

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 429-1A

(1) WHEREAS, On the 3 day of October, A. D. 1959
Bentz Brothers

made Water Right Application No. 429-1 for a permit to use 3.45 cubic feet per second of the waters
 of the Belle Fourche River

County of Butte, State of South Dakota, for irrigation

—purposes; and

(2) WHEREAS, On the 10th day of December, A. D. 1959

Permit No. 429-1, with a date of priority of October 3, 1959

was issued to said applicant S for the diversion of said water, and provided for the completion of construction of the water

supply system 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

WHEREAS, on the 24th day of February, 1981, Water License No. 429-1 was transferred to
 Ed Brunner, Nisland, South Dakota and

WHEREAS, on the 21st day of May, 1981, Water License No. 429-1 was split and/transferred
 to Mel Pittman, RR, Nisland, South Dakota,

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
 relating to completion of the construction of the water supply system, and is entitled to divert 1.07 cubic feet
 per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
 relating to the application of water to beneficial use of the following extent,
 for irrigating the following described land all in Section 11, T4N, R5E,

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 23 acres

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 8 "

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 26 "

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 22 "

TOTAL 79 acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the law of the State of South Dakota, We hereby grant and confirm to McI Pittman

_____ of Nisland, SD

the holder _____ and owner _____ of said permit No. 429-1A a water right, dating from October 3, 1959

_____ to use of 1.07 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 between points S64°E, 404' from the W $\frac{1}{4}$ corner,

Section 11, and S47°15'W, 1798 feet from the E $\frac{1}{4}$ corner, Section 14, T8N, R5E

and conducted to and upon _____ portions of Section 11, T8N, R5E more fully described on
the face of this licence

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 429-1A and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 5th day of February A. D.
Nineteen Hundred and Sixty-eight

WATER MANAGEMENT BOARD

By: s/J W GRIMES

Chief Engineer, Executive Officer J W GRIMES

Permit No. 429-1A

Water Diversion No. 1 Belle Fourche River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Mel Pittman

the holder of

Permit No. 429-1A, issued upon Application No. 429-1, bearing date of priority of October 3, 1959 authorizing the diversion of 1.07 cu. ft. per second of the waters of the Belle Fourche River County of Butte, State of South Dakota at between points S64°E, 404' from the W $\frac{1}{2}$ corner, Section 11 and S47°15'W, 1798 feet from the E $\frac{1}{2}$ corner, Section 14, T8N, R5E, BHM

for irrigation

purposes, has complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 1.07 cu. ft. per second of water.

Date February 5, 1968

s/JW GRIMES

JOHN HATCH, Chief Engineer
Water Rights Division

Form 2 - Application for Permit to Appropriate Water-Original (Includes Approval and Permit)

No. 429-1A

Map No. _____ Water Division No. 1 Belle Fourche River District
Above for Office Use

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

Check one of the following:

Ne.v. _____ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Part transferred from 429-1,
Ed Brunner

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Mel Pittman Phone No. _____
Post Office Address RR Nisland State SD 57762
(Street, RR, or Box) (Town) (Zip Code)
If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) _____

3. Name of diversion work The Bentz Brothers Irrigation Project

4. Amount of water claimed (cubic feet per second) 1.07

5. Source of water supply Belle Fourche River

6. Location of point of diversion between a point S 64° E 404' from the W 1/4 corner Section 11 and
a point S 47° 15' W, 1798' from the E 1/4 corner, Section 14, T8N, R5E, BHM

County Butte

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

8. Use to be made of water, (irrigation industrial municipal, commercial, recreation, etc.) Irrigation

9. For irrigation use, Total number of acres to be irrigated 79

List below each forty acre subdivision, or 10', or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
SW 1/4 NE 1/4 Section 11, T8N, R5E	23
NW 1/4 SE 1/4 " " "	8
NE 1/4 SW 1/4 " " "	26
SE 1/4 SW 1/4 " " "	22

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required
to complete application of water to the proposed beneficial use 5 years

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Belle Fourche Daily Post

12. Principal Features of the Proposed Water Supply System.

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

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

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ _____

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(see instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

County of Butte) ss.

