

* 417-1

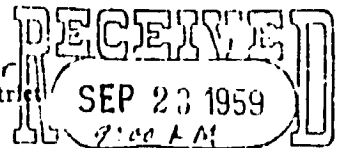
1. Considered 17-2, 1959
2. Name of Applicant Cassie Anderson & Son
3. Post Office Address Timwell
4. Amount of water claimed 3.11
5. Source of water supply Bella French River
6. Water to be used for Irrigation
Acres to be irrigated 445
7. Water to be diverted and used in Britton County about
2 miles 2 of Timwell
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☒
Subject to _____
Not Approved ☐
Action deferred ☐
10. Remarks:

No. 417-1Water Division No. 1

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

Belle Fourche River

District



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 Mrs. Eddie (Vivian) Anderson
 Postoffice address NEWELL, County HUTCH, 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 others, or by direct labor)

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 ANDERSON IRRIGATION PROJECT
 3. Amount of water claimed 3.31 196 cubic feet per second 1400 GPM
 4. Source of water supply Belle Fourche River
 5. Location of point of diversion S 44°E 1424' from the N. 1/4 Cor. Sec. 11, T. 8 N., R. 5 E.
EHM on Lt. (N.) bank Hutch County.
 6. Annual period or periods during which water is to be used April 1st thru Nov. 30th
 7. To be used for:

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

SW-SW-10 Ac., Sec. 1, T. 8 N., R. 5 E-BHM Total 10 Ac.
NW-NE-20 Ac., NE-NE-33 Ac., SE-NE-30 Ac. (leave in)
Sec. 11, T. 8 N., R. 5 E. 73 Ac.
NW-NW-37 Ac., NE-NW-34 Ac., SE-NW-40 Ac., NW-NE-32 Ac., NW-NE-3 Ac.,
SE-NE-4 Ac., NW-NE-37 Ac., NE-SW-40 Ac., SW-SW-4 Ac., SE-SW-7 Ac.,
NW-SE-40 Ac., NE-SE-33 Ac., SW-SE-33 Ac., SW-NW-23 Ac.
Sec. 13, T. 8 N., R. 5 E-BHM drawing 196 acres
 Total 362 Ac.
 Total 445 Ac.

Amount claimed for engine coming None

- (c) Location of plant None
 (d) Method of developing power None
 (e) Point where water will be returned to stream X X

8. Estimated cost of work: 1-3" X 6" Berkeley B-3JPM W/60 HP Motor 2215.00
(a) Head Gates, \$ Elbows, valves & connections 453.00
390' Galv'd Fluming, \$ 510' 10" Main (b) Pumping plant, \$ 2431.00
(c) Other structures \$ (d) Canal-earth, \$ Rock, \$ 1438.00
Total, \$ 6601.00

9. Description of diversion works:

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

Pumping plant & flume (

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 years.
12. Choice of newspaper for publication of notice of intention to appropriate Bella Fourche Daily Post, Bella Fourche, So. Dak.

STATE OF SOUTH DAKOTA

County of Butte

I, Carrie Anderson and sons (Clarence E. & Darrell), 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 Carrie Anderson & sons

Subscribed and sworn to before me this Sept. 1, 1959 of 19

Carl M. Cornell

Notary Public

*Each diversion must have a headgate or measuring device.

My Commission expires 4/18/67.

Remarks by State Water Resources Commission:

Primarily waters available in this permit are return flows from the Belle Fourche Project. Your use of the waters under this permit is contingent upon supplies being available to prior water rights.

STATE OF SOUTH DAKOTA

County of

Hughes

ss.

Pierre, South Dakota,

December 8, 1959

This is to certify that the foregoing application was received by the Commission at 4:00 o'clock

A.m. upon the 23rd day of September, 1959

State Water Resources Commission

By:

Geo. J. Miner

Chief Engineer, Executive Officer

Number of permit

417-1

Date of first receipt of application

September 23, 1959

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

Date of receipt of corrected application

Date from which applicant may claim right

September 23, 1959

Approved

December 2, 1959

Recorded in Book

5

Page

771

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

June 2, 1962

2nd. The whole of said work is to be completed on or before

December 2, 1965

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

December 2, 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 3.11 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 December 2, 1968; said water to be used during the following described annual period:

April to November inclusive

Witness my hand this

8th

day of

December, 1959

State Water Resources Commission

By:

Geo. J. Miner

Chief Engineer, Executive Officer

Certificate of Construction Issued

DECEMBER 12, 1966

Water License Issued

DECEMBER 12, 1966

STATE OF SOUTH DAKOTA

WATER LICENSE No. 417-1

WHEREAS, On the 23rd day of September A. D. 1959
Carrie Anderson & Sons

of Newell County of Butte and State of
South Dakota duly made application (No. 417-1) to us for a permit to use 3.11
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 8th day of December A. D. 1959
Permit No. 417-1 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 2nd day of
December A. D. 1964 and for the application to beneficial use of said
water on or before the 2nd day of December A. D. 1968
and,

WHEREAS, On the 19th day of June A. D. 1962
the holder of said permit duly made proof of the completion of adequate works for the diversion of 3.11
cubic feet per second of said waters, as evidenced by our Certificate No. 417-1
dated December 12, 1966 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 3.11 cubic feet per second of water, with date of
priority of September 23, 1959 and,

WHEREAS, On the 19th day of June A. D. 1962
proof was duly made of the application to beneficial use of 3.11 ^{1.35} cubic feet per second of said water;
for irrigating portions of Sections 1, 11, and 12, T8N, R5E

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 **Carrie Anderson & Sons**

of **Newell** the holder ^B and owner ^B of said permit No. **417-1**
a water right, dating from **September 23, 1939** to the use of **3.11 1.35**

cubic feet per second of the waters of **the Belle Fourche River**

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 at **a point S 44°E, 1424' from the**
Nk corner, Section 11, T6N, R5E

and conducted to and upon **portions of Sections 1, 11, and 12, T6N, R5E, 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 **12th** day of **December** A. D. Nineteen
Hundred and **Sixty-Six**

State Water Resources Commission

By:

J. W. GRIMES

Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Ac't _____ c. f. s.

Point of Diversion: _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

in Book _____ of _____ Page _____

Permit No. 417-1Water Division No. 1 Belle Fourche Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Carrie Anderson and Sons

of Newsall, County of Butte, and State of South Dakota, the holder of Permit No. 417-1, issued upon Application No. 417-1, bearing date of priority of September 23, 1959, authorizing the diversion of 3.11 cu. ft. per second of the waters of the Belle Fourche River County of Butte, State of South Dakota, at a point S 44°E, 1424' from the N½ corner, Section 11, T8N, R5E for irrigation

purposes, have 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 3.11 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, R5E

Section 1	SW¼ SW¼	10 acres	
Section 11	NW¼ NE¼	20 "	
	NE¼ NE¼	23 "	
Section 12	SE¼ NE¼	30 "	
	NW¼ NW¼	27 "	
	NE¼ NW¼	24 "	
	SE¼ NW¼	40 "	
	SW¼ NW¼	32 "	Clarence Anderson
	NW¼ NW¼	2 "	" "
	SE¼ NW¼	27 "	" "
	NW¼ SW¼	40 "	Quinten & Karen Watson
	SW¼ SW¼	4 "	" "
	NE¼ SW¼	7 "	" "
	SW¼ SE¼	40 "	Clarence Anderson
	NW¼ SE¼	23 "	" "
	SW¼ SE¼	27 "	" "
	SE¼ SE¼	38 "	" "
	SW¼ NW¼	22 "	" "
Total -		450	"

417-1A Quinten & Karen Watson = 72 acres & .53 cfs
 417-1B Clarence Anderson = 175 acres & 1.23 cfs

