

1. Considered June 10, 1917 Appl. No. 255
2. Name of Applicant W. H. Brown
3. Post Office Address W. H. Brown
4. Amount of water claimed 1.7 cfs
5. Source of water supply Public Grounds River
6. Water to be used for irrigation
Acres to be irrigated 100
7. Water to be diverted and used in White County about
2.5 miles W of W. H. Brown
8. Proof of Publication Received ☒
Not Received ☐
9. Application
Approved ☐
Subject to ☐
Not approved ☐
Action deferred ☐
10. Remarks:

Below signature

RECEIVED

JUL 14 1959

Water Division No. 1

(Blanks to be filled by the Engineer for the W. R. C.)

District Five STATE WATER RESOURCES CO.

PIERRE, SOUTH DAKOTA

9.30 11.11

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

(NOTE—Draw a line through items not applicable.)

1. Name of applicant WILLIAM J. MEYERS
Postoffice address FRUITDALE, County BUTTE, State SO. DAK.

- I. If a corporation X X X X
- (a) Name of same X X X X
- (b) Date and place of incorporation X X X X
- (c) Amount of capital stock X X X X
- (d) Amount paid in X X X X
- (e) Names and addresses of directors X X X X

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of other, or by direct labor)

X X X X(b) Cash on hand, \$ X X(c) Treasury stock, \$ X X(d) Bonds to be issued, \$ X X(e) Other resources, \$ X X

2. Name of diversion work THE MEYERS IRRIGATION PROJECT

3. Amount of water claimed 1.7 cubic feet per second

4. Source of water supply The Belle Fourche River

5. Location of point of diversion Between a point S 40° W 1508 ft from the NE Cor. Sec. 18, T 8 N., R. 4 E.
and a point S 42° 45' W 1797' from the N 1/2 Cor. Sec. 17, T. 8 N., R. 4 E. on 1/2 bank County.
on both banks in Butte County

6. Annual period or periods during which water is to be used April 1st thru Nov. 30.

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Combination

(a) Number of acres to be irrigated 119 acres.

SW-SW-24 Ac., SE-SW-28 Ac., Sec. 2, T. 8 N., R. 4 E. 58 Ac.

NW-NW-24 Ac., NE-NW-29 Ac., Sec. 17, T. 8 N., R. 4 E. 53 Ac.

Lot B 14 Ac. Sec. 12, T. 8 N., R. 4 E. 14 Ac.
119 Ac.

(a) Nature of use Stockwatering and irrigation
None of the above uses claimed

(b) Amount of power to be generated None horse power.

Amount claimed for engine cooling None

(c) Location of plant None

(d) Method of developing power None

(e) Point where water will be returned to stream

Map No. 249-1

8. Estimated cost of work:

(a) Head Gates, \$----- 1 6" CMC Pump (b) Pumping plant, \$-1300.00
 (c) Fluming, \$----- (d) Canal earth, \$---500 ft. pipe Rock, \$-1000.00
 (e) Other structures ----- Total, \$-2200.00

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

~~Pumping plant and main line~~

II. Dimensions of works:

(a) Dam: Height ----- feet; length at bottom ----- feet; length at top ----- feet; thickness at bottom ----- feet; thickness at top ----- feet; slope at front water face -----; slope at back face ----- material used in construction -----
 (b) Reservoir: Capacity when filled ----- acre feet. Surface area at highwater mark ----- acres.

DEPTH AT OUTLET- FEET	SURFACE AREA AT EACH DEPTH AT OUTLET- ACRES	FEET	ACRE- FEET CAPACITY

(c)* Head gate: Width ----- feet; height ----- feet; Material -----

(d) Canal: Total length ----- miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ----- 5-years ----- years.
 11. Time required for complete application of water to the proposed beneficial use ----- 5-years.
 12. Choice of newspaper for publication of notice of intention to appropriate -----
 ----- The Belle Fourche Bee, Belle Fourche, So. Dak.

STATE OF SOUTH DAKOTA

County of ----- Butte ----- ss.

I, ----- William J. Meyers -----, 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, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed ----- Wm J. Meyers -----

Subscribed and sworn to before me this ----- 25th ----- day of ----- June ----- 1959

Carl M. Cornell

Tary Public (or Notary Public)

*Each diversion must have a headgate or measuring device.

PLAT
OF
THE WILLIAM J. MEYERS IRRIGATION PROJECT
SECTIONS 8, 17 AND 18, T.8 N., R.4 E-22M
BUTTE COUNTY, SOUTH DAKOTA.

SCALE 1 inch = 660 feet
8 inches = 1 mile.

SURVEYOR'S CERTIFICATE.

I, Carl M. Cornell, Licensed Surveyor in and for the State of South Dakota, do hereby certify that, at the request of William J. Meyers, of Vale, South Dakota, I have made a survey and prepared this plat of irrigable areas on land belonging to the said William J. Meyers for the purpose of furnishing the required plat as a part of his Application for a Permit to appropriate water for irrigation purposes.

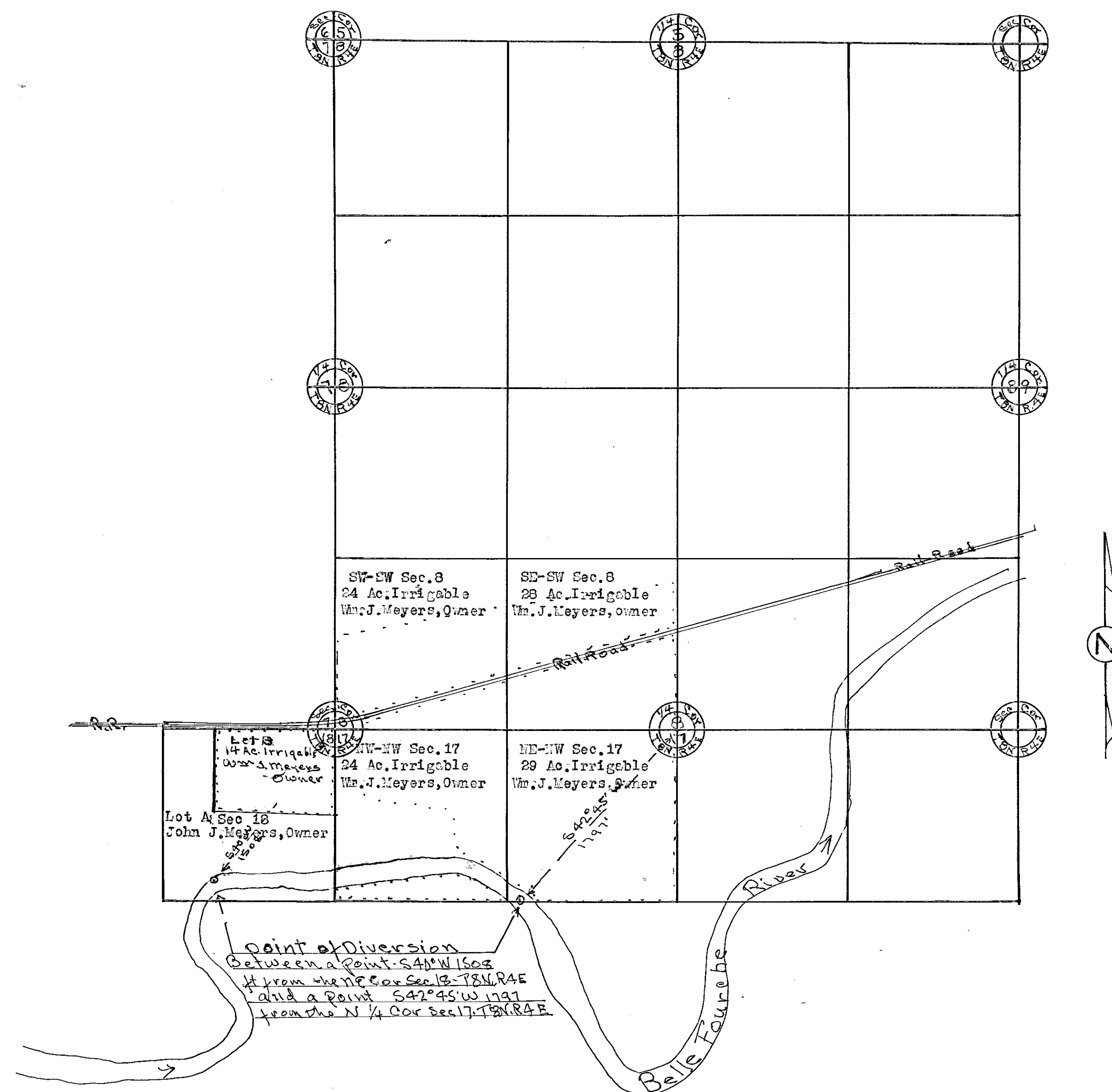
I further certify that the bearings and lengths of all lines shown and their location with reference to Government Land Corners shown, are correct, to the best of my knowledge and belief.