I, Bentz Brothers by John Bentz, Jr the applicant, certify that I have read the foregoing application
and have examined the attached map and that the matters therein stated are true and that I intend, and am able to
complete the necessary construction.

Signed s/Bentz Brothers by John Bentz, Jr.

Subscribed and sworn to before me this 18 day of September, 1959

s/Carl M. Cornell

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 429-1A
Mel Pittman RR, Hisland

(Applicant)

(Post Office Address)

South Dakota 57762
(State)

With the following qualifications

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

Date of first receipt of application October 3, 1959
Date of return to applicant for correction, amendments or changes required , 19
Date of receipt of corrected application , 19
Approved December 2, 1959, Recorded in Book 5 Page 282A

WATER RIGHT PERMIT NO. 429-1A

The Water Management Board hereby grants and issues this Water Right Permit No. 429-1A authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is October 3, 1959
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before June 2, 1962
3. The whole of said work is to be completed on or before December 2, 1964
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is December 2, 1968
5. The water appropriated shall be used for the purpose of irrigation
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 1.07 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth ($1/70$) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before December 2, 1968; said water to be used during the following described annual period: April to November, inclusive

Witness my hand this 10th day of December, 1959

THE WATER MANAGEMENT BOARD

By S/J W GRIMES
Chief Engineer Water Rights J W GRIMES

Certificate of Construction Issued February 5, 1968

Water License Issued February 5, 1968

**OVERSIZE
DOCUMENT IS
SUPPLEMENTARY
TO MICROFILM FILE**

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

May 21, 1981

Ed Brunner & Sons
Nisland, SD 57762

Mel Pittman
RR
Nisland, SD 57762

Gentlemen:

For your information, Water Right No. 429-1, in the name of Ed Brunner and Sons has been split and part has been transferred to Mel Pittman, now listed as 429-1A. The following is a breakdown of what each water right is authorized for.

429-1	Ed Brunner & Sons
PRIORITY:	October 3, 1959
CFS:	1.43
ACREAGE:	106.00
	NE 1/4 SE 1/4 21 acres Sec. 11, T8N, R5E
	NW 1/4 SE 1/4 10 " "
	SW 1/4 SE 1/4 15 " "
	SE 1/4 SE 1/4 3 " "
	NE 1/4 NE 1/4 70 " Sec. 14, T8N, R5E
	SW 1/4 NE 1/4 7 " "
429-1A	Mel Pittman
PRIORITY:	October 3, 1959
CFS:	1.07
ACREAGE:	70
	SW 1/4 NE 1/4 23 acres Sec. 11, T8N, R5E
	NW 1/4 SE 1/4 8 " "
	NE 1/4 SW 1/4 26 " "
	SE 1/4 SW 1/4 22 " "

The cfs rate as shown is the maximum diversion rate allowed for each of your acreages. If you plan on irrigating at a higher diversion rate, this could be allowed if you would take turns irrigating, not exceeding 2.5 cfs. This is possible because the permit has been split and the priority date for each of you is the same.

Please advise this office if you have any further questions.

Very truly yours,

JAMES E. WINTERION
Water Resources Engineer

JEW/gv

Equal Opportunity Employer

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

June 10, 1981

Mal Pittman
Nisland, SD 57762

Mr. Pittman:

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>
422-1A	1.07	79.0	\$39.75
TOTAL			\$39.75

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

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

Very truly yours,

John Hatch

JOHN HATCH, Chief Engineer
Water Rights Division

JH/JW/gy

Equal Opportunity Employer

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8350

PIERRE,

June 29, 1931

RECEIVED OF Melvin Pittman, Route 1, Box 65, Nisland SD

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 water master services on W. #429-1A	40	00
(any other work as provided by law)		
TOTAL	40	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH (kw)

STATE OF SOUTH DAKOTA

Do not use this space.

