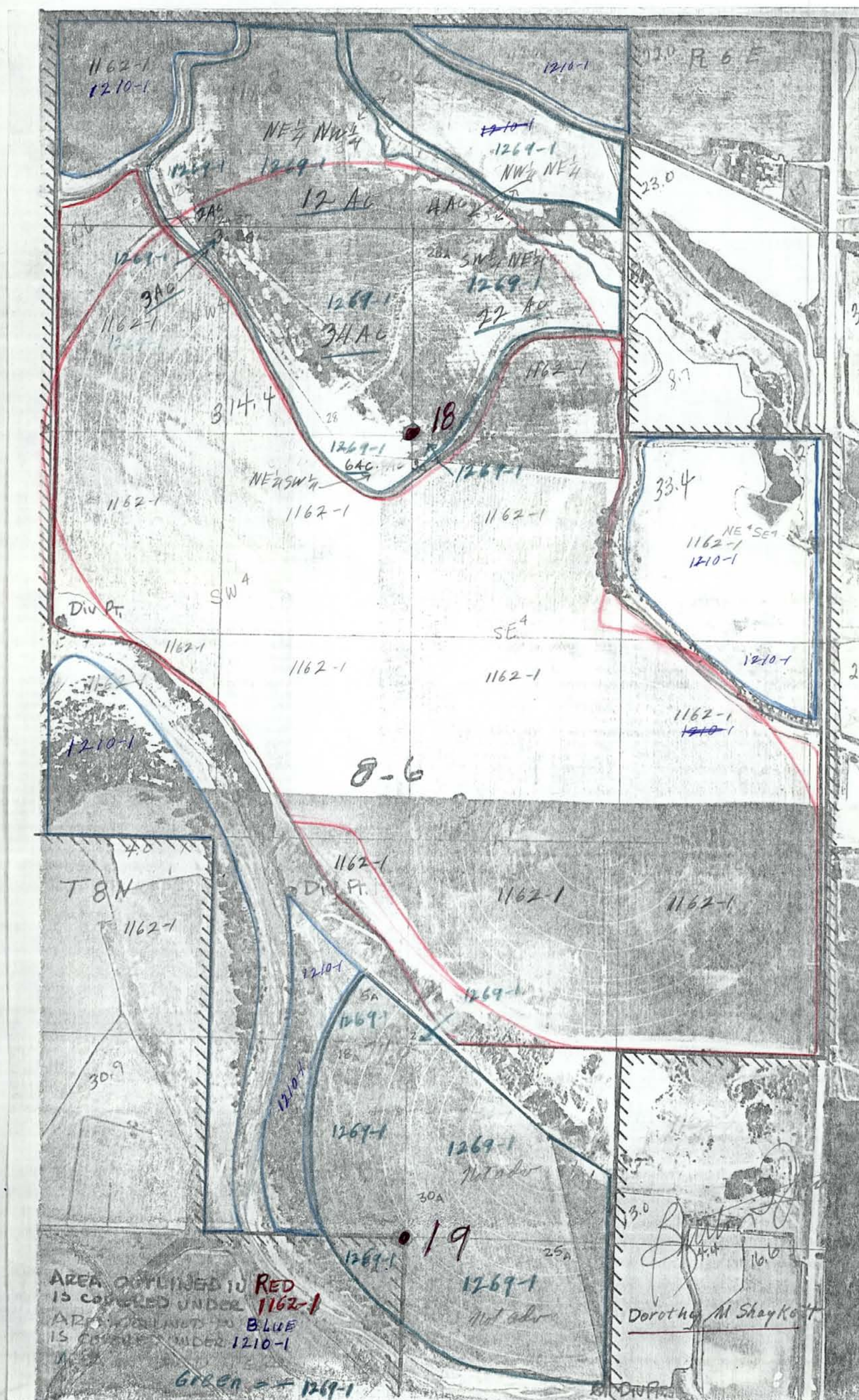


Incorporates #1162-1
#1162-1

1-131R



#1162-1 Priority date Oct 31, 1977 = 324 Ac.
 #1269-1 " " Nov. 10, 1982 = 83 Ac
 Total 407 Ac



map by JFM 12-30-85