Subscribed and sworn to at Buffalo, South Dakota, this 30th day of June 1939.

SIGNED: *Carl M. Cornell* (Seal)
Carl M. Cornell, Licensed Surveyor #
No. 144

Subscribed and sworn to before me at Buffalo, South Dakota, this 30th day of June 1939.

M. R. Hann
Notary Public (SEAL)



Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, July 14, 1959

This is to certify that the foregoing application was received by the Commission at 9:30 o'clock
9 m. upon the 14 day of July, 1959

State Water Resources Commission

By: Geo. W. Miller
Chief Engineer, Executive Officer

Number of permit 402-1

Date of first receipt of application July 14, 1959

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

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right July 14, 1959

Approved August 11, 1959 Recorded in Book 5 Page 203

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____

February 11, 1962

2nd. The whole of said work is to be completed on or before August 11, 1964

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

August 11, 1964

4th. The water appropriated shall be used for the purpose of irrigation

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed 107 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must 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 August 11, 1964; said water to be used during the following described annual period:

April to November inclusive

Witness my hand this 9 day of September, 1959

State Water Resources Commission

By: Geo. W. Miller
Chief Engineer, Executive Officer

Certificate of Construction Issued _____

MAY 15 1965

Water License Issued _____

MAY 15 1965

Permit No. 402-1Water Division No. 1 Belle Fourche River
Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That William J. Meyers

of Fruitdale, County of Butte, and State of South Dakota, the holder of Permit No. 402-1, issued upon Application No. 402-1, bearing date of priority of July 14, 1959, authorizing the diversion of 1.7 cu. ft. per second of the waters of the Belle Fourche River County of Butte, State of South Dakota, ~~xx~~ between a point S40° W 1508' from the NE corner, Section 18, and a point S42°45' W 1797' from the N $\frac{1}{2}$ corner, Section 17, T8N, R4E, for irrigation

purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 2.0 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: all in T8N, R4E

Section 8	SW $\frac{1}{4}$ SW $\frac{1}{4}$ C D	24	acres
	SE $\frac{1}{4}$ SW $\frac{1}{4}$ C D	28	"
Section 17	NW $\frac{1}{4}$ NW $\frac{1}{4}$ B E	24	"
	NE $\frac{1}{4}$ NW $\frac{1}{4}$ B A	29	"
Section 18	Lot B	<u>14</u>	"
	Total	119	"

Witness my hand this 10th day of May, A. D. 1965

State Water Resources Commission

By: C. W. ORIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. 402-1

WHEREAS, On the 14th day of July A. D. 1959
 William J. Meyers

of Fruitdale County of Butte and State of
 South Dakota duly made application (No. 402-1) to us for a permit to use 1.7
 cubic feet per second of the waters of the Belle Fourche River
 County of Butte State of South Dakota, for irrigation
 purposes; and

WHEREAS, On the 9th day of September A. D. 1959
 Permit No. 402-1 was issued to said applicant for the diversion of said water, and providing for the
 completion of the works of diversion therein described on or before the 11th day of
 August A. D. 1964 and for the application to beneficial use of said
 water on or before the 11th day of August A. D. 1964
 and,

WHEREAS, On the 25th day of February A. D. 1965
 the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.0
 cubic feet per second of said waters, as evidenced by our Certificate No. 402-1
 dated May 10, 1965 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 2.0 cubic feet per second of water, with date of
 priority of July 14, 1959 and,

WHEREAS, On the 25th day of February A. D. 1965
 proof was duly made of the application to beneficial use of 1.7 cubic feet per second of said water;
 for irrigating 119 acres in portions of Sections 8, 17 and 18, T8N, R4E

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to William J. Meyers

of Fruitdale the holder and owner of said permit No. 402-1
a water right, dating from July 14, 1959 to the use of 1.7
the Belle Fourche River
cubic feet per second of the waters of

In the County of Butte and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted ~~xx~~ between a point S40°W 1508' from
the NE corner, Section 18, and a point S42° 45'W 1797' from the NE corner, Section
17, T8N, R4E
and conducted to and upon portions of Sections 8, 17 and 18, T8N, R4E, more specifically
described in the Certificate of Completion of Works

for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the
State, and subject, also to the local or community customs, rules and regulations which have been or may be
adopted from time to time by a majority of the users from a common source of supply, canal or lateral from
which such water may be taken, when such rules and regulations have for their object the economical use of such
water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 10th day of May A. D. Nineteen
Sixty-five
Hundred and

State Water Resources Commission

By:

J. W. GRIMES

Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 402-1Water Division No. 1Belle Fourche
Water District**Certificate of Examination of Works****Report of Examining Engineer**

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated 10-1-59, I have ~~this day~~ made a thorough examination of the diversion works constructed by William J. Meyers of Fruitdale Butte County, South Dakota, holder of Permit No. 402-1, issued upon Application No. 402-1, bearing date of priority of July 19, 1959, authorizing the diversion of 1.7 cu. ft. per second of the waters of Belle Fourche River for Irrigation purposes. I have to report on the condition of the same as follows:

The diversion works comprise: Pump, Mod TT6-D-P, No 122182, Const. Co. 6" x 3 1/2"
200 feet of 8" diam. pipe, 50' 6" diam pipe and 5
miles of 3 1/2' x 2 1/2' x 1' ditches

and the system is in the following condition: Good

The point of diversion is located As shown on water right map No 349-1

The works are capable of diverting and conveying to the place of use 2.0 cu. ft. per second of water, which is to be used for: Irrigation

The legal sub-divisions to be irrigated are: as shown on water right
map No 349-1

comprising a total of 119 acres of land.

The domestic use intended comprises

Live stock watering

The utilization for power, mining, or other beneficial uses comprises:

None

Witness my hand, this 25 day of February, A. D. 1965

—Seal—

Donald K. Marshall
Examining Engineer

Deputy Chief Engineer
State Water Resources Comm.

Permit No. 402-1Water Division No. 1Butte Water District

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) Fruitdale S. D.(Date) January 13, 1964

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of 1.7 cu. ft. per second of the waters of the state from Meyers Irrigation Project through the Irrigation for Irrigation purposes in accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

- The name of the person or corporation holding said permit is William J. Meyers
- The postoffice address of such person or the place of business of such corporation is Fruitdale
County of Butte State of S. D.
- The number of such permit is 402-1 and the date set for the completion of such work is August 11, 1964
- Said water to be used for Irrigation purposes purposes.
- Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 1.7 cubic feet per second.
- The amount of land for which said water is available is 119 acres, particularly described as follows: 24 AC SW 1/4 SW 1/4, 28 AC SE 1/4 SW 1/4
Section 8, T8N, R4E - 17 AC NW 1/4 NW 1/4, 27 AC NE 1/4 NW 1/4 Sec
11, T8N, R4E on 14 AC Lot B, Sec 18, T8N, R4E

I hereby certify that the facts set forth in the above notice are true.

Signature of Owners)

William J. Meyers

Permit No. 402-1Water Division No. 1ButteButte Water District

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) Fruitdale S. D.(Date) January 13, 1968

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of _____

1.7 cu. ft. per second of the waters of the state from _____
through the Meyers Irrigation Project
for Irrigation purposes

_____ In accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is William J. Meyers

2. The postoffice address of such person or the place of business of such corporation is Fruitdale
County of Butte State of S. D.

