

1. Considered _____, 19____

2. Name of Applicant _____

3. Post Office Address V. H. H.

4. Amount of water claimed 5000

5. Source of water supply _____

6. Water to be used for _____

Acres to be irrigated 1000

7. Water to be diverted and used in _____ County about
_____ miles _____ of _____

8. Proof of Publication Received ☒
Not Received _____

9. Application Approved ☒
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

W. H. H.

W. H. H.

No. 413-1
Belle Fourche
River
Water Division No. 1
(Blanks to be filled by the Engineer for the W. R. C.)

District

AUG 31 1959
12:00 AM

APPLICATION FOR PERMIT

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

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

1. Name of applicant HARRY SCHELLPostoffice address VALE, County BUTTE, State S.D.I. If a corporation X X X X(a) Name of same I 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 others, 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 X2. Name of diversion work SCHELL IRRIGATION PROJECT3. Amount of water claimed 5 cubic feet per second4. Source of water supply Nine Mile Creek

Between a point N 90° E 697' from the SW Cor. S.33 T.8 N., R.7 E-BHM and

5. Location of point of diversion a point N 31° E. 1540' from the S $\frac{1}{4}$ cor. Sec 33 T.8 N., R.7 E-BHM Both bands Butte County6. Annual period or periods during which water is to be used April 1st thru Oct. 1st

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity(a) Number of acres to be irrigated 358 acres.

(b) Legal subdivisions to be irrigated

SW-SE-37 Ac., SE-SE-35 Ac., Sec. 28, T.8 N., R.7 E.-BHM total 62Ac

NW-NW-38 Ac., NE-NW-39 Ac., SW-NW-39 Ac., SE-NW-39 Ac., NW-SW-37 Ac.,

NE-SW-25 Ac., SW-SW-30 Ac., SE-SW-20 Ac., NW-NE-39 Ac., Sec. 33, T.8 N., R.7,

Total 396 Ac
358 Ac

(c) Amount of power to be generated

Amount claimed for engine cooling X X(c) Location of plant X X(d) Method of developing power X X(e) Point where water will be returned to stream X X

8. Estimated cost of work:

(a) Head Gates, \$ Berkeley 6-2FM with pipe (b) Pumping plant, \$ 1555.00
 (c) Fluming, \$ _____ (d) Canal-earth, \$ _____ Rock, \$ _____
 (e) Other structures _____ \$ _____ Total, \$ _____

9. Description of diversion works:

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

~~Will jump into present ditch system under project (Grassland)~~

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.11. Time required for complete application of water to the proposed beneficial use 4 1/2 years.

12. Choice of newspaper for publication of notice of intention to appropriate _____

~~Belle Fourche, S. Dak.~~ Belle Fourche, S. Dak.

STATE OF SOUTH DAKOTA

County of Butte

ss.

I, Harry Schnell, 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 Harry SchnellSubscribed and sworn to before me this 27th day of August 1959.

Carl M. Cornell,

Notary Public (EXPIRED NOVEMBER 1960)

*Each diversion must have a headgate or measuring device.

My Commission expires April 18, 1967

FLAT
OF
THE SCHNELL IRRIGATION PROJECT,
Sections 28 and 33, T.8 N., R.7 E-BHM
Butte County, South Dakota.

Scale; 1 inch = 660 feet
3 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 Harry Schnell of Vale, Butte County, South Dakota, I have made a survey and prepared this plat, of the several tracts shown hereon, for the purpose of furnishing the required plat of the irrigable areas of said tracts as a part of Application to appropriate water from Nine Mile Creek in Butte County, South Dakota, for irrigation purposes.