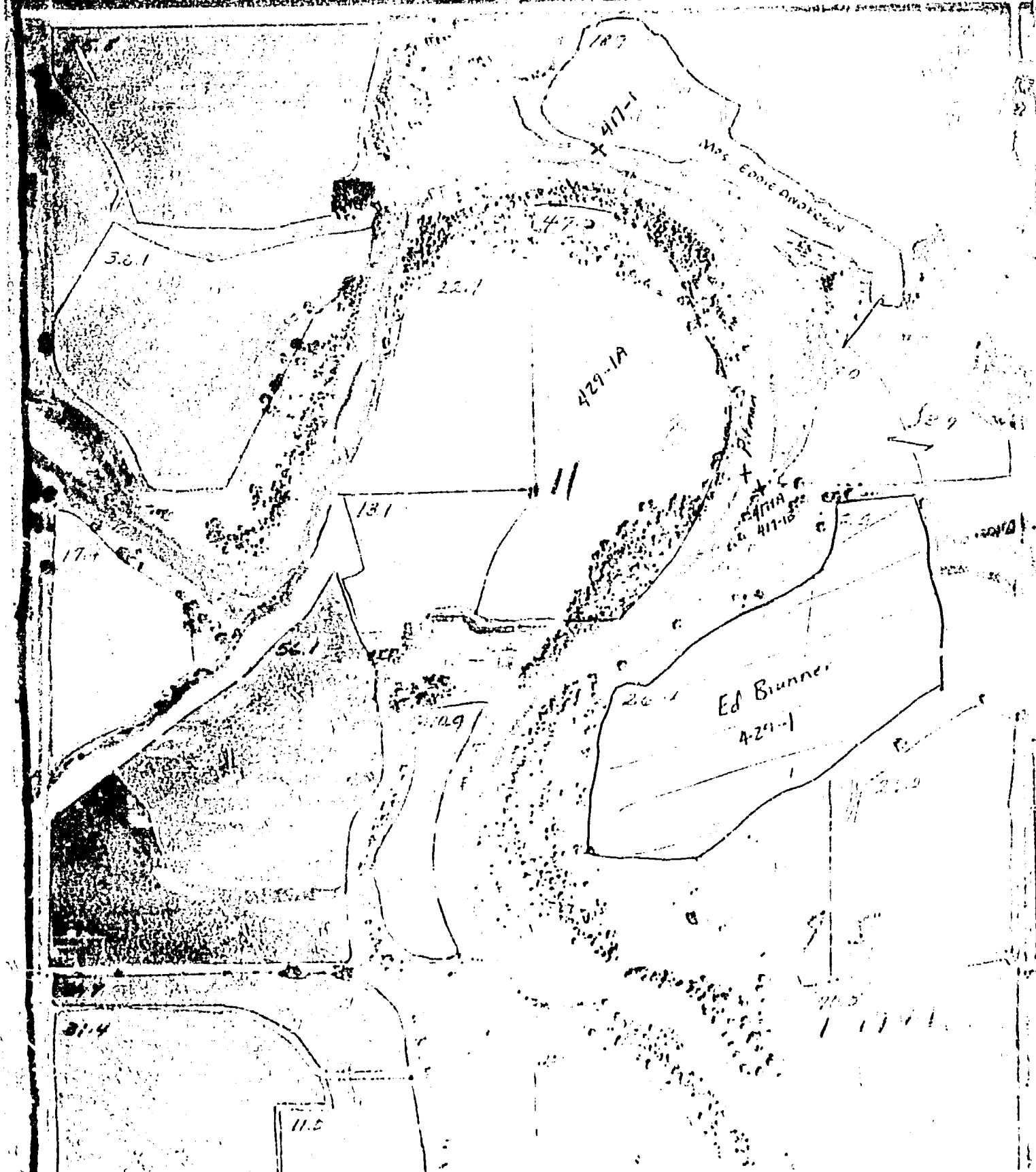
196 acres & 1.35 cfs are left in 417-1, Mrs. Eddie Anderson

Witness my hand this 12th day of December, A. D. 1966

State Water Resources Commission

By: J. W. GRIMES
 Chief Engineer, Executive Officer

NOT TO SCALE



OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE

Permit No. 417-1Water Division No. 1-----

Belle Fourche
Rt. 1 - Water D.

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 _____
19____, I have this day made a thorough examination of the diversion works constructed by _____
Carric Anderson & Sons, of _____
Butte, _____ County, South Dakota, holder of Permit No. 417-1, issued
upon Application No. 417-1, bearing date of priority of Sept. 28, 1918, authorizing the
diversion of 3.11 cu. ft. per second of the waters of Rocky Mountain River for Irrigation
purposes. I have to report on the condition of the same as follows:

The diversion works comprise: One pump of electric m/c. (Bosch) 100 H.P.
1500' of 12" pipe. One 4' x 4' x 10' tank of 300 lbs. 75 gal. water tank
in flood area. 16-15-27

and the system is in the following condition: Good

The point of diversion is located SE 1/4 Sec 34, T49N, R24E, S44, Cass Co., IA

The works are capable of diverting and conveying to the place of use 2.11 cu. ft. per second of water, which is to be used for irrigation.

[illegible]

The domestic use intended comprises 5000000

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

Witness my hand, this 27th day of June, A. D. 1957

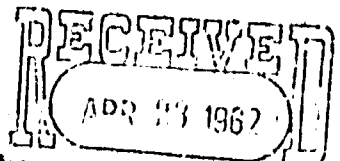
-SEAL-

Examining Engineer.

Permit No. 417-1

Water Division No. _____

Water District _____

STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTA**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.) Permit South Dakota(Date) January 2, 1962

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

DEAR SIR: Notice is hereby given that on the 20 day of April
 1962, at Pierre County of Butte State of South Dakota,
 before _____ proof will be submitted of the application to beneficial use
 (Examining Engineer or Officer)

of 3.11 cubic feet per second of the waters of Belle Fourche River

_____ in accordance with the terms and conditions of Permit No. 417-1
 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 _____

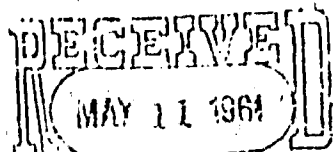
Cassius Anderson & Sons (Cassius E. & Daniel)Permit South Dakota2. The use to which said water has been applied is drainage and irrigation purposes3. The amount applied to beneficial use is 3.11 cu ft per second4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) Sec 10, T. 8 N., R. 5 E. - BHM 10 AcresN. 1/4 NE - 20 Ac, NE NE - 30 Ac, SE NE - 30 Ac, Sec 11, T. 8 N., R. 5 E. 73 AcresN. 1/4 NW - 24 Ac, NE NW - 24 Ac, SE NW - 40 Ac, NW NE - 32 Ac, NW NE - 2 Ac,SE NE - 4 Ac, NW SE - 27 Ac, NE SE - 40 Ac, SE SE - 4 Ac, SE SE - 7 Ac,N. 1/4 SE - 40 Ac, NE SE - 33 Ac, SE SE - 27 Ac, SE SE - 38 Ac, NW NE - 22 Ac,Sec 12, T. 8 N., R. 5 E. - BHM 362 Acres Total - 445 Acres

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

Anderson Irrigation Ditch6. The right to take the water from such works is based upon permit No. 417-17. 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 Sept. 23, 1957

(Sign)

C. Anderson & SonsDan Anderson & Sons

Permit No. 417-1

Water Division No. _____

Water District _____

STATE WATER RESOURCES COMMISSION

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.)

Neenell, South Dakota

(Date)

January 2, 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 _____

_____ 3.11 cu. ft. per second of the waters of the state from _____
through the Anderson Irrigation Ditch
for stock water and 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 _____

Carrie Anderson & Son (Clarence E. & Dan H.)

2. The postoffice address of such person or the place of business of such corporation is _____

County of Butte State of South Dakota

3. The number of such permit is 417-1 and the date set for the completion of such work is _____

December 2, 1964

4. Said water to be used for irrigation & stock water 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 _____ 3.11 cubic feet per second

6. The amount of land for which said water is available is _____ 44.5 (40 ac) acres,

particulars described as follows: Sec 10, T. 8 N., R. 5 E - BHM; NE 20 ac,

NE-NE-22 ac, SE-NE-30 ac, Sec 11, T. 8 N., R. 5 E (73 ac) NE-NE-27 ac,

NE-NE-24 ac, SE-NW-40 ac, SE-NE-32 ac, NE-NE-20 ac, SE-NE-40 ac, NE-SE-27 ac,

NE-SW-40 ac, SE-SW-4 ac, SE-SW-7 ac, NE-SW-40 ac, NE-SW-33 ac,

SE-SW-27 ac, SE-SW-38 ac, SE-SW-22 ac, Total 362 ac.