3. The number of such permit is 402-1 and the date set for the completion of such work is
August 11, 1968

4. Said water to be used for Irrigation purposes purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 1.7 cubic feet per second.

6. The amount of land for which said water is available is 119 acres,
particularly described as follows: 24 AC SW 1/4 SW 1/4, 29 AC SE 1/4 SW 1/4
Section 8, T8 N, R4 E - 17 AC NW 1/4 NW 1/4 29 AC NE 1/4 NW 1/4 sec
17, T8 N, R4 E and 14 AC Lot B, sec 18, T8 N, R4 E

I hereby certify that the facts set forth in the above notice are true.

(Signature of Owners)

William J. Meyers

Permit No. 402-1Water Division No. 1Belle Fourche

Water District

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.)

Fruitdale S.D.

(Date)

January 13, 1968

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIRS: Notice is hereby given that on the _____ day of _____

19____, at _____ County of _____ State of South Dakota,

before _____ proof will be submitted of the application to beneficial use

(Examining Engineer or Officer)

of 1.7 cubic feet per second of the waters of Belle Fourche River_____ in accordance with the terms and conditions of Permit No. 402-1

heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are _____

William J. Meyers, Fruitdale2. The use to which said water has been applied is irrigation3. The amount applied to beneficial use is 1.74. The place where said water is used is (If for irrigation, give full and accurate description of the lands irrigated) See application

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is

Meyers Irrigation Project6. The right to take the water from such works is based upon permit No. 402-17. The source of supply from which such water is diverted is Belle Fourche River8. The date of priority which said user is prepared to establish is July 14, 1959

(Sign)

William J. Meyers

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Butte } ss.

Lawrence Woyler

being duly sworn, deposes and says the annexed printed copy of Notice

of Intention 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 dates:

July 17, 1959

July 24, 1959

July 31, 1959

August 7, 1959

in each and every issue of the full number thereof, the first publication being made on the 17 day of July

1959 and the last publication on the 7th day of

August

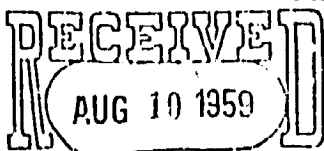
1959 upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was Publisher the printer and publisher of the said newspaper.

Lawrence Woyler

Subscribed and sworn to before me this 7th day of August

A. D. 1959

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTANo. 402-1
APPROPRIATION OF WATEROffice of State Water
Resources Commission
Pierre, S. Dak.

July 11, 1959

Notice is hereby given that William J. Meyers whose post-office address is Minitdale, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 0.7 cubic feet of water per second of time from the Belle Fourche River through the Meyers Irrigation Project, the point of diversion of which is to be located on both banks of said stream between a point in the NE1/4NW1/4, Sec. 17 and a point, Lot A of Section 18 all in Twp. 8N, R. 4E. Said water to be used for the purpose of providing irrigation on parts of the following described land:

S1/2SW1/4, Sec. 8; NE1/4NW1/4, Sec. 17, Lot B, Sec. 18; all in T 8N, R 4E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 10 day of August, 1959, at 2:00 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources
Commission

By: LES WYBORN

Water Rights Engineer

At 7/17-24-31 5/7

Notary Public Butte County, S. D.

Notary Public, Butte County, So. Dak.
My Commission Expires Sept. 29, 1965

on or before July 13
(First Publication July 13, 1959)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak. July 14, 1959

Notice is hereby given that William J. Meyers whose postoffice address is Fruitdale S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.7 cubic feet of water per second of time from the Belle Fourche River through the Meyers Irrigation Project the point of diversion of which is to be located on xxx both between a point in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 17 and a point, Lot A xxx of said stream in xxx xxxxxxx of Section 18 all in xxxxxx parts of Twp. 8N Range 4E Said water to be used for the purpose of providing irrigation on the following described land:

S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec 8; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec 17; Lot B, Sec. 18; all in T 8N, R 4E

xxxx

xxxxxxx

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 10 day of August, 1959 at 2:00 P.M. All interested persons may appear and be heard.

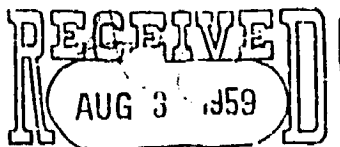
Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

XXXXXXXXXXXXXXXXXXXX
LES WYBORNY
Water Rights Engineer

✓cc: Mr. Lawrence Weyler, Publisher
Belle Fourche Post
Belle Fourche, S. Dak.



STATE WATER RESOURCES COMM.
Easement. PIERRE, SOUTH DAKOTA

John J. Meyers (a married man) and (Joan M Meyers
(his wife))
grantors of Fruitdale, Butte County, South Dakota for and in consideration
of One Dollar (\$1.00) and other valuable considerations, does hereby
grant to William J. Meyers grantee of Fruitdale, South Dakota the right,
privilege and authority to lay, construct, operate, maintain, repair and
remove a pump and pipeline for conveying irrigation water from the Belle
Fourche River over and across Lot A of the NE $\frac{1}{4}$ -NE $\frac{1}{4}$ Sec. 13, T. 3 N., R. 4 E
of BHM to Lot B of said section.

Dated and signed this 25 day of July 1959.

John J. Meyers
Joan M. Meyers

" " " " " " " " " " " " " " " "

California
STATE OF ~~SOUTH DAKOTA~~ } ss.
County of Butte Los Angeles

On this 25 day of July 1959 before me ER NEIL
the undersigned officer, personally appeared John J. Meyers
+ Joan M. Meyers

known to me to be the person s whose name s are subscribed hereto, and
acknowledged that they executed the within instrument.

ER Neil

NOTARY PUBLIC

LA and for the County of Los Angeles, State of California

Notary Public.

(SEAL)

LA and for the County of Los Angeles, State of California



**Department of
Water & Natural Resources**

Joe Foss Building

Pierre, South Dakota 57501

Water Rights Division (605) 773-3352

June 10, 1981

William J Meyers
Fruitdale, SD 57742

Mr. Meyers:

The rules adopted by the Water Management Board for establishing a water use control area on the Belle Fourche River, Whitewood Creek and Owl Creek requires that the water right holder be assessed a fee of ten dollars for each cubic foot per second or portion thereof of the diversion capability of the diversion works plus twenty-five cents for each acre irrigated as shown by the water rights of record in the Division of Water Rights. These fees are required to be paid to the Division of Water Rights by July 1, 1981.

Permits for which fees have not been paid by July 1, 1981 shall be refused the right to divert water for the remainder of the year. The fees paid will be used to defray the costs of providing water master services within the water use control area. The following is a tabulation of your assessment.

<u>Permit No.</u>	<u>Diversion Rate</u>	<u>Acreage</u>	<u>Fee</u>
✓ 402-1	1.70 cfs	119.0	\$49.75
TOTAL			\$49.75

Please make check or money order payable to the Dept. of Water and Natural Resources and send to the Division of Water Rights, Joe Foss Building, Pierre, SD 57501.

If you have any questions, do not hesitate to contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH/JW/gy

Equal Opportunity Employer

402-1

 **Department of
Water & Natural Resources**
Joe Foss Building Water Rights Division (605) 775-3352
Pierre, South Dakota 57501

July 6, 1981

NOTICE

William J Meyers
Fruitdale, SD 57742

Subject: Shut Off Order

Under the rules established by the Water Management Board for the Belle Fourche River Water Use Control Area, Chapter 174:02:08, each water right holder was assessed a fee of ten dollars for each cubic foot per second or portion thereof of the diversion capability of the diversion works plus twenty-five cents for each acre irrigated as shown by the water rights of record in the office of Water Rights. Also it was required that all fees shall be paid to the Division of Water Rights by July 1, 1981.

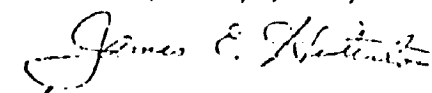
Any fees not paid by July 1, 1981 are a violation of SDCL 46-10-25 and the water master (or Chief Engineer) shall refuse the water right holder the right to divert water.

According to our records, you have not paid the assessed fee, therefore, it is hereby ordered that you are not to divert water pursuant to your Permit No. 402-1 until the 1982 irrigation season. Any intakes that you may have in the river or creek must be removed by July 9, 1981 and remain out of the river or creek until the 1982 irrigation season.