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

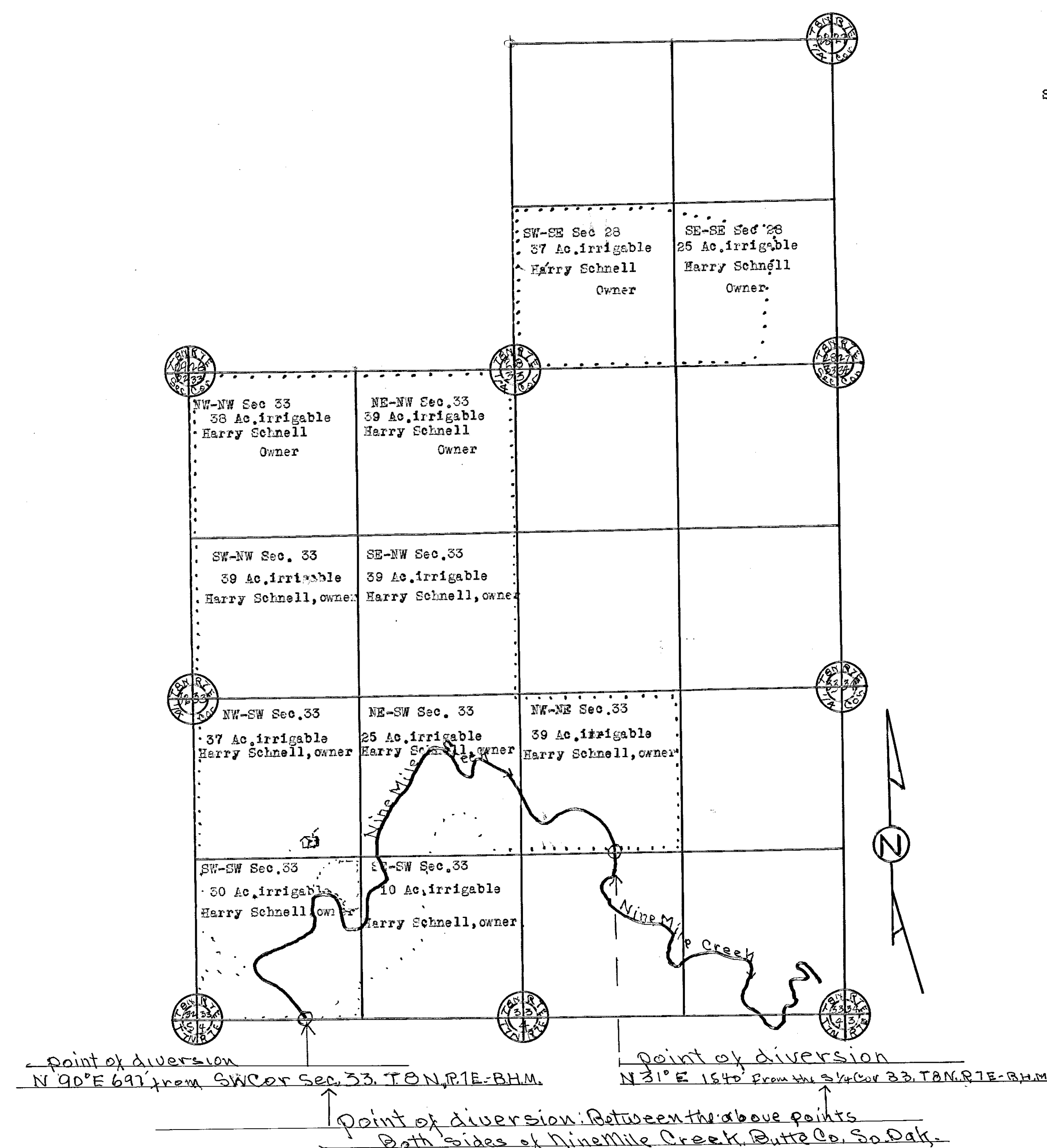
Subscribed and sworn to at Buffalo, South Dakota this 17th day of August, 1959.

Signed, *Carl M. Cornell*
Carl M. Cornell, Licensed Surveyor SI
No. 144 (SEAL)

Subscribed and sworn to at Buffalo, South Dakota this 17th day of August 1959.

Florence Gundersen
Florence Gundersen
Notary Public (Seal)

My Commission expires 4-4 1966



Remarks by State Water Resources Commission:

Leave one of the waters under this permit as
contingent upon supplies being available for prior
water rights.