I hereby certify that the facts set forth in the above are true. Total 44.5 acres

Sec. 12, T. 8 N., R. 5 E - BHM

(Signature of Owners)

Carrie AndersonClarence AndersonDan H. Anderson

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Butte } ss.

Laurence Meyler being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____

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:

Oct. 23, 1959

Oct. 30, 1959

Nov. 6, 1959

Nov. 10, 1959

in each and every issue of the full number thereof, the first publication being made on the 23 ____ day of Oct. _____

19 59 and the last publication on: the 13 day of
Nov. 19 59

_____ 19 59, upon which days or times
of publication aforesaid the newspaper was regularly pub-
lished, and that during the whole time of said publication he

was _____ the proprietor and publisher of
the said newspaper. *0* *1*

No. 417-1
APPROPRIATION OF WATER

Office of State Water
Resources Commission,
Pierre, S. Dak.

October 13, 1959

Notice is hereby given that Carrie Anderson & Sons whose postoffice address is Newell, 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 3.11 cubic feet of water per second of time from the Belle Fourche River through the Anderson Irrigation System, the point of diversion of which is to be located on the north bank of said stream in the NW¹/₄ of the NE¹/₄ of Section '1 Twp. 8N Range 5E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW $\frac{1}{4}$ SW $\frac{1}{4}$. Sec. 10; NE $\frac{1}{4}$,
Sec. 11: NW $\frac{1}{4}$, NE $\frac{1}{4}$,
SW $\frac{1}{4}$, and the SE $\frac{1}{4}$ Sec.
12, all in T8 N., R 5E

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 2nd day of December, 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: Burton F. Jones,
Water Rights Specialist

Subscribed and sworn to before me this 13 day of in V. A. D. 1959

NOV 17 1964

STATE WATER RESOURCES DIVISION
MERCER COUNTY, N.J.

Raymond Kennedy
Notary Public
My Commission Expires 07-29-1986

before
(First Publication October 28, 1959)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., October 13, 1959

Notice is hereby given that Carrie Anderson & Sons whose post-office address is Navell 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 5.11 cubic feet of water per second of time from the Belle Fourche River through the Anderson Irrigation System, the point of diversion of which is to be located on the north bank of said stream in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11 Twp. 8N Range 5E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10; NE $\frac{1}{4}$ Sec. 11; NW $\frac{1}{4}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$, and the SE $\frac{1}{4}$ Sec. 12,
all in T 8 N, R 5 E

~~XXXXX~~ and for ~~XXXXXX~~ purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 2nd day of December, 1959, at 2:00 P. 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:

cc Lawrence Waylor, Publisher
Belle Fourche Post
Belle Fourche, South Dakota

~~Chief Engineer, Executive Council~~
Burton F. Jones, Water Right Specialist

September 13, 1961

Carrie Anderson & Son
Newell, South Dakota

Effective as of 12:00 midnight, September 15, 1961, the services of the Watermaster for Water Use Control Area No. 1 will be terminated for this season.

After September 15, 1961 you should regulate your withdrawals of water according to the respective priority of your water right and according to the domestic requirement on the stream as specified in the State water laws.

You should keep in mind that continuing drought conditions may affect domestic, including stockwater, supplies to the extent it may be necessary to stop any irrigation diversions for indefinite periods.

Sincerely,

J. W. GRIMES
Chief Engineer &
Executive Officer

JWG:ls

COPY

SOUTH DAKOTA

State Water Resources Commission

STATE OFFICE BUILDING

PIERRE, SOUTH DAKOTA

March 28, 1962

Carrie Andersen and Son,
 Merrill, South Dakota

Dear Sirs:

This is to inform you that a public hearing pertaining to Water Use Control Area No. 1, will be held in the Nisland City Hall starting at 10:00 A.M. on Friday, April 13, 1962.

One purpose of the hearing is to consider if the services of a Watermaster should be continued or discontinued during the 1962 irrigation season.

Other matters pertaining to Water Use Control Area No. 1 will also be discussed.

You as holder of Water Right No. 417-1 are within the boundaries of Water Use Control Area No. 1. In 1961, you were assessed a fee of Ten Dollars for each cubic feet per second of your irrigation diversion rate plus twenty-five cents for each acre irrigated under your Water Right. This fee was used in paying for the services of a Watermaster during the 1961 irrigation season.

For your information, the area within Water Use Control Area No. 1 is as follows:

"Those areas irrigated with water obtained from (1) the reach of the Belle Fourche River between a point in the NW $\frac{1}{4}$, Section 2, T 8N, R2E, immediately downstream from the Belle Fourche Project Diversion Dam and the point where said Belle Fourche River crosses the Southern boundary of Butte County, South Dakota, in the SW $\frac{1}{4}$, Section 35, T 8N, R 7E, (2) the reach of Cottonwood Creek between the point said Creek enters Butte County, South Dakota, in the SW $\frac{1}{4}$, Section 31, T 8N, R 6E, and the confluence of said Cottonwood Creek with the Belle Fourche River in the NW $\frac{1}{4}$, Section 28, T 8N, R 6E, (3) the reach of Owl Creek between a point in the NE $\frac{1}{4}$, Section 19, T 9N, immediately downstream from the Belle Fourche (Orman) Dam and the confluence of said Owl Creek with the Belle Fourche River in N $\frac{1}{2}$, Section 11, T 8N, R 5E, and (4) the reach of Horse Creek between the point of confluence of Indian Creek and Horse Creek in the NW $\frac{1}{4}$, Section 27, T 9N, R 5E, and the confluence of said Horse Creek with the Belle Fourche River in the SW $\frac{1}{4}$, Section 18, T 8N, R 7E".

Sincerely,

J. W. Grimes
 J.W. GRIMES
 Chief Engineer and
 Executive Officer

Form 20.

No. 417-1

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
Post Office Building
Pierre, South Dakota 57501

Date: December 19, 1977

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

Portions of Section 1, 11 and 12, T8N, R5E as described in
permit # 417-1.

formerly owned by Carrie Andersen & Sons

has been transferred to Eddie Anderson,

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

Water Right Permit No. 417-1 as provided for in Section 61.0127 of the 1960

Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Rights Commission 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 Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939..

STATE OF SOUTH DAKOTA)
) SS.
County of _____)

I, Eddie Anderson 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.

Eddie Anderson
(Signed)

Subscribed and sworn to before me this 19 day of Dec

19 20

John A. Welch
(Notary Public)

MY COMMISSION EXPIRES
JULY 13, 1984

RECEIPT

WATER RIGHTS COMMISSION

N^o 4 6303

State of South Dakota

PIERRE, January 9, 19⁷⁸

RECEIVED OF (Eddie) Vivian Anderson, Newell, SD 57760
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing transfer of water right # 417-1	2	50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By: John Hatch
Chief Engineer, Executive Officer
JOHN HATCH 9Y

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

2 4 7496

PIERRE,

May 5

1980

RECEIVED OF 77775 Eddie C. Anderson, Howell, SD 57760

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

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) -----		
Fee for inspecting Construction, and issuing Cert. of Construction No. -----		
Fee for inspecting Beneficial Use, and issuing Water License No. -----		
Fee for issuing Location Certificate-Dry Draw, No. -----		
Fee for filing -----		
Fee for certified copy of -----		
Fee for Print copy of map -----		
Fee for Certifying -----		
Fee for transcribing <u>certified copy of WR #417-1</u> -----		2.50
(any other work as provided by law)		
TOTAL		2.50

WATER RIGHTS COMMISSION

By (Signature)
Chief Engineer, Executive Officer
JOHN HATCH (b)

**Water Rights, Water Management Division
(605) 773-3352**

May 5, 1980

**Mrs. Eddle Anderson
Newell, SD 57760**

Dear Mrs. Anderson:

Enclosed please find receipt No. 4 7496 in the amount of \$2.50 which you paid for a certified copy of your Water Right No. 417-1.