Any violation of this order shall be considered to be in violation of State Statutes and subject to penalties provided in SDCL 46-1-11 and SDCL 46-1-12.

Please advise this office if you have any questions.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

JW/gy

cc: Martin Leo, Water Master

Equal Opportunity Employer

OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE

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

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

January 29, 1988

WILLIAM J MEYERS
BOX 13
FRUITDALE, SD 57742

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 402-1. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

1. Amend Permit No(s). 402-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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


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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

February 23, 1988

402-1

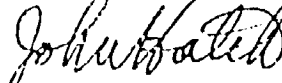
Williams J Meyers
Box 13
Fruitdale SD 57742

Dear Mr. Meyers:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 402-1 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



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

 **Department of
Water & Natural Resources**

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

January 11, 1989

402-1

Ruth Meyers
221 8th Ave
Belle Fourche, SD 57717

Dear Ms. Meyers:

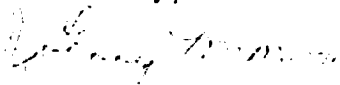
Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 402-1. William Meyers indicated on his 1988 irrigation questionnaire that you owned the land and that the farm had been leased to Gene Keil.

Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50. The water right will then be transferred to your name.

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 us.

Sincerely,

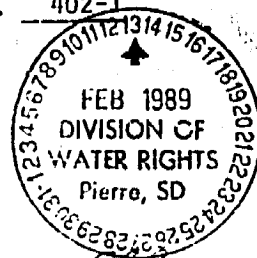

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



NO. 402-1

NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Feb. 10 - 1989

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

119 acres: S $\frac{1}{2}$ SW $\frac{1}{2}$ Section 8; N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 17; Lot B Section 18, T8N, R4E

formerly owned by William Meyers

has been transferred to Ruth B. Meyers 221 8th Belle Fourche, S.D.
(please include complete mailing address) 57717
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 402-1 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.

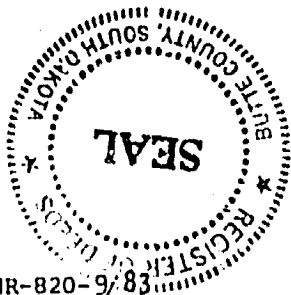
STATE OF SOUTH DAKOTA)
County of Butte) ss.

I, Ruth B. Meyers 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.

Ruth B. Meyers
(Signed)

Subscribed and sworn to before me this 10th Day of February, 1989.

Bob G. McKee - Butte, S.D.
(Notary Public)
Com Expires 1-5-91



WNR-820-9/83
Notice of Transfer of Water Permit

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411637

Pierre, February 13, 1989

RECEIVED OF Ruth H. Meyers, 221 8th Ave., 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 -402-1- _____

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

By

John H. Hatcher
Chief Engineer

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

February 16, 1989

Ruth M. Meyers
221 8th Avenue
Relle Fourche, SD 57717

Dear Ms. Meyers:

Enclosed is Receipt No. 411637 in the amount of \$ 2.50 which you paid
for transfer of Water Right No. 402-1.

Our records now show you as the owner of this Water Right.

Sincerely,

Marie R. Arthur

Marie R. Arthur
Water Rights Division
(605) 773-3352

 **Department of
Water & Natural Resources**

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

January 18, 1990

402-1

Calvin & Jana Meyers
305 Lawrence St
Belle Fourche, SD 57717

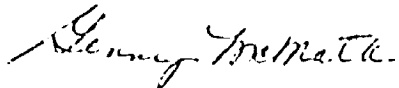
Dear Mr. & Mrs. Meyers:

On January 18th, I spoke with Ruth Meyers concerning irrigation being done under this water right. Mrs. Meyer indicated she has sold the land to you. Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 402-1. Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it 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

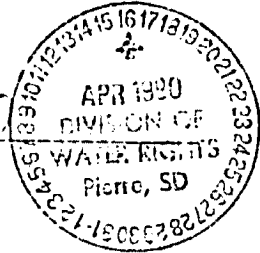
enclosure

NOTICE OF TRANSFER OF OWNERSHIP

No. 402-1

TO: Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, SD 57501-3181

Date: 4-11-90



I/We request that Water Permit/Right No. 402-1

formerly owned by: Ruth Meyers

be transferred to: (name & address) Calvin Meyers 305 Lincoln
Belle Fourche SD 57717 (telephone No.) 605-572-6453

Title to the following described land(s)/property has been transferred as described above:
119 acres - S1/2 SW1/4 Section 8, N1/2 NE1/4 Section 17, Lot B Section 18, T8N, R4E

I/We understand that the validity of Water Permit/Right No. 402-1 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.

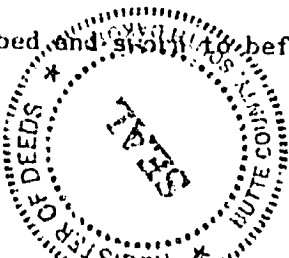
A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Belle)

I/We Calvin Meyers 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.

Calvin Meyers
Calvin Meyers (Signed)

Subscribed and sworn to before me this 11th day of April, 1990.



Jerry Seibert, Deputy
Register of Deeds
My Commission expires 1-5-91

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

412200

Pierre, April 16, 1930

RECEIVED OF Calvin Meyers, 305 Lawrence 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. _____		
Fee for Filing Transfer Form _____ Water Right No. 407-1	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 H. H. H. H.
Chief Engineer

SOUTH DAKOTA
Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 19, 1990

No. 402-1

Calvin & Jana Meyers
305 Lawrence St.
Belle Fourche SD 57717

Dear Mr. & Mrs. Meyers:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 402-1.

Our records now show you as the owners of this Water Right.

Sincerely,

Karen Schlaak
KAREN SCHLAACK
Senior Secretary
Water Rights Division
605 773-5352

enclosure



DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES

February 1, 1991

CALVIN/JANA MEYERS
305 LAWRENCE
BELLE FOURCHE SD 57717

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 402-1. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

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

1. Amend Permit No(s) 402-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire(s) is received in this office before the February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-2352

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 15, 1991

402-1

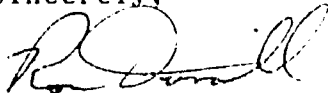
Calvin & Jana Meyers
221 8th Avenue
Belle Fourche, SD 57717

Dear Mr. & Mrs. Meyers:

i am writing to acknowledge receipt of your 1990 irrigation questionnaire for Water Right No. 402-1. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaire, your name has been deleted from the February Water Management Board meeting agenda.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,



Ron Duvall, Natural Resources Engineer IV
Water Rights Division

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address on the front, 10¢ Stamp on the reverse side. Failure to do this will prevent this card being returned to you. If return receipt is desired, give the name of the person or person to whom the date of delivery. For additional fees the following services are available. Contact postmaster for rates and check for order for additional services requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charges)

3. Article Addressed to

CALVIN/JANA MEYERS
305 LAWRENCE
BELLE FOURCHE SD 57717

4. Article Number
P694657374

Type of Service:

☐ Registered	☐ Insured
☒ Certified	☐ COD
☐ Express Mail	☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and **DATE DELIVERED.**

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

Calvin Meyers
221 S. 1st St.
Belle Fourche, SD 57717

9. Signature of Addressee

☒ Signature of Agent

7. Date of Delivery

2/5/91



CALVIN/JANA MEYERS
221 8TH AVENUE
BELLE FOURCHE SD 57717

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

NOTICE

RE: Violation of Requirement to Submit 1991 Irrigation Questionnaire

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 402-1. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:15 am, March 4, 1992, 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 402-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 4th hearing date, your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352



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

February 5, 1992

402-1

Calvin/Jana Meyers
221 8th Avenue
Belle Fourche, SD 57717

Dear Mr. & Mrs. Meyers:

I am writing to acknowledge receipt of your 1991 irrigation questionnaire for Water Right No. 402-1. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaire was received prior to the Water Management Board meeting and your name was deleted from the agenda.

If you have any questions, please contact me at (605) 773-3352.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Genny McMath', is written over a horizontal line.