DIRECT VOUCHER

AGENCY VOUCHER No.	DATE
1	11/10/81

PAYEE

Hel Pittman
Hinsland, SD 57762

DEPT.

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

AGENCY

ADDRESS

Agency	Fund	Sub Fund	Prog. Act.	Obj. Sub. Obj.	Agency Coding	Amount	Contract No.
200301	699	01	0000	0801		35.41	1
							2
							3
							4
							5
							6
							7
							8
							9
							10
TOTAL						35.41	

Warrant # 82079300
077481
date 11/10/81

NOTE: Vendor's 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			
			429-1A Hel Pittman		35.41	
TOTAL					35.41	

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 nondiscrimination 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

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

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

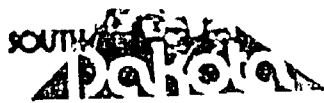
	<u>Receipts</u>	<u>Disbursements</u>	<u>Balance</u>
Collections (Water User's fees)	\$7,379.37	\$	\$
Watermaster (Salary and Mileage)		2,028.62	5,350.75
	<u>\$7,379.37</u>	<u>\$2,028.62</u>	<u>\$5,350.75</u>

Detailed Report of Receipts

No.	Name	Diversion Rate	Acreage	Receipts (total fee)	Amount Returned
785-1	Louis Erdmayr	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	4.00	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 Cutton	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	166.85
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
1190-1	Neil Shuck	3.53	247.00	101.75	90.07
611	Alex Miller	3.35	235.00	93.75	87.41
369	Ma McFarland	0.97	68.00	27.00	23.90
371	Ma C Bishop	0.70	49.00	22.25	19.70
401	Edith & Dorothy Aker	1.88	132.00	53.00	46.91
1177	Ar Hoffman	3.11	220.00	95.00	84.09
411	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	57.50	---
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	16.75	---
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	Solomon Stark	2.14	150.00	67.50	---
287-1	David G Rathbun	2.20	154.00	68.50	---
1126-1	John Lewis	3.11	339.00	124.75	---



Department of Water & Natural Resources

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

February 9, 1990

MEL PITTMAN
HCR 76 BOX 152
NISLAND, SD 57762

NOTICE

RE: Violation of Requirement to Submit 1989 Irrigation Questionnaire

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 429-1A. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted 1989 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Jefferson-Roosevelt Room, I-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(s), the Water Management Board can:

1. Amend Permit No(s). 429-1A to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire(s) is received in this office before the March 7th hearing date, your name will be deleted from the agenda for the hearing.

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

March 14, 1990

429-1A

Melvin Pittman
HCR 76 Box 152
Nisland, SD 57762

Dear Mr. Pittman:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit No. 429-1A. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

A handwritten signature in cursive script that reads "Ron Duvall".

RON DUVALL
Natural Resources Engineer
Water Rights Division



429-1A

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

MEL PITTMAN
HCR 76 BOX 152
NISLAND SD 57762

NOTICE

RE: Violation of Requirement to Submit 1991 Irrigation Questionnaire

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 429-1A. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:15 am, March 4, 1992, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 429-1A to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office before the March 4th hearing date, your name will be deleted from the Board agenda.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Ron Duvall'.

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 7, 1992

429-1A

Mel Pittman
nCR 76 Box 152
Nisland, SD 57762

Dear Mr. Pittman:

I am writing to acknowledge receipt of your 1991 irrigation questionnaire for Water Right No. 429-1A. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaire was received prior to the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,

A handwritten signature in cursive script that reads "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 delivering to and the date of delivery.

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

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

Consult postmaster for fee.

3. Article Addressed to:

MEL PITTMAN
HCR 76 BOX 152
NISLAND, SD 57762

4a. Article Number

P906 557 693

4b. Service Type

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

7. Date of Delivery

JAN 31 1992

5. Signature (Addressee)

6. Signature (Agent)

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 8, 2003

429-1A

Mel Pittman
HCR 76 Box 152
Nisland SD 57762

Dear Mr. Pittman:

Thank you for calling our office in regard to the annual irrigation questionnaire. It is my understanding that you did irrigate but did not receive a questionnaire from us to complete for 2001 or 2002 crop seasons.

Following our conversation, I added the water right back to the mailing list for annual irrigation questionnaires. I completed a 2001 irrigation questionnaire and placed it in the file. The form states that you irrigated in 2001 but did not receive an annual report to file due to an error in our office.

Enclosed is the 2002 irrigation questionnaire pertaining to your Water Right No. 429-1A. I have included a postage paid envelope for your convenience in returning the form.

Thank you for calling about this issue. I apologize for the error and have hopefully corrected the problem. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 18, 2008

NOTICE

TO: MEL PITTMAN, 18898 VALE CUTOFF RD, NISLAND, SD 57762

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire has not been submitted for Permit No(s) 429-1A. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 11, 2008**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 429-1A to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **March 3, 2008**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

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

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

429-1A

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 4339
Status: **Delivered**

Your item was delivered at 10:18 AM on January 23, 2008 in NISLAND, SD 57762. The item was signed for by J PITTMAN.

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Enter Label/Receipt Number.

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No FEAR Act EEO Data

FOIA

U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 4339

MEL PITTMAN
18898 VALE CUTOFF RD
NISLAND SD 57762

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

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

Signature Confirmation Only

- ☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel

PS Form 3800, May 2002



**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 29, 2008

429-1A

Mel Pittman
18898 Vale Cutoff Rd
Nisland SD 57762

Dear Mr. Pittman:

I am writing to acknowledge receipt of your 2007 irrigation questionnaire. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right No. 429-1A.

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



429-1A

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 1, 2021

429-1A

Jacob & CharLee Bachman
12863 Pittman Ln
Nisland SD 57762

Dear Mr. & Mrs. Bachman:

I am contacting you in regard to ownership of land described in Water Right No. 429-1A. Mel Pittman contacted our office and indicated he wished to have the water right transferred to you.

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.

Included with this letter is a copy of the water right for your records. If you have any questions, please give me a call.

Sincerely,

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

enclosures

429-1A

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Agriculture and Natural Resources

Date November 24, 2021RECEIVED OF Jacob/Charlee Bachman 12863 Pittman Ln Nisland SD 57762

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>429-1A</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 EngineerVM

PAID

NOV 24 2021

Ck# 1056

NOTICE OF TRANSFER OF OWNERSHIP
RECEIVED

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

NOV 24 2021
WATER RIGHTS
PROGRAM

No. 429-1A

Date: 11/21/21

I/We request that Water Right No. 429-1A

formerly owned by: Melvin Pittman

be transferred to: (name & address) Jacob and CharLee Bachman
12863 Pittman LN
Nisland SD 57762 Telephone No. 605-892-5242

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

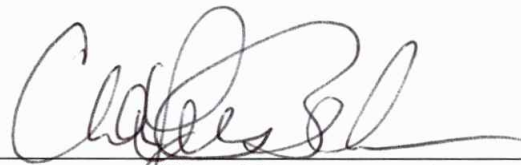
79 acres - SW 1/4 NE 1/4, NW 1/4 SE 1/4, E 1/2 SW 1/4 Section 11, T8N, R5E

I/We understand that the validity of Water Right No. 429-1A 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 CharLee Bachman, the new owner, certify that the above information is true and correct.


(Signed by new owner)

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

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

429-1A



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 29, 2021

429-1A

Jacob & CharLee Bachman
12863 Pittman Ln
Nisland SD 57762

Dear Mr. & Mrs. Bachman:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 429-1A.

The ownership change has been completed. The water right formerly held by Melvin Pittman is now listed in your names.

If you have any questions, please give me a call.

Sincerely,

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

enclosure