If we can be of any further assistance, please contact us.

Sincerely,

**GENNY YOUNG
Staff Assistant**

9Y

encl

STATE OF SOUTH DAKOTA)
COUNTY OF BUTTE) SS.

IN CIRCUIT COURT
EIGHTH JUDICIAL CIRCUIT

IN THE MATTER OF THE ESTATE OF) FINAL DECREE OF DISTRIBUTION
EDWARD C. ANDERSON, DECEASED.)
PRO 80-11

This matter having come on regularly before the Court upon the Petition of Vivian F. Anderson, as the Administratrix of the estate of the above named decedent, and it appearing to the satisfaction of the Court that due notice of the time and place of this hearing has been given as required by law and Order of this Court; said Vivian F. Anderson appearing in person and by attorney E. A. Smiley; and it being established on proofs adduced that the necessary expenses of funeral and of last sickness of said deceased, and of the administration of said estate, have been fully paid; that due proceedings have been had upon the matter of inheritance and estate taxes and that there are no such taxes now chargeable or unpaid; and that all claims of the State for sales tax and all personal property taxes have been paid; and that due notice has been given to creditors as required by law and the Order of this Court, and that the time has expired within which claims may be presented against said estate, and that all debts existing against said decedent, or allowed by Court pursuant to law, have been fully paid and satisfied; and that the Final Account of the said Vivian F. Anderson, Administratrix has been herein filed and, upon due notice, that the same has been settled; and it appearing that said estate has been fully administered and is now ready for distribution:

IT IS NOW ORDERED, ADJUDGED AND DECREED, upon proofs adduced, that said deceased died intestate, and that the following are the sole and only heirs at law or devisees or legatees, as the case may be, who are lawfully entitled to the distribution of the said estate and whose relationship to the deceased, if any, and whose respective last known post office addresses are as follows, to-wit:

NAME	RELATIONSHIP	POST OFFICE ADDRESS
Vivian F. Anderson	Widow	Newell, S.D. 57760
Tina Anderson	Daughter	Newell, S.D. 57760
Lisa Anderson	Daughter	Newell, S.D. 57760

Now therefore, upon the said Petition for Distribution:

IT IS ORDERED, ADJUDGED AND DECREED, that all and singular of the residue of the estate of the said Edward C. Anderson, deceased being hereinafter fully described and set forth, shall be and the same is hereby assigned and vested in the said persons, so lawfully entitled to the same in the following proportions, that is to say:

To Vivian F. Anderson, widow, an undivided one-third (1/3) interest in and to all property remaining for distribution, including cash, livestock, feed and machinery, together with any other property not now known or discovered in which said decedent or his estate had any interest whatsoever, to have and to hold the same forever.

To Tina Anderson, daughter, an undivided one-third (1/3) interest in and to all property remaining for distribution, including cash, livestock, feed and machinery, together with any other property not now known or discovered in which said decedent or his estate had any interest whatsoever, to have and to hold the same forever.

To Lisa Anderson, daughter, an undivided one-third (1/3) interest in and to all property remaining for distribution, including cash, livestock, feed and machinery, together with any other property not now known or discovered in which said decedent or his estate had any interest whatsoever, to have and to hold the same forever.

That the properties covered by this Final Decree of Distribution are described as follows:

Cash on Hand	\$11,492.20
Certificate of Deposit	\$10,000.00

Personal Property, appraised value, described as follows:

Irrigation Pump	\$ 2,000.00
2 Yearling Ewes @ \$20.00	\$ 40.00
66 Ewe Lambs @ \$60.00	\$ 4,080.00
5 Columbia Bucks - 2 @ \$350.00	\$ 700.00
3 @ \$300.00	\$ 900.00
29 Columbia Ewes @ \$100.00	\$ 2,900.00
20 Columbia Ewe Lambs @ \$90.00	\$ 1,800.00
1000 Bu. Oats @ \$1.15	\$ 1,150.00

That at the time of his death, said decedent owned in joint tenancy with his widow, Vivian T. Anderson, the following described property, to-wit:

Purchased under a Contract for Deed from Clarence E. Anderson and Cedelia M. Anderson, husband and wife, said Contract for Deed being dated March 13, 1974, and on which there is a balance due of \$15,378.30, the following described real estate, to-wit:

Township Eight (8), North, Range Five (5), R.R.H.E.

Section One (1): South Half of the Southwest Quarter (SESW $\frac{1}{4}$) except tract to United States of America as recorded in Book 89, Pages 338-339 containing 72 acres, more or less (Subject to oil, gas and mineral reservations of record):

Section Eleven (11): All that part of the Northeast Quarter (NE $\frac{1}{4}$) lying North and East of the Belle Fourche River (except school site in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) as conveyed to Owl Creek School District No. 2 as recorded in Book 145, Page 324 containing One (1) acre) containing 115.37 acres more or less:

Section Twelve (12): Northwest Quarter (NW $\frac{1}{4}$) (subject to a reservation of oil, gas and minerals as recorded in Book 140, Page 31) containing 154.37 acres, more or less.

For a total of 341.74 acres, more or less, located in Butte County, South Dakota.

Savings account No. 41381 in the First National Bank of the Black Hills, Newell, South Dakota in the name of Eddie C. Anderson or Vivian T. Anderson - \$5,719.91:

1979 Chevrolet Pickup, four wheel drive - \$5,000.00

1972 Buick LaSabre - \$1,200.00:

Certificate of Deposit No. 102128 in the First National Bank of the Black Hills, Newell, South Dakota dated September 12, 1973 issued to Edward Carl Anderson or Tina or Lisa Anderson - \$764.73.

That said joint tenancies are hereby terminated, and the survivor declared to be the owners thereof.

To have and to hold the same with all the hereditaments and appurtenances thereunto belonging and in anywise pertaining, to the above named persons and their heirs and assigns forever.

Dated this 18th day of November, A.D. 1980.

BY THE COURT:

/s/ R.E. Brandenburg
R. E. Brandenburg
Judge of the Circuit Court

ATTEST:

/s/ Betty Didier
Betty Didier
Clerk of Courts
Butte County, South Dakota

(SEAL)

LAW OFFICE OF
R. A. SMILEY
517 GRANT STREET
BELLE FOURCHE, S. DAK. 57717

P. O. BOX 400

January 7, 1981



South Dakota Department of Water
and Natural Resources
Water Rights, Water Management Division
Joe Foss Building
Pierre, South Dakota 57501

Gentlemen:

I am enclosing herewith a certified copy of the Final Decree of Distribution in the Matter of the Estate of Edward C. Anderson Deceased. He was the owner of Water Right No. 417-1, and since Vivian Anderson, his surviving widow, is now the sole owner of the property covered by this water right, she would appreciate it if the water right could be shown in her name as owner. You will note from the Decree of Distribution that the lands were purchased in joint tenancy, and such joint tenancy has been terminated on pages 3 and 4 of the Decree. Please send Mrs. Anderson whose address is R.R. 1, Box 7, Newell, South Dakota 57760 a notification that this has been done.

Yours very truly,

R. A. Smiley
R. A. Smiley

RAS:cjb

Encl.

Division of Water Rights (605) 773-3352

417-1

January 13, 1981

Vivian Anderson
RR #1, Box 7
Newell, SD 57760

Dear Mrs. Anderson:

Water Right No. 417-1, formerly in the name of Eddie Anderson, Newell, South Dakota, is now listed as Mrs. Eddie (Vivian) Anderson, RR #1, Box 7, Newell, SD. This change was made per request of R.A. Smiley, Attorney, Belle Fourche, SD in a letter dated January 7, 1981.

If you have any questions, or require further assistance, please contact this office.

Sincerely,

Genny Young
Staff Assistant

gy



Department of Water & Natural Resources

Joe Foss Building

Water Rights Division (605) 773-3352

Pierre, South Dakota 57501

June 10, 1981

Mrs. Eddie (Vivian) Anderson
RR #1, Box 7
Newell, SD 57760

Mrs. Anderson:

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>
417-1	1.15	166.0	\$61.50
TOTAL			\$61.50

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/gv

Equal Opportunity Employer

Water Rights Division

June 12, 1981

Vivian Anderson
RR #1, Box 7
Newell, SD 57760

Dear Mrs. Anderson:

On June 10, 1981 you were mailed a letter requesting fees for payment of the water master for the Belle Fourche River. The figures typed on the letter for diversion rate, acreage and amount of fee were in error. Below is what the correct amounts should be:

417-1	1.35 cfs	196 acres	\$69.00
-------	----------	-----------	---------

We are sorry for any inconvenience this may have caused.