Genny McMath
Natural Resources Analyst
Water Rights Division

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a, b.
- Print your name and address on the reverse of this form so that we can return the 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 Fee will provide you the signature of the person delivered to and the date of delivery.

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

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

3. Article Addressed to:

Consult postmaster for fee.

4a. Article Number

P 906 557642

4b. Service Type

☐ Registered ☐ Insured

☒ Certified ☐ COD

☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

1-29-92

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

5. Signature (Addressee)

Calvin/Jana Meyers

6. Signature (Agent)

Calvin/Jana Meyers

PS Form 3811, November 1990 *U.S. GPO: 1991-207-4061

DOMESTIC RETURN RECEIPT



402-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: CALVIN/JANA MEYERS
221 8TH AVENUE
BELLE FOURCHE SD 57717

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Violation of Requirement to Submit 1992 Irrigation Questionnaire

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 402-1. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 3, 1993, 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 402-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
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. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, your name will be deleted from the Board agenda.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- 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:

400-1

CALVIN/JANA MEYERS
221 8TH AVENUE
BELLE FOURCHE SD 57717

4a. Article Number

P906560067

4b. Service Type

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

7. Date of Delivery

FEB 10 1993

5. Signature (Addressee)

Jana Meyers

6. Signature (Agent)

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

PS Form 3811, December 1991 ☆ U.S.G.P.O.: 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



402-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 2, 1993

402-1

Calvin & Jana Meyers
HC 69 Box 22
Belle Fourche, SD 57717

Dear Mr. & Mrs. Meyers:

I am writing to acknowledge receipt the 1992 irrigation questionnaire for Water Right No. 402-1. You may disregard the January 29, 1993, Notice of Violation of the Requirement to Submit the 1992 Irrigation Questionnaire.

The questionnaire was received prior to the Water Management Board meeting, and your name was deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 27, 1996

402-1

Jack Kindsfater
RR 1 Box 286
Belle Fourche, SD 57717

Dear Mr. Kindsfater:

Thank you for the prompt return of the 1996 irrigation questionnaire for Calvin and Jana Meyers.

In response to your inquiry on whether or not there was a pumping right on the land, the answer is yes. Enclosed is a copy of Water Right No. 402-1. The water right authorizes diversion of 1.70 cubic feet of water per second from the Belle Fourche River to irrigate 119 acres.

The annual irrigation questionnaire pertains to any irrigation done utilizing the system authorized under Water Right No. 402-1. Any irrigation done through the Johnson Lateral from the Belle Fourche Irrigation District is reported to their office.

If you have any questions concerning Water Right No. 402-1, please contact me. You may keep the enclosed copy for your records.

Sincerely,

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

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 1999

NOTICE

TO: CALVIN/JANA MEYERS, HC 69 BOX 22, BELLE FOURCHE, SD 57717 9302

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire has not been submitted for Permit No(s) 402-1. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, March 3, 1999, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 402-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
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, 1999, your name will be deleted from the Board agenda. If you have any questions or need assistance with 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.

402-1

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:

CALVIN/JANA MEYERS
HC 69 BOX 22
BELLE FOURCHE SD 57717 9302

4a. Article Number

P378080 675

4b. Service Type

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

7. Date of Delivery

2-2-99

5. Received By: (Print Name)

Jana Meyers

6. Signature: (Addressee or Agent)

X *[Signature]*

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

PS Form 3811, December 1994

102595-98 B-0229

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
www.state.sd.us/dep

March 5, 1999

NOTICE OF AMENDMENT OF WATER RIGHT

TO: CALVIN/JANA MEYERS
HC 69 BOX 22
BELLE FOURCHE, SD 57717 9302

FROM: John Hatch, Chief Engineer
Water Rights Program
(605) 773-3352

SUBJECT: Amendment to Water Right No. 402-1

Pursuant to the provisions of the notice dated January 22, 1999, and following the hearing March 3, 1999, the Water Management Board has amended Water Right No. 402-1 to add the following qualification:

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

This action was taken for failure to return the 1998 irrigation questionnaire. The addition of this qualification to your Water Right means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water right with no use of water for up to one year for the first violation.

Please contact Genny McMath (605) 773-3352, if you have any questions.

402-1

CERTIFICATION

I hereby certify that on March 5, 1999, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 5, 1999, regarding Amendments, One Year and Three Year Suspensions of Water Rights/Permits shown below, addressed as stated below:

The following are Amendments to Water Rights:

- W.R. #402-1: Calvin/Jana Meyers, HC 69, Box 22, Belle Fourche, SD 57717-9302.
- W.R. #100-3: Harold Weismantel, 1425 15th Ave. SE Apt. 223, Aberdeen, SD 57401-7780.
- W.R. #'s 398-3, 962-3, 1203-3 & 1923-3: Monte Neitzel, 1102 S. Main, Redfield, SD 57469.
- W.R. #1231-3: Lynn Christopherson, Mgr., P.O. Box 217, Howard, SD 57349-0217.
- W.R. #2943-3: Irvin Rogers, 13575 383rd Ave., Aberdeen, SD 57401.
- W.R. #3026-3: George Waldner, Hillcrest Colony, Box 17, Garden City, SD 57236.

The following are One Year Suspensions of Water Rights/Permits:

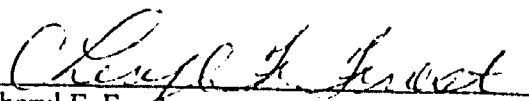
- W.R. #418-1: Dennis Lien, RR 1, Box 8B, Vale, SD 57788.
- W.R. #1222A-1 & W.P. #1524-1: John Ismay, DVM, P.O. Box 396, Sturgis, SD 57785-0396.
- W.R. #954-2: Kimberly Kaye Sealine, 24300 173rd Ave., Caputa, SD 57725.
- W.R. #849-3: Florence Demers, RR 2, Box 248, Elk Point, SD 57025-9757.
- W.R. #1172-3: Jesse Wright, 10 Bittersweet Ln., Atkinson, NH 03811.
- W.R. #2534-3: Barry Inslund, RR 2, Box 26, Conde, SD 57434.
- W.R. #3255-3: Terry/Peggy Reynolds, HC 75, Box 33, Hitchcock, SD 57348.

The following are Three Year Suspensions of Water Rights:

- W.R. #1275-2: Donald Kaiser, HCR 89, Box 303, Hermosa, SD 57744.
- W.R. #1280-2: Odie Dale Bowen, Box 407, Philip, SD 57567.

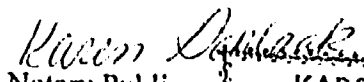
Amendment of Water Right No. 1192-1B and One Year Suspension of Water Right No. 1201-1:

George W. Jenter, 748 Park Sturgis, SD 57785.


Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 8th day of March, 1999


Notary Public
KAREN SCHLAACK
KAREN SCHLAACK, Notary Public
My Commission Expires  NOTARY PUBLIC SOUTH DAKOTA 

SENDER COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

CALVIN/JANA MEYERS
RR 2 BOX 28
BELLE FOURCHE SD 57717 9701

ADDRESSEE COMPLETE THIS SECTION BY RETURN

- A. Received by (Please Print Clearly) Jana Meyers B. Date of Delivery 1-24-01
- C. Signature X Jana Meyers ☐ Agent ☐ Addressee
- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- ☒ Certified Mail ☐ Express Mail
- ☐ Registered ☐ Return Receipt for Merchandise
- ☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

7000 0600 0026 9814 2225

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M 0952



402-1
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: CALVIN/JANA MEYERS, RR 2 BOX 28, BELLE FOURCHE, SD 57717 9701
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire(s)

Our records indicate that the 2000 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 402-1. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 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) 402-1 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 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 1-25. 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) 402-1 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 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 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

JOE FOSS BUILDING
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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/dnr

February 14, 2001

402-1

Calvin & Jana Meyers
RR 2 Box 28
Belle Fourche, SD 57717-9701

Dear Mr. & Mrs. Meyers:

I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right No. 402-1.

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



402-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2002

NOTICE

TO: CALVIN/JANA MEYERS, RR 2 BOX 28, BELLE FOURCHE, SD 57717 9701
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 402-1. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 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) 402-1 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 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 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) 402-1 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 8, 2002, 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.