STATE OF SOUTH DAKOTA

County of

Hughes

ss.

Pierre, South Dakota,

October 15, 1959

This is to certify that the foregoing application was received by the Commission at 9:00 o'clock

A.m. upon the 31st day of August, 1959

State Water Resources Commission

By:

George B. Binner

Chief Engineer, Executive Officer

Number of permit 413-1

Date of first receipt of application August 31, 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 August 31, 1959

Approved October 7, 1959 Recorded in Book 5 Page 240

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

April 7, 1962

2nd. The whole of said work is to be completed on or before October 7, 1964

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

October 7, 1968

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 5.0 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 October 7, 1968; said water to be used during the following described annual period:

April to September, inclusive

Witness my hand this 15th day of October, 1959

State Water Resources Commission

By:

George B. Binner

Chief Engineer, Executive Officer

Certificate of Construction issued OCTOBER 6, 1969

Water License issued OCTOBER 6, 1969

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 413-1

(1) WHEREAS, On the 31st day of August A. D. 19 59Harry Schnellmade Water Right Application No. 413-1 for a permit to use 5.0 cubic feet per second of the waters of Nine Mile CreekCounty of Butte, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 15th day of October A. D. 19 59Permit No. 413-1, with a date of priority of August 31, 1959was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 7th day of October A. D. 19 64 and for the application to beneficial use of said water on or before the 7th day of October A. D. 19 68

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 3.0 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

for irrigating the following land in T8N, R7E

Section 28	S $\frac{1}{2}$ SE $\frac{1}{4}$	62 acres
Section 33	NW $\frac{1}{4}$	155 acres
	SW $\frac{1}{4}$	102 acres
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	39 acres
Total		358 acres

(5) 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 Harry Schnell

_____ of Vale, South Dakota

the holder _____ and owner _____ of said permit No. 413-1 a water right, dating from August 31, 1958

_____ to use of 3.0 cubic feet per second of the waters of Nine Mile Creek

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 between points N. 90° E, 697 feet from the SW Corner, and N. 31° E, 1540 feet from the S₁ Corner, Section 33, T8N, R7E

and conduct to and upon portions of Sections 28 and 33, T8N, R7E, described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 413-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 6th day of October A. D.
Nineteen Hundred and Sixty-nine

WATER RESOURCES COMMISSION

By: _____
Chief Engineer, Executive Officer J.W. GRILES

Form 15.

Permit No. 413-1

Water Diversion No. 1 Belle Fourche River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Harry Schnell

_____ the holder _____ of
Permit No. 413-1, issued upon Application No. 413-1, bearing date of priority of August 31,
1959 authorizing the diversion of 5.0 cu. ft. per second of the waters of _____
Nine Mile Creek County of Butte, State of South Dakota at _____
between points N 90° E, 697 feet from SW Corner, and N 31° E, 1540 feet from the
S $\frac{1}{2}$ Corner, Section 33, T8N, R7E
_____, for irrigation

_____ purposes, has _____ 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 3.0 cu. ft. per second of water.

Date October 6, 1969

WATER RESOURCES COMMISSION

By:

J.W. GRIMES , Executive Officer

Permit No. 413-1Water Division 1 BELLE FOURCHE RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by HARRYSCHNELL of VALE holderof Permit No. 413-1, bearing date of priority of AUGUST 31, 1959authorizing the diversion of 5.0 cu. ft. per second of the waters of NINE MILE CREEKfor IRRIGATION purposes, in BUTTE County.

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

The Water Use System consists of,

A. Works used to divert the water:

BERKELEY 8" PUMP, POWERED BY 4010 JOHN DEERE
DIESEL TRACTOR - P.T.O.

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

1300' OF 10" ALUMINUM PIPE & 200' OF 10" GATED PIPE
W/ 40" GATES.