Sincerely,

GENNY YOUNG
Staff Assistant

gy



Department of
Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division (605) 773-3352

417-1

July 6, 1981

NOTICE

Vivian Anderson
RR #1, Box 7
Newell, SD 57760

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 46-10-26 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. 417-1 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,

James E. Hatcher
JOHN HATCH, Chief Engineer
Water Rights Division

JW/gy
cc: Marlin Lee, Water Master

Equal Opportunity Employer

 **Department of
Water & Natural Resources**
Joe Foss Building Water Rights Division (605) 773-3352
Pierre, South Dakota 57501

July 9, 1981

Vivian Anderson
RR #1, Box 7
Newell, SD 57760

Dear Ms. Anderson:

Enclosed is your Receipt No. 4 8379 in the amount of \$69.50
which you paid for water master services on the Belle Fourche River.

For your information, the name, address and telephone number of the
water master is as follows:

Marlin Lee
Newell, SD 57760
PH: 456-2321

Very truly yours,



JAMES E. WINTERTON
Water Resources Engineer IV

JEW/gy

Equal Opportunity Employer

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8379

July 9, 1981

PIERRE,

Eddie C. Anderson Estate, Vivian F. Anderson, Newell, SD 57760

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and Issuing Cert. of Construction No.....		
Fee for Inspecting Beneficial Use, and Issuing Water License No.....		
Fee for Issuing Location Certificate-Dry Draw, No.....		
Fee for filling		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for water master services on WR# 417-1		69.50
(any other work as provided by law)		
TOTAL		69.50

WATER RIGHTS COMMISSION

By

(John Hatch)
Chief Engineer, Executive Officer
JOHN HATCH

Belle Fourche River and Tributaries
Water Use Control Area
Financial Report
1981

Summary of Receipts and Expenditures
June, 1981 - July, 1981

	<u>Receipts</u>	<u>Disbursements</u>	<u>Balance</u>
Collections (Water User's fees)	\$7,379.37	\$ 2,028.62	\$ 5,350.75
Watermaster (Salary and Mileage)	<u>\$7,379.37</u>	<u>\$2,028.62</u>	<u>\$5,350.75</u>

Detailed Report of Receipts

No.	Name	Diversion Rate	Acreage	Receipts (total fee)	Amount Returned
789-1	Louis Budmayr	0.90	95.50	\$ 34.00	\$ 30.10
429-1	Ed Brunner & Son	1.43	106.00	46.50	41.16
429-1A	Mel Pittman	1.07	79.00	40.00	35.41
506-1	Bob Bartels	.23	17.00	14.25	12.61
892-1	Bob Bartels	1.00	70.00	27.50	24.34
417-1A	Quinten & Karen Watson	.53	78.00	29.50	26.11
417-1B	Clarence Anderson	1.43	206.00	64.00	56.65
417-1	Mrs. Eddie (Vivian) Anderson	1.15	69.00	69.50	61.52
531-1	Ruby Dillinger	1.27	89.29	42.50	37.62
1162-1	Charles & Dorothy Shaykett	4.61	324.70	131.00	115.96
1210-1	Charles & Dorothy Shaykett	1.80	128.30	52.00	46.03
1132-1	Ezra Pauley	1.00	285.00	111.25	98.48
1204-1	Art Heitz, Jr.	2.19	153.00	68.25	60.41
1205-1	Harlan K Schnell	1.88	132.00	53.00	46.91
1215-1	H L & Mildred Brunner	3.00	264.50	96.12	85.08
418-1	Alex Miller	1.67	117.00	49.25	43.59
1213-1	Robert W Grant	1.43	100.00	45.00	39.83
419-1	Herman Stark	2.50	179.00	74.75	66.17
421-1	Lee Dutton	2.50	175.00	73.75	65.28
1049-1	Thorval Jensen	1.47	103.00	45.75	40.50
1122-1	Thorval Jensen	4.88	324.14	135.75	120.16
1160-1	Thorval Jensen	1.90	133.49	53.50	47.36
1029-1	Homestake Mining	1.39	97.00	44.25	39.17
910-1	Donald Halbmaier	2.50	175.00	73.75	65.28
1165-1	Tom Bowen	2.85	200.00	80.00	70.81
722-1	Edith Anderson & Tom Bowen	2.80	196.00	79.00	69.93
1148-1	Homestake Mining	13.50	948.00	377.00	333.71
430-1	Gerald Wetz	1.65	116.00	49.00	43.37
432-1	Roy Casteel	4.30	307.00	126.75	112.20
414-1	Mary Ann Schummer	3.40	239.00	99.75	88.30
411-1	Edward Poss	5.10	452.00	173.00	153.13
440-1	David A Richards	5.00	416.00	154.00	136.32
1149-1	Homestake Mining	3.20	226.00	96.50	85.42
1150-1	Homestake Mining	7.60	534.00	213.50	188.98
437-1	McNenny Ranch Inc.	5.90	418.00	164.50	145.61
1151-1	Homestake Mining	5.50	390.00	157.50	139.41
821-1	George Levin & Sons	7.00	490.00	192.50	170.40
1136-1	George Levin & Sons	3.07	215.00	93.75	82.98

Detailed Report of Receipts Cont.

No.	Name	Diversion Rate	Acreage	Receipts (total fee)	Amount Returned
1152-1	Homestake Mining	6.60	462.00	\$ 185.50	\$ 164.20
449-1	George Wurnig	5.00	365.00	171.25	151.59
1153-1	Homestake Mining	6.10	428.00	177.00	156.68
311-1	Lester Clark	16.61	1,163.60	461.00	408.06
310-1	Lester Clark	6.76	473.20	188.50	166.65
248-1	Lawrence Burke	0.90	64.00	26.00	23.01
1077-1	Charles M Arneson	1.44	131.00	52.75	46.69
165-1	Trigg Ranches Inc.	4.30	301.00	275.00	243.42
122-1	Trigg Ranches Inc.	3.75	263.00		
1146-1	Trigg Ranches Inc.	1.89	336.00		
928-1	Charles Wennberg	2.20	155.00	68.75	60.86
912-1	Gilbert Alan	1.46	101.80	45.50	40.28
926-1	Donald Berger	2.04	143.00	65.75	58.20
1176-1	Arthur J Odekoven	2.30	163.00	70.75	62.63
1180-1	Neil Shuck	3.53	247.00	101.75	90.07
611-1	Alex Miller	3.35	235.00	98.75	87.41
569-1	Ramona McFarland	0.97	68.00	27.00	23.90
870-1	Eugene C Bishop	0.70	49.00	22.25	19.70
401-1	Kenneth & Dorothy Aker	1.88	132.00	53.00	46.91
135-1	Walter Hoffman	3.11	220.00	95.00	84.09
408-1	James A Mickelson	3.10	218.00	94.50	83.65
469-1	Raymond Garness	1.30	91.00	42.75	37.84
1218-1	William Dillinger	.40	42.70	20.75	18.37
1222-1	John Ismay (Norman)	1.11	79.00	39.75	35.19
1154-1	Homestake Mining	4.50	319.00	129.75	114.85
285-1	Edgar Colin Smart	1.42	150.00	67.50	---
331-1	Anna Stetta (Louis Budmayr)	1.87	131.00	52.75	---
472-1	Timothy Reich	2.00	167.84	62.00	---
275-1	John Durr	1.90	133.00	53.25	---
271-1	Herbert Clarkson	.06	43.00	20.75	---
296-1	Robert Helmer	2.50	179.00	74.75	---
308-1	Lewis Bertolotto	.64	45.00	21.25	---
282-1	James Jeffrey	1.05	73.70	38.50	---
1182-1	George Leach	1.60	108.00	47.00	---
228-1	Thornton Vallery	.72	54.17	23.75	---
290-1	Thornton Vallery	5.50	386.00	156.50	---
264-1	Thornton Vallery	.22	15.30	14.00	---
321-1	Clarence & Lawrence Foos	1.64	115.00	48.75	---
962-1	Ione A Shevling	3.00	251.00	92.75	---
960-1	Thornton & Gwenivere Vallery	.50	35.00	18.75	---
289-1	Thornton & Gwenivere Vallery	1.02	75.00	38.75	---
273-1	Ruben & Esther Kling	.46	32.60	18.25	---
273-1A	Ruben & Esther Kling	1.54	108.40	47.25	---
1177-1	Ruben & Esther Kling	3.30	231.00	97.75	---
416-1	Creta & Leslie Miner	2.66	198.00	79.50	---
865-1	Solomn Stark	2.14	150.00	67.50	---
287-1	David L Rathbun	2.20	154.00	68.50	---
1126-1	John Lewis	3.11	339.00	124.75	---

STATE OF SOUTH DAKOTA

DIRECT VOUCHER

Do not use this space.