SENDER: COMPLETE THIS SECTION

- 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.

1 Article Addressed to:

CALVIN/JANA MEYERS
RR 2 BOX 28
BELLE FOURCHE SD 57717 9701

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

Jana Meyers 1-17-02

C. Signature

X Jana Meyers ☐ Agent
☐ Addressee

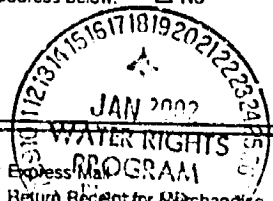
D. Is delivery address different from item 1? ☒ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes



7001 2510 0004 4797 4050



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 1, 2002

402-1

Calvin & Jana Meyers
RR 2 Box 28
Belle Fourche, SD 57717 9701

Dear Mr. & Mrs. Meyers:

I am writing to acknowledge receipt of your 2001 irrigation questionnaire. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right No. 402-1

Kent Anderson called our office with the information on January 28th. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

During my conversation with Mr. Anderson, we discussed mailing the yearly irrigation questionnaire directly to him for completion. This does not alter ownership of the water right, it merely allows us to send the questionnaire to the person who would have the records to complete the form.

I will be sending Mr. Anderson a copy of the water right and a sample questionnaire so he knows what type of information we need on an annual basis. In the event that he does not return future questionnaires in a timely manner, a copy of any notice of hearing will also be directed to you as the owners of the water right.

If you have any questions, please contact me.

Sincerely,

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

c: Kent Anderson, PO Box 375, Belle Fourche, SD 57717-0375



402-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 22, 2003

402-1

Calvin & Jana Meyers
RR 2 Box 28
Belle Fourche SD 57717-9701

Dear Mr. & Mrs. Meyers:

Enclosed is a "Notice" dated October 17, 2003 concerning the 2003 irrigation questionnaire. The notice was originally mailed to Kent Anderson, Renter, PO Box 375, Belle Fourche SD. The post office notified us "Box Closed - Unable to Forward". We are therefore sending you the questionnaire to complete and return.

If you have any questions, please contact me.

Sincerely,

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

enclosures



402-1
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: KENT ANDERSON, RENTER, 1230 SNOWY PEAK LN, SPEARFISH, SD 57783

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 has not been submitted for Permit No. 402-1. 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 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. 402-1 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. 402-1 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 is 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, please contact Genny McMath at (605) 773-3352.

c: CALVIN & JANA MEYERS, 1409 WILLOW CREEK ESTATES, BELLE FOURCHE SD 57717

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.



402-1

Track & Confirm

Current Status

You entered 2301 3460 0000 8516 2203

Your item was delivered at 11:21 am on January 21, 2005 in BELLE FOURCHE, SD 57717. The item was signed for by J MEYE.

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
E002 9T56 0000 094E 10E2
2301 3460 0000 8516 2203

CALVIN & JANA MEYERS
1409 WILLOW CREEK ESTATES
BELLE FOURCHE SD 57717

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

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www.usps.com
or call 1-800-222-1811

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☐ Package Services

(See Reverse)

PS Form 153, July 2001



402-1

Track & Confirm

Current Status

You entered 2301 0370 0000 7541 4975

Your item was delivered at 5:32 am on February 22, 2005 in PIERRE, SD 57501 to CENTRAL MAIL SERVICE. The item was signed for by B KELLY.

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 0370 0000 7541 4975

KENT ANDERSON, RENTER
1230 SNOWY PEAK LN
SPEARFISH SD 57783

Postmark
Here

mailing.

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)

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(See Reverse)

PS Form 153, February 2001

Feb 22.
Mail was returned with sticker "moved - left no address"

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Calvin & Jana Meyers, 1409 Willow Creek Estates, Belle Fourche SD 57717

DATE: February, 2005

RE: 2004 irrigation questionnaire

COMMENTS:

On February 22nd 2005, the "Notice" sent to Kent Anderson, (renter for Calvin & Jana Meyers) was returned by the post office marked "Moved – no forwarding address". I attempted to call Kent Anderson several times and left messages but received no response. I called and spoke with Mrs. Meyers who indicated Mr. Anderson still rented their land and as far as she knew still lived at the same address. They were going to attempt to get a message to him about the irrigation questionnaire.

The issue was removed from the March WMB meeting since the original person receiving the questionnaire could not be located.

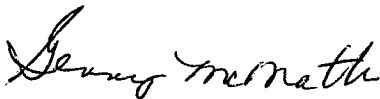
March 29, 2005:

In response to my letter of March 17, 2005 to Calvin Meyers, he called to let us know he was working on the questionnaire and would get it mailed right away. During the conversation he indicated the only water they used was purchased water from the Project. He was going to go ahead and make a notation to that affect on the form and return it.

Since they typically do not use the river as described in the water right and only use purchased water, he agreed to have the questionnaire mailed directly to him in the future and he would complete the form and return it to us.

March 30, 2005

The 2004 irrigation questionnaire was received and no further action is necessary.



Genny McMath
Environmental Scientist



402-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 17, 2005

402-1

Calvin & Jana Meyers
1409 Willow Creek Estates
Belle Fourche SD 57717

Dear Mr. & Mrs. Meyers:

I am writing to you in regard to the 2004 irrigation questionnaire for land that Kent Anderson farms for you. I haven't been successful in reaching Mr. Anderson. The mail was returned to us and the messages I have left on his phone have not been returned.

Submission of the annual form is mandatory. Please get in touch with Mr. Anderson or have him give the information to you so you can send it along to our office. I am enclosing another form in the event he no longer has the original. If "Project" water was used last year instead of the source specified on the water right, make that notation on the form under the comment section and the remainder of the form can be left blank.

I removed the item from the last Board meeting agenda since the correspondence was returned by the post office. If the form is returned to our office by **March 31, 2005**, no action will be taken. After that date, we will need to schedule the water right for hearing by the Water Management Board for possible suspension.

I have also included a postage paid envelope for your convenience in returning the questionnaire. If I can answer any questions, please contact me.

Sincerely,

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

enclosures



402-1
**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 24, 2006

NOTICE

TO: CALVIN & JANA MEYERS, 1409 WILLOW CREEK ESTATES, BELLE FOURCHE, SD
57717

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 402-1. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 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) 402-1 qualification:

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

The hearing will be held at 10:30 am, March 2, 2006 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) 402-1 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 24, 2006, 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.



402-1

Track & Confirm

Current Status

You entered 2303 2160 0000 0799 5234

Your item was delivered at 12:47 pm on January 25, 2006 in BELLE FOURCHE, SD 57717. The item was signed for by J MEYERS.

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U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 5234

CALVIN & JANA MEYERS
1409 WILLOW CREEK ESTATES
BELLE FOURCHE SD 57717

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

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PS Form 153, May 2002

(See Reverse)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 6, 2006

NOTICE OF ONE YEAR SUSPENSION OF WATER RIGHT

TO: Calvin & Jana Meyers, 1409 Willow Creek Estates, Belle Fourche SD 57717

FROM: Garland Erbele Chief Engineer
Water Rights Program *Garland Erbele*

SUBJECT: One Year Suspension of Water Right No. 402-1

On March 2, 2006, the Water Management Board ordered:

That effective April 3, 2006, Water Right No. 402-1 be suspended for the 2006 irrigation season for failure to submit the 2005 irrigation questionnaire.

If the 2005 irrigation questionnaire is received prior to April 3, 2006 the suspension will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2006 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2006 unless the irrigation questionnaire is submitted by April 3rd.

After April 3rd, you may petition the Water Management Board to rescind the suspension. You will need to submit the 2005 irrigation questionnaire and a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 3, 2006 in Pierre, SD. The letter should include your reasons for not completing the 2005 irrigation questionnaire. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

Please contact Genny McMath (605) 773-3352, if you have any questions.