C. Works used to apply water to beneficial use.

WATER USED TO SUPPLEMENT WATER FROM B.F. IRR. DISTRICT,
PUMPED INTO 2 1/2 MILES OF DIST. DITCHES, PLUS APPROX 1 MILE
OF PRIVATE DITCHES TO LAND NOT UNDER PROJECT: SMALL
DITCHES AND DIKES SPREAD WATER ON LEVELLED LANDThe system is in the following condition: GOODThe point of diversion is located BETWEEN POINTS N90°E, 697 FEET FROM SW CORNER,
AND N31°E, 1540 FEET FROM S 1/4 CORNER, SECTION 33, T8N, R7EThe works are capable of diverting and conveying to the place of use 3.0cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN T8N, R7ESECTION 28 S2SE4 62 AC.SECTION 33 NW4 155 AC.S41° 102 AC.NW4NE4 39comprising a total of 358 acres of land.Date OCTOBER 2, 1969
Austin Z. Jones
(Signature)
WATER RIGHT SPECIALIST

OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA

County Butte ss.Laurence Taylor 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 theCity of Belle Fourche County of Butte and State of South Dakota;

that the said notice was published in said newspaper on the following dates:

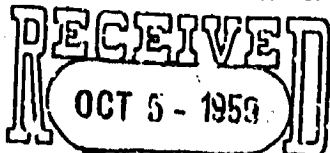
Sept 11, 1959
18 1959
25 1959Oct 2, 1959in each and every issue of the full number thereof, the first publication being made on the 11 day of Sept1959 and the last publication on the 2nd day ofOct 1959, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication hewas Laurence Taylor the printer and publisher of the said newspaper.No. 413-1
APPROPRIATION OF WATER
Office of State Water
Resources Commission
Pierre, S. Dak.

September 4, 1959

Notice is hereby given that Harry Schnell whose postoffice address is Vale, 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 5.0 cubic feet of water per second of time from Nine Mile Creek through the Schnell Irrigation Project, the point of diversion of which is to be located on both banks of said stream between a point in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and a point in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 33 Twp. 8N, Range 7E. Said water to be used for the purpose of providing irrigation on parts of the following described land:S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 28; NW $\frac{1}{4}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ Sec. 33, all in T 8N, R 7E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 7th day of October, 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
CommissionBy: Les Wyborny,
Water Rights Engineer
At 9/11-18-25 10/2Subscribed and sworn to before me this 2nd day of October A. D. 1959STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Notary Public, Butte County, So. Dak.

Notary Public Commission Expires Sept. 27, 1961
County, S. D.

(First Publication before September 11, 1959)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., September 4, 1959

Notice is hereby given that Harry Schnell whose postoffice address is Vale, 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 5.0 cubic feet of water per second of time from the Mine Mille Creek through the Schnell Irrigation Project, the point of diversion of which is to be located on both between a point in the NW¹/₄ SW¹/₄ and a point in the bank of said stream/in the NE 1/4 of the NE 1/4 of Section 33 Twp. 8N Range 7E. Said water to be used for the purpose of providing irrigation on parts of the following described land:

S¹/₂ SE¹/₄, Sec. 28; NW¹/₄ NE¹/₄ and W¹/₄ Sec. 33 all in T 8N, R 7E

~~XXXXXX~~~~XXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 2th day of October, 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:

~~Chief Engineer, Executive Officer~~
Les Wyborny, Water Right Engineer

cc Mr. Laurence Weyler, Publisher
 The Belle Fourche Daily Post
 Belle Fourche, South Dakota

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3161

March 23, 1987

HARRY SCHNELL
RR 1 BOX 24
VALE, SD 57788

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

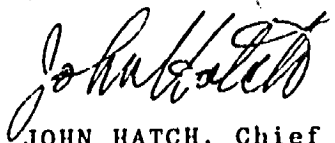
Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 413-1. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of 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 2:00 pm, May 6, 1987 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). 412-1 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 hearing date, your name will be deleted from the agenda for the hearing.

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3131

April 13, 1987

413-1

Harry Schnell
RR #1 Box 24
Vale, SD 57788

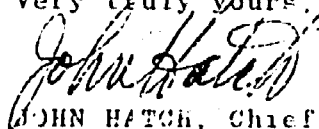
Dear Mr. Schnell:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Right No. 413-1 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

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

If you have any questions, please contact us.