AGENCY VOUCHER No.	DATE
1 / 1	11 / 10 / 81

PAYEE . Mrs. Eddie (Vivian) Anderson
 RR 1, Box 7
 Newell, SD 57760

DEPT. . DWR, Water Rights Division
 Foss Bldg.
 Pierre, SD 57501

STAPLE
HERE

ADDRESS .

Agency	Fund	Sub Fund	Prog. Act.	Obj. Sub. Obj.	Agency Coding	Amount	Contract No.
200301	699	01	0000	0801		51 52	1
							2
							3
							4
							5
							6
							7
							8
							9
							10
TOTAL 22						61 52	

Warrant # 82079304
 AC # 077405
 date 11/10/81

NOTE: Vendors invoice must be attached.

Invoice No.(s)	Date Delivered	QUAN.	DESCRIPTION OF SERVICE OR COMMODITY	UNIT PRICE	AMOUNT	MEMO
			Refund of unexpended funds collected from the Belle Fourche River and tributaries Water Use Control Area Permit Owners			
			417-1 Mrs. Eddie (Vivian) Anderson		51 52	
TOTAL					61.52	

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to no discrimination in federally assisted programs.

Claimant Signature

Date

AGENCY VERIFICATION

I hereby certify that this claim has been examined by me, and to the best of my knowledge and belief is in all things true and correct and the same is hereby approved.

DIVISION APPROVAL

DATE

APPROVAL SIGNATURE

DATE

417-1

Water Rights Division
605 773-3352

March 8, 1982

Frank Sheridan
Star Route 1, Box 7
Newell SD 57760

Dear Mr. Sheridan:

In checking on the old Anderson Water Right, I find that it has been split into three portions. The area on the enclosed map outlined in green (417-1A) is in the name of Quinten & Karen Watson; the area in red (417-1B) is in the name of Clarence Anderson; and the area in orange (417-1) is in the name of Mrs. Eddie (Vivian) Anderson.

417-1 calls for 1.35 cfs to irrigate the 196 acres.

417-1A calls for .53 cfs to irrigate the 78 acres.

417-1B call for 1.23 cfs to irrigate the 176 acres.

You indicated you had purchased the area owned by Vivian Anderson. I am enclosing a copy of the Certificate of Completion of Works and the Water License on this water right.

Also enclosed is a copy of our transfer form, which you are requested to complete and return to this office with the required fee of \$2.50 for filing such transfer.

If you have further questions feel free to contact this office.

Sincerely,

BURTON F. JONES
Water Rights Specialist

BFJ:ks

enclosures

WATER RIGHTS DIVISION (605) 773-3352

July 14, 1982

Frank Sheridan
Star Route #1, Box 7
Newell, South Dakota 57760

Dear Mr. Sheridan:

On March 8, 1982 notice was sent to you concerning the transfer of Water Permit No. 417-1 in the name of Vivian Anderson which covers irrigation of 196 acres in portions of Section 1, 11, and 12, T8N, R5E. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed please find an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The permit can then be transferred to your name. If you are not the present owner of the land covered under this Permit, please notify this office. It is very important that ownership records be kept current.

If you have any questions, please contact us.

Sincerely,

Genny Young
Water Rights Specialist

GY:ms
Enc.

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8914

PIERRE, July 27, 1907

RECEIVED OF Frank Sheridan, Star Route #1, Box #77, Howell, SD 57755

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

Fee for Application for Permit to appropriate Water No. (examination, processing, recording and filing)	
Fee for inspecting Construction, and issuing Cert. of Construction No.	
Fee for inspecting Beneficial Use, and issuing Water License No.	
Fee for issuing Location Certificate-Dry Draw, No.	
Fee for filing (transfer fee, \$5.00)	
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	
Fee for	
(any other work as provided by law)	
TOTAL	

WATER RIGHTS COMMISSION

By _____
Chief Engineer, Executive Officer

No. 417-1



Department of Water & Natural Resources

Joe Foss Building

Water Rights Division

Pierre, South Dakota 57501

Phone (605) 773-3352

July 29, 1982

Frank Sheridan
Star Route #1, Box 7
Newell, South Dakota 57760

Dear Mr. Sheridan:

Enclosed is receipt No. 4 3914 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 417-1.

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

Sincerely,

Genny Young
Water Rights Specialist

GY:ms
Enc.

WDR-821-7/79

Receipt & Notice of filing of Transfer of Water Right

NO. 417-1

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 26 July 1982

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

196 acres, SW1/4SW1/4 Section 1; N1/4NE1/4, SE1/4NE1/4, Section 11; NW1/4 Section 12;

all in T8N, R5E

formerly owned by Vivian Anderson

has been transferred to Frank Sheridan, Star Route #1, Box 7, Newell, SD 57760

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

Water Right Permit No. 417-1 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 Office 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 _____) ss.

I, Frank D. Sheridan, 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.

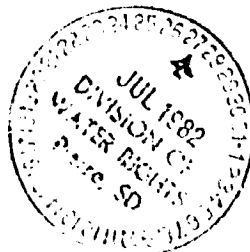
[Signature]
(Signed)

Subscribed and sworn to before me this 26 Day of July, 19 82

[Signature]
(Notary/Public)

Commission Expires: 10 Feb 1990

WNR-800-7/79
Notice of Transfer of Water Permit





Department of Water & Natural Resources

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

March 31, 1986

Notice

Frank Sheridan
RR 1, Box 7
Newell, SD 57760

Re: Violation of Requirement to Submit 1985 Irrigation Questionnaire

Our records indicate that the 1985 Irrigation Questionnaire has not been submitted for Water Permit No(s). 417-1. The request for the Questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 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 p.m., May 14, 1986 in Room 216, Joe Foss Building, Pierre, South Dakota.

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

1. Amend Permit No(s). 417-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

Sincerely,

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

Note: If the questionnaire(s) is received in this office before the May 14 hearing date, your name will be deleted from the agenda for the hearings.

 **Department of
Water & Natural Resources**

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

May 20, 1986

NOTICE OF AMENDMENT TO WATER PERMIT(s)

To: Frank Sheridan
RR 1 Box 7
Newell SD 57760

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



SUBJECT: Amendment to Water Permit No(s). 417-1

Pursuant to the provisions of the notice dated March 31, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No(s). 417-1 to add the following qualification:

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

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

Equal Opportunity Employer

 **Department of
Water & Natural Resources**

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

Attachment to Water Permit No. 417-1

Pursuant to the provisions of the notice dated May 20, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No. 417-1 to add the following qualification:

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

Equal Opportunity Employer

Water Rights Division - DWR
Conversation or File Documentation

File No. 417-1

NAME OF ~~PERSON~~ FILE: Frank Sheridan

ADDRESS: _____ COUNTY Butte

DATE: September 24, 1986 TELEPHONE _____

RE: Suspension of Water Right No. 417-1 for 1986 season & ownership
of the lands covered under above water right

COMMENTS:

The 1985 irrigation questionnaire, notice of requirement to submit
the questionnaire and the notice of amendment to the water permit
was sent to Frank Sheridan. After an inspection by LeRoy Mernaugh
it was determined that Mr. Sheridan no longer owned the property.