**My Commission Expires
April 1, 2007**

INTERNAL MEMORANDUM

TO: Water Right Files

FROM: Aaron Tieman, Natural Resource Engineer *Aaron R. Tieman*

SUBJECT: Irrigation

During the summer of 2006, several on-site field investigation were conducted to determine if Water Management Board action to suspend irrigation for the 2006 irrigation season was being complied with. A list of these permits is given below:

Inspections Summer 2006

Permit No.	County	Date	Description
375-2	Shannon	9/13/2006	No irrigation system in place or visible.
402-1	Butte	7/20/2006	No visual signs of irrigation/system.
686-3	Minnehaha	7/18/2006	Housing development, no visible signs of water use/irrigation or system in place.
843-1	Meade	7/20/2006	No irrigation system in place or visible.
932-3	Jones	7/19/2006	No visible signs of water use or irrigation system.
1172-3	Spink	5/11/2006	No system visible, pasture is all grassland.
1237-3 1395-3	Charles Mix	7/19/2006	No visible signs of water use/irrigation system.
2116-2	Gregory	7/19/2006	No system in place, no irrigation.
2197-3	Haakon	7/20/2006	No visible irrigation system or water use of any kind.
2480A-3	Beadle	5/11/2006	Center pivot in place with no towers, drainage pattern may limit pivot rotation.
3198A-3	Clark	5/11/2006	Pivot in place in SE ¼ - No visible signs of irrigation.
4957-3	Clark	5/11/2006	No system visible, planted with wheat.
5124-3	Davison	7/18/2006	System not in working condition (wind damaged).
5353-3	Day	5/10/2006	Well under water – No visible system in place.
5640-3	Marshall	5/10/2006	Unable to locate due to water over roads.



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 18, 2008

NOTICE

TO: CALVIN & JANA MEYERS, 1409 WILLOW CREEK ESTATES, BELLE FOURCHE, SD 57717

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 402-1. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 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) 402-1 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 11, 2008** 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) 402-1 in accordance with applicable provisions of SDCL 46-1-12; **based on the number of past violations, the Water Rights Staff will recommend to the Board that No. 402-1 be suspended for three years;**
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 3, 2008**, you will no longer be in violation of your permit and your name will be deleted 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. If you prefer, you can complete the questionnaire on-line at the following link:

<http://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

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.

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SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 3271

CALVIN & JANA MEYERS
1409 WILLOW CREEK ESTATES
BELLE FOURCHE SD 57717

Waiver of Signature ☐ YES ☐ NO

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March 12, 2008

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE OF THREE YEAR SUSPENSION OF WATER RIGHT

TO: Calvin & Jana Meyers, 1409 Willow Creek Estates, Belle Fourche SD 57717

FROM: Garland Erbele, Chief Engineer
Water Rights Program *Garland Erbele*

SUBJECT: Three Year Suspension of Water Right No. 402-1

On March 11, 2008, the Water Management Board ordered:

That effective April 11, 2008, Water Right No. 402-1 be suspended for the 2008, 2009 and 2010 irrigation seasons for failure to submit the 2007 irrigation questionnaire.

If the 2007 irrigation questionnaire is received prior to April 11, 2008, the suspension will not take effect.

Suspension means water may not be pumped during the 2008, 2009 or 2010 irrigation seasons. Consistent with the Board's order, you are not permitted to irrigate for three years unless the irrigation questionnaire is submitted by April 11th.

After April 11th, you may petition the Water Management Board to rescind the suspension. You will need to submit the 2007 irrigation questionnaire and a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 7, 2008, in Pierre, SD. The letter should include your reasons for not completing the 2007 irrigation questionnaire. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

Please contact Genny McMath at (605) 773-3352, if you have any questions.

CERTIFICATION

I hereby certify that on March 12, 2008, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 12, 2008 regarding Board action concerning irrigation questionnaire violations addressed as stated below:

Nos. 400-2, 401-2, 1714-2, 2063-2 Melvin Brassfield Box 24 Caputa SD 57725	No. 5600-3 Castlewood Community Golf Course In 411 E Cemetary Rd Castlewood SD 57223-2206	Nos. 407-2, 408-2 & 409-2 Miles DeJong DeJong Ranch 31842 DeJong Rd Kennebec SD 57544-5999
No. 1755-1 John Bachman, Mayor City of Eagle Butte PO Box 150 Eagle Butte SD 57645-0150	Nos. 6792-3 & 6793-3 Dennis Mitchell Eagle Venture PO Box 711 Yankton SD 57078-0711	Nos. 2826-3 & 3109-3 Joseph R Edelen Jr 311 Canby St Vermillion SD 57069
Nos. 5341-3 & 5820-3 John Hartemink 5569 Pernod Dr Ft Myers FL 33919	No. 5777-3 Gerald A Person 42479 116 th St Britton SD 57430-2239	No. 2106-2 Stuart Rice 2300 Skyline Ranch Rd Rapid City SD 57701
No. 6664-3 Mike Waldner White Rock Colony 47788 102 nd St Rosholt SD 57260 and Gregg Magera, Attorney at Law PO Box 490 Aberdeen SD 57402-0490	No. 3791-3 Paul R Bremmon 42641 113 th St Britton SD 57430	No. 402-1 Calvin & Jana Meyers 1409 Willow Creek Estates Belle Fourche SD 57717
No. 773-1 James G & Brenda A Beauchene 10095 Borderline Rd Hettinger ND 58639	No. 2300-3 James E Dailey 48184 335 th St Jefferson SD 57038	No. 452-3 Harold Fornia 33044 484 th Ave Jefferson SD 57038
No. 3395-3 Todd Grohs 509 Slocum Ave S Wessington Springs and W H (Bill) Wittrig 13111 N Creekview Rd Rapid City SD 57702	No. 1529-3 Lloyd L Meyer 21175 396 th Ave Huron SD 57350	No. 2954-3 Lane Tekrony 47840 180 th St Clear Lake SD 57226-5405

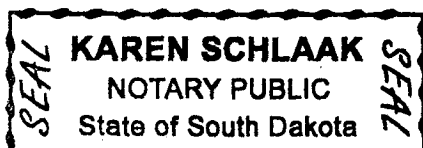
Genny McVate

Genny McMath
Water Rights Program

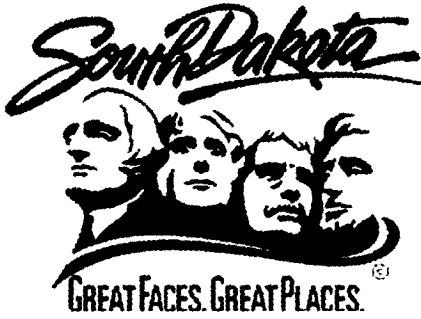
[illegible]

Sworn to, before me, this 12th day of March, 2008.

Notary Public *Karen Schlaak*



My Commission
Expires 4/1/13



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 18, 2011

402-1

Calvin & Jana Meyers
1501 Ziebach St
Belle Fourche SD 57717

Dear Mr. & Mrs. Meyers:

Enclosed is a "Notice" dated October 14, 2011 concerning the 2011 irrigation questionnaire.

The notice was originally mailed to 1409 Willow Creek Estates. 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,

A handwritten signature in black ink that reads "Genny McMath".

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

enclosures



402-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2012

NOTICE

TO: CALVIN & JANA MEYERS, 1501 ZIEBACH ST, BELLE FOURCHE, SD 57717
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program
SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 402-1. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 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) 402-1 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, 2012** 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) 402-1 in accordance with applicable provisions of SDCL 46-1-12;
Due to past violations, Water Rights Staff will be recommending to the Board that your water right be cancelled.
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 2, 2012**, 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.

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100

402-1

CERTIFICATION

I hereby certify that on February 15, 2012, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated February 15, 2012 regarding unclaimed mail for IQ's (2nd notice) addressed as stated below:

Calvin & Jana Meyers, 1501 Ziebach St., Belle Fourche SD 57717



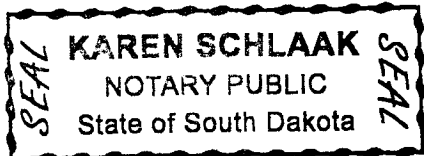
Gail Jacobson
Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 15th day of February, 2012.