Very truly yours,



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



413-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2000

NOTICE

TO: HARRY SCHNELL, 355 SHERMAN ST #1B, STURGIS, SD 57785 2039

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

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire has not been submitted for Permit No(s) 413-1. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 1:30 pm, March 1, 2000, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 413-1 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 February 28, 2000, 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.

413-1

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:

HARRY SCHNELL
355 SHERMAN ST #1B
STURGIS SD 57785 2039

A. Received by (Please Print Clearly)

B. Date of Delivery

4/13/00

C. Signature

X Virginia Schnell

☐ 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)

2 227 670 396



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2000

413-1

Dale Grant
RR 1 Box 24
Vale, SD 57788

Dear Mr. Grant:

Thank you for calling yesterday about ownership of Water Right No. 413-1. I am glad Mrs. Schnell gave you the letter I mailed so the issue with the irrigation questionnaire could be resolved. I completed a form based on the information you gave me and the matter has been deleted from the Water Management Board meeting agenda.

Enclosed, as we discussed, is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please complete the form and have it signed in the presence of a notary public. Upon completion, please return the form to us with a required filing fee of \$2.50.

As you requested, I am also enclosing a list of water permits and rights we have on file for Nine Mile Creek. The list is in order of priority date (see last column). You will note that I crossed off the first entry. It pertains to the Nine Mile Creek in Lincoln county.

Thank you again for calling and if you have any questions concerning the water right or completion of the transfer form, please get in touch with me. I have included a copy of the water right which you may keep for your records.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 413-1

Date: FEB. 16, 2000



I/We request that Water Right No. 413-1

formerly owned by: Harry Scinnell

be transferred to: (name & address) DALE A. GRANT AND CATHERINE A. GRANT ANDERSEN
R121 Box 24 ALE, SD 57788 Telephone No. 605 456-2480

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

358 acres - S 1/4 SE 1/4 Section 28; W 1/2 and NW 1/4 NE 1/4 Section 33, all in T8N, R7E

I/We understand that the validity of Water Right No. 413-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

STATE OF SOUTH DAKOTA)

County of Meade)

I/We Dale A. Grant & Catherine A. Grant Andersen 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.

Dale A. Grant
(Signed)

Catherine A. Grant Andersen

Subscribed and sworn to before me this 16 day of February, 2000.

Janine Short
(Notary Public)
Commission expires 11-27-03

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

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NC 416402

Pierre, _____ March 1, 2000

RECEIVED OF Eale A. & Catherine A. Grant, RR 1, Box 24, Vole, SD 57788
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct

and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future

Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water

License No. _____

Fee for Filing Transfer Form Water Right No. 413-1

2 50

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

By Shirley E. Hildebrand



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 1, 2000

413-1

Dale Grant
RR 1 Box 24
Vale, SD 57788

Dear Mr. Grant:

Thank you sending in the ownership change for Water Right No. 413-1. The transfer has been completed and the water right is now listed under Dale A Grant and Catherine A Grant Andersen.

Enclosed is your Receipt No. 416402 in the amount of \$2.50. You may keep this for your records.

If I can answer any questions for you, please let me know.

Sincerely,

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

enclosure

413-1

- 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 mail piece, or on the front if space permits.

1. Article Addressed to:

DALE A GRANT
RR 1 BOX 24
VALE SD 57788

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

1-21-01

C. Signature

X. *Bob A. Grant*

☐ Agent
☐ Addressee

D. Is delivery address different from item 1? If YES, enter delivery address below:

☐ Yes
☐ 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 3529

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



413-1
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: DALE A GRANT, RR 1 BOX 24, VALE, SD 57788

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

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire

Our records indicate that the 2000 Irrigation Questionnaire has not been submitted for Permit No. 413-1. 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 be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No. 413-1 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 is received in this office on/or before March 2, 2001, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire, 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
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

www.state.sd.us/denr

February 21, 2001

413-1

Dale A Grant
RR 1 Box 24
Vale, SD 57788

Dear Mr. Grant:

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. 413-1.