The land is now owned by Vivian Sjodin, Rapid City.

Due to improper notice, Water Right No. 417-1 should not have
been amended by the Water Management Board to include the
mandatory irrigation questionnaire qualification.

Send further correspondence and a transfer form to:

Vivian Sjodin

3902 Wonderland Drive

Rapid City, SD 57701

File in Permit or other file as necessary. Use to document conversations and
what the other party was told; why action or decision was made.

NAME: John H. Hatcher



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 417-1

September 25, 1986

Vivian F. Sjodin
3902 Wonderland Drive
Rapid City, South Dakota 57701

Dear Mrs. Sjodin:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper 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.

Please advise if you have any questions.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

ms
free

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Oct 2, 1986

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

Portions of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; NE $\frac{1}{4}$ of Section 11, and the NW $\frac{1}{4}$ of
Section 12, T8N-R5E

formerly owned by Frank Sheridan

has been transferred to Vivian F. Sjodin, 3902 Wonderland Drive, Rapid City SD 57701
(please include complete mailing address)

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

Water Right Permit No. 417-1 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 Pennington) ss.

I, Vivian F. Sjodin 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.

Vivian F. Sjodin
(Signed)

Subscribed and sworn to before me this 2nd Day of October, 1986.

Paula K. Nelson
(Notary Public)

NOTE: Mrs. Sjodin-This transfer is being sent to you in lieu of a conversation between LeRoy Wetz and LeRoy Mernaugh of this office. Mr. Wetz indicated you own the land covered under Water Right 417-1.

WATER RIGHTS DIVISION
(605) 773-3352

October 3, 1986

Vivian F. Sjodin
3902 Wonderland Drive
Rapid City, South Dakota 57701

Dear Mrs. Sjodin:

This will acknowledge receipt of your "Notice of Transfer" for Water Right No. 417-1. However, as stated on the transfer form, a \$2.50 filing fee is required before the transfer can be filed for record.

Please remit the \$2.50 filing fee as soon as possible. Your assistance in this matter is appreciated.

Sincerely,

Genny McHath
Natural Resources Analyst

GM:mis

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410589

Pierre, October 7, 1936

RECEIVED OF Vivian F. Sjodin, 3902 Wonderland Drive, Rapid City, SD 57701

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>417-1</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By

Chief Engineer

JOHN HATCH

ms

 **Department of
Water & Natural Resources**
Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 Phone (605) 773-3352

October 8, 1986

Vivian F. Sjodin
3902 Wonderland Drive
Rapid City, South Dakota 57701

Dear Mrs. Sjodin:

Enclosed is receipt No. 410589 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 417-1.

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

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.



Department of Water & Natural Resources

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

January 23, 1988

VIVIAN F. SODIN
3902 WONDERLAND
RAPID CITY, SD 57701

NOTICE

Re: Violation of Water Permit No(s). 417-1

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 417-1. 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 permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 417-1 qualification:

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

The hearing(s) will be at 9:00 am, March 2, 1988, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

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

1. Suspend Permit No(s). 417-1 until either the 1987 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

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

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

February 4, 1988

417-1

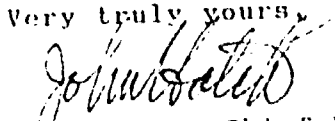
Vivian Sjodin
3902 Wonderland
Rapid City, SD 57701

Dear Ms. Sjodin:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire. A notice was sent to you January 29, 1988 regarding the the requirement to submit the Irrigation Questionnaire for Water Right No. 417-1 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

February 8, 1989

VIVIAN F SJODIN
3902 WONDERLAND
RAPID CITY, SD 57701

NOTICE

RE: Violation of Water Permit No(s). 417-1

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 417-1. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 417-1 qualification:

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

The hearing will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, 1-90 at LaCrosse, Rapid City 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, the Water Management Board can:

1. Suspend Permit No(s). 417-1 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
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 before the March 1st hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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



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

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

February 23, 1989

417-1

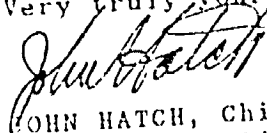
Vivian F Sjodin
3902 Wonderland
Rapid City, SD 57702

Dear Ms. Sjodin:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 417-1. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaire your name has been deleted from the March Water Management Board meeting agenda.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division



VIVIAN F SJODIN
3902 WONDERLAND
RAPID CITY SD 57701

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

NOTICE

RE: Violation of Water Permit No(s) 417-1

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 417-1. 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 permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 417-1 qualification:

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

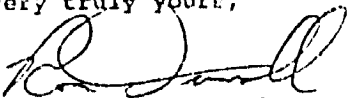
The hearing will be held at 9:15 am, March 4, 1992, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, 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) 417-1 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 4th hearing date, you will no longer be in violation of your permit and 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 10, 1992

417-1

Vivian F Sjodin
3902 Wonderland
Rapid City, SD 57701

Dear Ms. Sjodin:

I am writing to acknowledge receipt of your 1991 irrigation questionnaire for Water Right No. 417-1. 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,

Genny McMath
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 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 Fee will provide you the signature of the person delivered to on the date of delivery

3. Article Addressed to:

VIVIAN F SJODIN
3902 WONDERLAND
RAPID CITY, SD 57701

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

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

5. Signature (Addressee)

6. Signature (Agent)

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

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:

VIVIAN F SJODIN
3902 WONDERLAND
RAPID CITY SD 57701

417-1

4a. Article Number

P887692662

b. Service Type

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

Date of Delivery

2-23-94

5. Signature (Addressee)

Vivian F. Sjoedin

6. Signature (Agent)

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

PS Form 3811, December 1991 ☆ U.S.G.P.O. : 1992-307-330

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



417-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

VIVIAN F SJODIN
3902 WONDERLAND
RAPID CITY SD 57701

NOTICE

RE: Violation of Water Permit No(s) 417-1

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 417-1. The request for the Questionnaire was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 417-1 qualification:

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

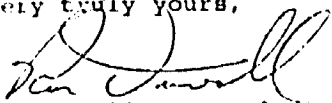
The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Ave, Lead, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit 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) 417-1 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 April 1, 1994, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,


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



417-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 24, 1994

417-1

Vivian Sjodin
3540 Simpson
Rapid City, SD 57702

Dear Ms. Sjodin:

I am writing to acknowledge receipt of your 1993 Irrigation questionnaire. I completed a questionnaire for you based upon our February 23, 1994 telephone conversation. You may disregard the February 16, 1994, **Notice of Violation of Water Permit No. 417-1.**

The questionnaire was completed and on file 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
Environmental Scientist
Water Rights Division
(605) 773-3352



417-1
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: VIVIAN F SJODIN, 1240 JACKSON BLVD, RAPID CITY, SD 57702
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(s) has not been submitted for Permit No(s) 417-1. 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(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) 417-1 qualification:

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

The hearing will be held at 9:45 am, March 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. 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) 417-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1999, 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.

417-1

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 it 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.

3. Article Addressed to: **VIVIAN F SJODIN**
1240 JACKSON BLVD
RAPID CITY SD 57702

4a. Article Number: **2-119 141 610**

4b. Service Type

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

7. Date of Delivery: **1-23-99**

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)
X Barb Shaw

8. Addressee's Address (Only if request for return receipt and fee is paid)

PS Form 3811, December 1994

102595-97-0-0179 Domestic Return Receipt

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

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

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/denr

January 27, 1999

417-1

Vivian Sjodin
1240 Jackson Blvd
Rapid City, SD 57702

Dear Ms. Sjodin:

I am writing to acknowledge receipt of your 1998 irrigation questionnaire. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right No. 417-1.

I completed a questionnaire for you based on our January 27th telephone conversation. 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



417-1
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: VIVIAN F & RON SJODIN, 3001 SUNNYHILL CIRCLE, RAPID CITY, SD 57702
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire(s)

Our records indicate that the 2004 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 417-1. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 417-1 qualification:

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

The hearing will be held at 8:30 am, March 2, 2005 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 417-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **February 25, 2005**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



417-1

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Current Status

You entered 2301 3460 0000 8516 0889

Your item was delivered at 2:34 pm on February 02, 2005 in RAPID CITY, SD 57701. The item was signed for by R PETTY.