Karen Schlaak
Notary Public
My Commission expires April 1, 2013





402-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

February 15, 2012

NOTICE

TO: Calvin & Jana Meyers, 1501 Ziebach St, Belle Fourche SD 57717

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

SUBJECT: Unclaimed Certified Mail Concerning Violation of Water Right No. 402-1

The attached notice was sent certified mail with "signature confirmation". The post office has returned the mail to our office marked "unclaimed". The envelope indicated the post office notified you January 25th, January 30th and February 9th to pick up and sign for the certified mail.

If you have any questions, please contact Genny McMath, (605) 773-3352.

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Calvin Meyers, 311 National St, Belle Fourche SD 57717

DATE: March 5, 2012

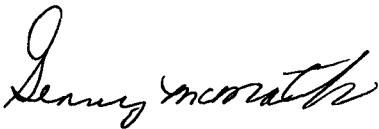
RE: Irrigation Questionnaire for 402-1

COMMENTS:

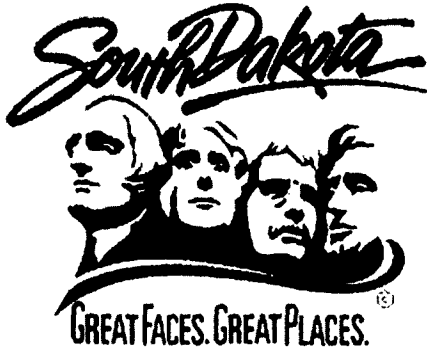
Mr. Meyers called and visited with Aaron Tieman regarding the 2011 irrigation questionnaire. He indicated that he does not pump directly from the river however he irrigates the land with purchased water from the District.

He did not recall getting the questionnaire or follow-up notice. He and Jana are divorced and if the correspondence went to the address we had on file, it went to her and she did not give it to him.

Mr. Meyers gave Aaron a new mailing address of 311 National St in Belle Fourche. Send him a transfer form to get the water right listed in his name only.



Genny McMath
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

March 5, 2012

402-1

Calvin Meyers
311 National St
Belle Fourche SD 57717

Dear Mr. Meyers:

I am writing to acknowledge receipt of the information for your 2011 irrigation questionnaire.

On March 5th, Aaron Tieman with our regional office spoke with you about the water right. It is my understanding that you did not pump from the river as authorized under the water right however the land was irrigated using water purchased from the Belle Fourche Irrigation District. I completed a questionnaire for you based on that information. On future questionnaires, you can simply check the box "did not irrigate" and make a notation that you used "District" water and send it back to us. If you pump direct from the river, the back side of the form will need to be completed as well. This information establishes a year of record and is helpful to us in managing the water resources of the state.

Aaron indicated that you are now the sole owner of the property. Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. 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, 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 9, 2012

402-1

Calvin Meyers
311 National St
Belle Fourche SD 57717

Dear Mr. Meyers:

I am writing in regard to ownership of land described in Water Right No. 402-1. On March 5, 2012, based on your conversation with Aaron Tieman in our regional office, I forwarded you a transfer of ownership form for the water right. To date, we have not received anything back from you regarding the ownership change.

In the event you no longer have the original form, I am enclosing another partially completed Notice of Transfer of Ownership form for filing the ownership change. 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, 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 26, 2013

402-1

Calvin Meyers
311 National St
Belle Fourche SD 57717

Dear Mr. Meyers:

I am writing in regard to ownership of land described in Water Right No. 402-1. On March 5, 2012, based on a phone conversation you had with Aaron Tieman in our regional office, I forwarded a transfer of ownership form to you for changing ownership of the water right to your name. I wrote to you again on July 9, 2012 and have not received anything back from you.

In the event you no longer have the original form, I am enclosing another partially completed Notice of Transfer of Ownership form for filing the ownership change. 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.

It is very important to keep ownership records current. Often times correspondence from our office can include time sensitive material and the lack of current ownership and address information can delay the information getting to the correct individual. I am including a postage paid envelope for your use in returning the transfer form and filing fee.

If things have changed and you want the water right to remain in both you and Jana's name, please give me a call.

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

enclosures

RECEIVED

OCT - 2 2013

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 402-1

Date:

9/30/13

I/We request that Water Right No. 402-1

formerly owned by: Calvin and Jana Meyers

be transferred to: (name & address)

Calvin Meyers
311 National St Belle Fourche SD 57717

Telephone No. 605 210 1110
872-2851

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

119 acres - S ½ SW ¼ Section 8, N ½ NW ¼ Section 17 and Lot B of NW ¼ Section 18, T8N, R4E

I/We understand that the validity of Water Right No. 402-1 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 Calvin Meyers, the new owner, certify that the above information is true and correct.

Calvin Meyers
(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 10/2, 20 13

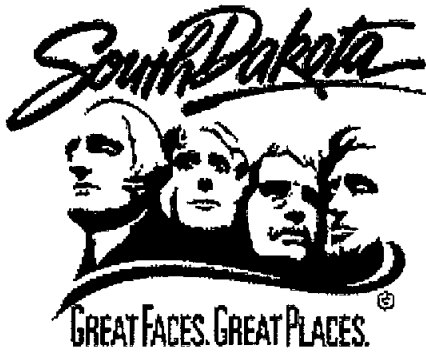
RECEIVED OF Green's Alignment 311 National St Belle Fourche SD 57717

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct 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>402-1</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. **06451**

By Jeanne Goodman
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

October 2, 2013

402-1

Calvin Meyers
311 National St
Belle Fourche SD 57717

Dear Mr. Meyers:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for transferring Water Right No. 402-1.

The ownership change has been completed. Water Right No. 402-1 formerly listed in the names of "Calvin & Jana Meyers" is now listed as being in your name only.

Enclosed for your records is Receipt No. 06451 in the amount of \$50 which you paid for filing the ownership change. 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

enclosure



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



December 3, 2014

402-1

Richard Harrison
11895 High St
Fruitdale SD 57742

Dear Mr. Harrison:

Thank you for calling concerning the ownership change needed for Water Right No. 402-1. I have included a copy of the water right for your records.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. 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.

With reference to the annual irrigation questionnaire, I completed one for you for 2014 indicating water from the Belle Fourche Irrigation District was used. Irrigation questionnaires are mailed to irrigators every year in October and are due back by the first week in December. For your purposes, if "Project" water is used, make a notation on the form to that affect when you return it. If you use water as authorized by Water Right No. 402-1, you will need to keep track of how much water was diverted and report that information to us.

The following is a link to our Water Rights Home Page <http://denr.sd.gov/des/wr/wr.aspx>
Within the site, you can obtain information on permitting, legal guidelines and also have the ability to look up water rights that exist anywhere in South Dakota.

Any time you have questions about the water right or how to report irrigation information, please give me a call.

Sincerely,

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

enclosures

RECEIVED

DEC 11 2014

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 402-1

Date: 12/9/14

I/We request that Water Right No. 402-1

formerly owned by: Calvin Meyers

be transferred to: (name & address)

Richard Harrison
11895 High St Fruitdale S.D. 57717
Telephone No. 645-0013

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

119 acres - S ½ SW ¼ Section 8; N ½ NW ¼ Section 17 and Lot B, Section 18, all in T8N, R4E

I/We understand that the validity of Water Right No. 402-1 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 Richard Harrison, the new owner, certify that the above information is true and correct.

Richard Harrison
(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 12/11, 20 14

RECEIVED OF Richard Harrison 11895 High St Fruitdale 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		
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>402-1</u>	50	00
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. **07003**

By

Jim Goodman
Chief Engineer



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



December 11, 2014

402-1

Richard Harrison
11895 High St
Fruitdale SD 57742

Dear Mr. Harrison:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 402-1

The ownership change has been completed. Water Right No. 402-1 formerly held by Calvin Meyers is now listed in your name.

Enclosed for your records is Receipt No. 07003 in the amount of \$50. Thank you for following up on the ownership change. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure



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

January 14, 2025

NOTICE

TO: RICHARD HARRISON, 11895 HIGH ST, FRUITDALE, SD 57717

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 402-1. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 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) 402-1 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, 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) 402-1 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 5, 2025**, 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 Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: IYKSXD**

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 11, 2025

402-1

Richard Harrison
11895 High St
Fruitdale SD 57717

Dear Mr. Harrison:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 402-1. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us