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



413-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: DALE A GRANT, RR 1 BOX 24, VALE, SD 57788

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

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire

Our records indicate that the 2002 Irrigation Questionnaire has not been submitted for Permit No(s) 413-1. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 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 8:30 am, March 5, 2003, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 413-1 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 February 28, 2003, 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.

DOCUMENT (S)

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413-1

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Delivery Status

You entered 2301 0370 0000 7540 5843

Your item was delivered at 9:14 am on January 18, 2003 in VALE, SD 57788. The item was signed for by D GRANT.

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U.S. Postal Service Signature Confirmation Receipt	
SIGNATURE CONFIRMATION NUMBER: 2301 0370 0000 7540 5843	DALE A GRANT
	RR 1 BOX 24
	VALE SD 57788
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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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 28, 2003

413-1

Dale A Grant
RR 1 Box 24
Vale SD 57788

Dear Mr. Grant:

I am writing to acknowledge receipt of your 2002 irrigation questionnaire. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right No. 413-1.

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



413-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2004

NOTICE

TO: DALE A GRANT, RR 1 BOX 24, VALE, SD 57788

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire has not been submitted for Permit No(s) 413-1. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 3, 2004, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 413-1 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 **February 27, 2004**, 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.



413-1

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 8398

Your item was delivered at 9:18 am on January 15, 2004 in VALE, SD 57788. The item was signed for by D GRANT.

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[Redacted]	
SIGNATURE CONFIRMATION NUMBER: 2301 3460 0000 8515 8398	DALE A GRANT RR 1 BOX 24 VALE SD 57788
	Walver 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
[Redacted]	
☐ Priority Mail® ☐ Package Services	
[Redacted]	



413-1

**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 27, 2004

413-1

Dale A Grant
19268 138th Ave
Vale SD 57788

Dear Mr. Grant:

I am writing to acknowledge receipt of your 2003 irrigation questionnaire. I completed a questionnaire for you based on our January 27th telephone conversation. The questionnaire reflects that you did not irrigate in 2003.

You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right No. 413-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

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



413-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2008

NOTICE

TO: DALE A GRANT, 19268 138TH AVE, VALE, SD 57788

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 has not been submitted for Permit No(s) 413-1. 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 be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 413-1 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 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:

<https://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.

4/3-1

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Label/Receipt Number: 2303 2160 0000 0802 4049
Status: **Delivered**

Your item was delivered at 3:01 PM on January 22, 2008 in VALE, SD 57788. The item was signed for by D GRANT.

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SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 4049

DALE A GRANT
19268 138TH AVE
VALE SD 57788

Waiver of Signature ☐ YES ☐ NO

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 31, 2008

413-1

Dale A Grant
19268 138th Ave
Vale SD 57788

Dear Mr. Grant:

I am writing to acknowledge receipt of your 2007 irrigation questionnaire. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right No. 413-1.

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



413-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2014

NOTICE

TO: DALE A GRANT, 19268 138TH AVE, VALE, SD 57788

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaire(s)

Our records indicate that the 2013 Irrigation Questionnaire has not been submitted for Permit No(s) 413-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 18, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

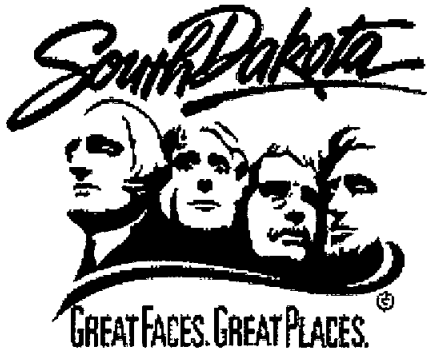
The hearing will be held at **9:00 am, March 6, 2014**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 413-1 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 3, 2014**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 11, 2014

413-1

Dale A Grant
19268 138th Ave
Vale SD 57788

Dear Mr. Grant:

I am writing to acknowledge receipt of your 2013 irrigation questionnaire.

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Right No. 413-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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