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SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8516 0889

VIVIAN F & RON SJODIN
3001 SUNNYHILL CIRCLE
RAPID CITY SD 57702

illing.

Waiver of Signature ☐ YES ☐ NO

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PS Form 153, July 2001



417-1
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PMB 2020
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523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 22, 2005

417-1

Vivian F & Ron Sjodin
3001 Sunnyhill Circle
Rapid City SD 57702

Dear Sirs:

I am writing to acknowledge receipt of your 2004 irrigation questionnaire. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 417-1.

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



417-1

**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 26, 2007

NOTICE

TO: VIVIAN F & RON SJODIN, 3001 SUNNYHILL CIRCLE, RAPID CITY, SD 57702

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

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 417-1. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 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) 417-1 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 7, 2007 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) 417-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **March 1, 2007**, 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/E0455V5-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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Status: **Delivered**

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SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 6316

VIVIAN F & RON SJODIN
3001 SUNNYHILL CIRCLE
RAPID CITY SD 57702

Waiver of Signature ☐ YES ☐ NO

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www.state.sd.us/denr

February 2, 2007

417-1

Vivian F & Ron Sjodin
3001 Sunnyhill Circle
Rapid City SD 57702

Dear Mr. & Mrs. Sjodin:

I am writing to acknowledge receipt of your 2006 irrigation questionnaire. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right No. 417-1.

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



417-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2009

NOTICE

TO: VIVIAN F & RON SJODIN, 3001 SUNNYHILL CIRCLE, RAPID CITY, SD 57702
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 417-1. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 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) 417-1 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, 2009** 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) 417-1 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 6, 2009**, 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/efrms/secure/efrms/E0455V7-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.

417-1

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Label/Receipt Number: 2303 2160 0000 0802 7439
Status: **Delivered**

Your item was delivered at 3:17 PM on January 24, 2009 in RAPID CITY, SD 57702. The item was signed for by R SJODIN.

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SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 7439

VIVIAN F & RON SJODIN
3001 SUNNYHILL CIRCLE
RAPID CITY SD 57702

Waiver of Signature ☐ YES ☐ NO

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PS Form 153, May 2002

(See Reverse)



**DEPARTMENT of ENVIRONMENT
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PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 29, 2009

417-1

Vivian & Ron Sjodin
3001 Sunnyhill Circle
Rapid City SD 57702

Dear Ms. Sjodin and Mr. Sjodin:

I am writing to acknowledge receipt of your 2008 irrigation questionnaire. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right No. 417-1.

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



417-1
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 25, 2019

NOTICE

TO: VIVIAN F & RON SJODIN, 3001 SUNNYHILL CIRCLE, RAPID CITY, SD 57702
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 417-1. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 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) 417-1 qualification:

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

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 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) 417-1 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 6, 2019** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <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.



417-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

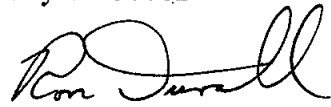
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523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 20, 2019

NOTICE

TO: Vivian F & Ron Sjodin, 3001 Sunnyhill Circle, Rapid City SD 57702

FROM: Ron Duvall, Water Rights Permitting Administrator
for Jeanne Goodman, Chief Engineer
Water Rights Division 

SUBJECT: Unclaimed Certified Mail Concerning Violation of Water Right No. 417-1

The attached notice was sent certified mail, return-receipt requested. The post office has returned the certified mail return-receipt requested envelope to our office marked "unclaimed". The envelope indicated the post office notified you January 29, 2019 and February 3, 2019 to pick up and sign for the certified mail before returning it to our office.

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

CERTIFICATION

I hereby certify that on February 20, 2019, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope containing a Notice dated February 20, 2019 regarding Unclaimed Certified Mail concerning irrigation questionnaire violations addressed as stated below:

No. 2072-3: Darwin Ulvestad, 46679 201st St, Bruce SD 57220

No. 6168-3: Robert Hattum, 21744 W Bend Rd, Harrold SD 57536

No. 417-1: Vivian F & Ron Sjodin, 3001 Sunnyhill Circle, Rapid City SD 57702

No. 515-3: Daniel Benson, 45586 US Hwy 18, Hurley SD 57036-6009

Nos. 5290-3

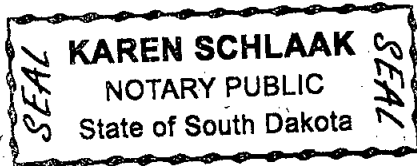
8148-3: Troi D Andernacht, 45835 284th St, Hurley SD 57036


Eric Gronlund
Water Rights Program
Environment and Natural Resources

[illegible]

Sworn to, before me, this 20th day of February, 20 19.

Karen Schlaak
Karen Schlaak
Notary Public
My Commission expires April 1, 2019





417-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 28, 2019

417-1

Ron & Vivian Sjodin
3001 Sunnyhill Circle
Rapid City SD 57702

Dear Mr. & Mrs. Sjodin:

I am writing to acknowledge receipt of your 2018 irrigation questionnaire.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right No. 417-1. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is fluid and cursive, with the first name "Genny" being more prominent.

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



417-1
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 23, 2020

NOTICE

TO: VIVIAN F & RON SJODIN, 3001 SUNNYHILL CIRCLE, RAPID CITY, SD 57702
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 417-1. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 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) 417-1 qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 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:

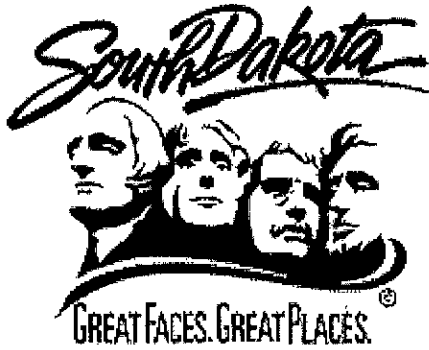
1. Suspend or cancel Permit No(s) 417-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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 **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: JOCKAH**

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.

417-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 3, 2020

417-1

Vivian & Ron Sjodin
3001 Sunnyhill Circle
Rapid City SD 57702

Dear Mr. & Mrs. Sjodin:

I am writing to acknowledge receipt of your 2019 irrigation questionnaire.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right No. 417-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

June 8, 2022

417-1

Ronald Sjodin
3001 Sunnyhill Circle
Rapid City SD 57702

Dear Mr. Sjodin:

I am writing regarding Water Right No. 417-1 listed under Vivian F Sjodin. You had made a notation on the irrigation questionnaire back in November about the ownership change needed.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and complete as needed. Upon completion, please sign and return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions concerning the water right or completion of the transfer form, please let me know.

Sincerely,

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

417-1

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Agriculture and Natural Resources

Date June 24, 2022RECEIVED OF Karen Seaman 12941 US Highway 212 Newell SD 57760

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
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>417-1</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$50.00</u>

By

Eric Gronlund

Chief Engineer

vm

PAID

JUN 24 2022

Ck# 1182

Rec't# _____

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

JUN 24 2022

OFFICE OF
WATER

No. 417-1

Date: 6-13-22

I/We request that Water Right No. 417-1

formerly owned by: Vivian F Sjodin

be transferred to: (name & address) Karen Seaman

12941 US Highway 212 Newell, SD 57760
Telephone No. 605-210-2795

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

Portions of the SW 1/4 SW 1/4 Section 1, NE 1/4 Section 11 and the NW 1/4 Section 12, all in T8N, R5E

SE 1/4 of the

I/We understand that the validity of Water Right No. 417-1 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 Karen Seaman, the new owner, certify that the above information is true and correct.

Karen Seaman
(Signed by new owner)

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

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

June 27, 2022

417-1

Karen Seaman
12941 US Hwy 212
Newell SD 57760

Dear Ms. Seaman:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 417-1.

The ownership change has been completed. Water Right No. 417-1 formerly held by Vivian Sjodin is now listed in your name.

Enclosed for your records is a receipt for the filing fee you paid. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosure