

REISSUED WATER LICENSE NO. 482-1B

(1) Howard Schmele of Hewell, SD, was originally issued Partial Vested Water Right License No. 482-1, October 11, 1972 for a right to appropriate 11.00 cubic feet of water per second (cfs) from Biddy, O'Leary and Indian Creeks, in Butte County, South Dakota for irrigation of 790 acres in portions of Sections 7, 8, 16 and 17, T9N, R5E and Sections 1 and 12, T9N, R4E. Partial Vested Water Right No. 482-1 with priority dates of January 1, 1949 and June 23, 1960, was issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of water completed.

On July 11, 1991, Edwin D Gardner, dba Gardner Lazy E Ranch, filed a "Notice of Transfer" for portions of the acreage described in Partial Vested Water Right No. 482-1. The water license is being divided and reissued as No. 482-1A, Howard Schmele Estate and 482-1B, Gardner Lazy E Ranch.

Partial Vested Water Right No. 482-1A, Howard Schmele Estate, is being reissued for irrigation of 574 acres in Sections 7, 8, 16 and 17, T9N, R5E and portions of Section 1 and 12, T9N, R4E with a diversion rate of 8.00 cfs from Biddy, O'Leary and Indian Creeks. The priority dates retained for No. 482-1A are January 1, 1949 and June 23, 1960.

Water Right No. 482-1B, Gardner Lazy E Ranch, is being reissued for irrigation of 216 acres in portions of Section 1 and 12, T9N, R4E with a diversion rate of 3.00 cfs from Indian Creek. The priority date retained for No. 482-1B is June 23, 1960.

(2) It is certified that the Gardner Lazy E Ranch has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 3.00 cubic feet of water per second for beneficial use. The location of the diversion points are as follows: from Indian Creek between points S0°E, 363 feet from the NW corner Section 12, T9N, R4E and S64°30'E, 1462.5 feet from the E1/4 corner Section 16, T9N, R5E.

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T9N, R4E Section 1	SW 1/4	SW 1/4	20.0	acres
Section 12	NW 1/4	NW 1/4	35.0	"
	NE 1/4	NW 1/4	22.0	"
	SW 1/4	NW 1/4	34.0	"
	SE 1/4	NW 1/4	34.0	"
	NW 1/4	NE 1/4	27.0	"
	SW 1/4	NE 1/4	34.0	"
	TOTAL		216.0	acres

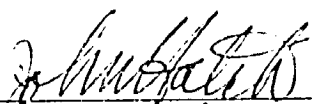
Page 2

Water Right License No. 482-1B

(4) Pursuant to SDCL 46-5-35.1 Gardner Lazy E Ranch, 1107 8th Ave, Belle Fourche, SD 57717 the holder and owner of Water Right No. 482-1B is issued a license to appropriate 3.00 cfs from Indian Creek with a priority date of June 23, 1960 from locations specified in (2) of this license. The water is conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Right No. 482-1 and subject to South Dakota State Law.

SEP 17 1991

DATE



JOHN HATCH, Chief Engineer
DENR, Water Rights Division

South Dakota

GREAT FACES. GREAT PLACES.

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

SEP 17 1991

482-1B

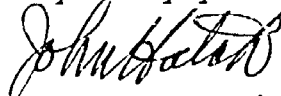
Edwin Gardner
Gardner Lazy E Ranch
1107 8th Ave
Belle Fourche, SD 57717

Dear Mr. Gardner:

Enclosed is reissued Water License No. 482-1B. The water license was divided and reissued to reflect separate ownership of the land described in the water right.

If you have any questions concerning the enclosed license, contact our office.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 5, 1999

Buckmaster & Maey
PO Box 726
Belle Fourche, SD 57717

482-1B

Attention: Peggy

Dear Peggy:

Enclosed, as we discussed, is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change with Water Right No. 482-1B. The water right is currently listed in the name of Gardner's Lazy E Ranch.

The form is the original to the one I faxed yesterday afternoon. I filled in the legal description of the land described in the water right. If the buyer did not purchase all of the land, you may edit the form as needed.

The form will need to be completed and then signed by the new owner in the presence of a notary. Upon completion, please return the transfer form to our office with a required filing fee of \$2.50.

Thank you in advance for your help. If I can answer any questions for you, please get in touch with me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 482-1B

Date: _____



I/We request that Water Right No. 482-1B

formerly owned by: Gardner's Lazy E Ranch

be transferred to: (name & address) David Lowenstein 591 Bristol Lane
Homewood AL 35226 Telephone No. 205 942 9555

David Lowenstein, 591 Bristol Lane, Homewood, Alabama 35226
Title to the following described land(s) property has been transferred as described above:

216 acres -- SW 1/4 SW 1/4 Section 1 and the NW 1/4 and W 1/4 NE 1/4 Section 12, T9N, R4E.

I/We understand that the validity of Water Right No. 482-1B has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDC1. 46-2-13. This form must be signed by the new owner.

STATE OF SOUTH DAKOTA)

County of Pennington)

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

[Signature]
(Signed)

Subscribed and sworn to before me this

day of November, 1999.

NOTARY PUBLIC
STATE OF SOUTH DAKOTA

My Commission Expires 7-12-2000.

[Signature]
(Notary Public)

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

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NE 416268

Pierre, November 18, 19 99

RECEIVED OF Belle/Butte Tioxide Co. (David Lowenstein), P.O. Box 636, Belle Fourche, SD 57717
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

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

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

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. _____

Fee for Filing Transfer Form _____ Water Right No. 482-1B

Fee for Filing Extension Request _____

Fee for _____

2 50

(Any Other Work Provided by Law)

Total

2 50



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 21, 1999

482-1B

David Lowenstein
591 Bristol Lane
Homewood, AL 35226

Dear Mr. Lowenstein:

The transfer of Water Right No. 482-1B has been completed. The water right, formerly owned by Gardner's Lazy E Ranch is now listed in your name.

I am enclosing a copy of the water right in the event you were not given one at the time of closing. I am also enclosing a sample copy of an irrigation questionnaire. Each year, irrigators are required to report how much water they used during that specific year. The sample form will give you an idea of what type of records to keep track of during the irrigation season.

The receipt for the filing fee submitted with the transfer notice is being sent to the Belle Butte Title Company. If you have any questions concerning the water right, please get in touch with me.

Sincerely,

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

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

enclosures

c: Belle Butte Title Company w/receipt

482-1B

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Received by (Please Print Clearly) _____ B. Date of Delivery* _____	
1. Article Addressed to: DAVID LOWENSTEIN HC 76 BOX 2 NEWELL SD 57760 9501		C. Signature ☒ Agent ☐ Addressee X <i>[Signature]</i>	
		D. Is delivery address different from item 1? ☐ Yes ☐ No If YES, enter delivery address below: _____	
		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
		4. Restricted Delivery? (Extra Fee) ☐ Yes	
2. Article Number (Copy from service label) 7000 0600 0026 9814 122701			

PS Form 3811, July 1989

Domestic Return Receipt

PS-M-0752



482-1B
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: DAVID LOWENSTEIN, HC 76 BOX 2, NEWELL, SD 57760 9501

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

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire(s)

Our records indicate that the 2000 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 482-1B. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 482-1B qualification:

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

The hearing will be held at 10:00 am, March 7, 2001 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 482-1B in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 2, 2001, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2001

482-1B

Dave Lowenstein
HC 76 Box 2
Newell, SD 57760

Dear Mr. Lowenstein:

I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right No. 482-1B.

I completed a questionnaire for you based on our January 22nd 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.

Enclosed, as we discussed, is a sample copy of the yearly irrigation questionnaire. This will give you some idea of what to keep track of during the irrigation season.

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

Sincerely,

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



482-1B
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2002

NOTICE

TO: DAVID LOWENSTEIN, HC 76 BOX 2, NEWELL, SD 57760 9501
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 482-1B. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 482-1B qualification:

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

The hearing will be held at 10:00 am, March 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

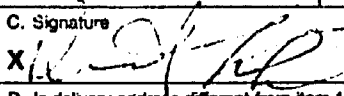
1. Suspend or cancel Permit No(s) 482-1B in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 8, 2002, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

482-1B

SENDER (Complete this section) ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		RECEIVER (Complete this section)	
1. Article Addressed to: DAVID LOWENSTEIN HC 76 BOX 2 NEWELL SD 57760 9501		A. Received by (Please Print Clearly) B. Date of Delivery	
		C. Signature 	
		D. Is delivery address different from item 1? ☒ Yes If YES, enter delivery address below ☐ No	
		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
4. Restricted Delivery? (Extra Fee) ☐ Yes		2. ZIP+4® 7001 2510 0004 4797 4098	

PS Form 3811, July 1999 Domestic Return Receipt 102595-00-M-0552



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 18, 2002

NOTICE OF ONE YEAR SUSPENSION OF WATER RIGHT

TO: David Lowenstein, HC 76 Box 2, Newell, SD 57760-9501

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

SUBJECT: One Year Suspension of Water Right No. 482-1B

Pursuant to the provisions of the notice dated January 16, 2002, and following the hearing March 13, 2002, the Water Management Board has ordered:

That Water Right No. 482-1B be suspended until December 31, 2002, for failure to submit the 2001 irrigation questionnaire.

Suspension of a water permit or right means water may not be pumped during the 2002 irrigation season. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

If you wish to petition the Water Management Board to rescind the suspension, you will need to submit the 2001 irrigation questionnaire and a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 1-2, 2002 in Pierre, SD. The letter should include your reasons for not completing the 2001 irrigation questionnaire.

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

McMath, Genny

482-1B

To: Butte County Equalization

Subject: RE: Land ownership

----- Original Message -----

From: Butte County Equalization

To: Genny.McMath@state.sd.us

Sent: Friday, July 25, 2003 8:47 AM

Subject: Re: Land ownership

The current owner of this property is

Roy Alexander Jr.
Box 622
Hill City, SD 57745

Please let us know if we can assist you with any other information.

Thank You,

Allison Jensen
Deputy Director
Butte County Equalization

----- Original Message -----

From: Genny.McMath@state.sd.us

To: bc-equal@blackhills.com

Sent: Thursday, July 24, 2003 8:51 AM

Subject: Land ownership

I am currently reviewing a water right in Butte County and am hoping you can provide information on ownership of the land.

We have the water right listed in the name of David Lowenstein. The legal description of the land is:

**SW 1/4 SW 1/4 Section 1
NW 1/4 and W 1/2 NE 1/4 Section 12, all in T9N, R4E**

If possible, could you send me the name of the current owner(s) and the mailing address. I appreciate any help you could offer.

Thank you,
Genny McMath
Water Rights Program
(605) 773-3352

8/4/2003

File No. 482-1B

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Roy Alexander, Jr

DATE: August 5, 2003

TELEPHONE: 605 574-4200

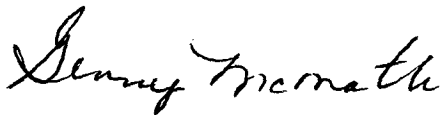
RE: ownership of land

COMMENTS:

I called and spoke with Mrs. Alexander about ownership of land described in WR 482-1B. She confirmed that Roy owned the land and she thought he would be irrigating.

Stacy Johnson checked with the Belle Fourche Irrigation District and found the land was also covered with them.

Send him a copy of the water right along with a "Notice of Transfer of Ownership" form.



Genny McMath
Environmental Scientist

482-1B

Johnson, Stacy

From: charlette [bfid1@sdplains.com]
Sent: Tuesday, August 05, 2003 12:06 PM
To: Stacy Johnson
Subject: Lands in 1-9-4 and 12-9-4

Stacy the answer to your question is as follows:

In Section 1 Township 9 Range 4:

Serial 206 89.8 acres in SW4
Serial 207 60.5 acres in SE4
Serial 204-1 43.6 acres in Lot 4, SW4NW4
Serial 203 60.3 acres in E2NE4
Serial 204 27.8 acres in Lot 3
Serial 204-2 31.2 acres in Lot 2
Serial 205 42.3 acres in SW4NE4, SE4NW4

In Section 12 Township 9 Range 4:

Serial 268 15.5 acres in NW4
Serial 266-1 11 acres in SW4SW4
Serial 269 13 acres in N2SW4

8/5/2003



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 6, 2003

482-1B

Roy Alexander Jr
Box 622
Hill City SD 57745

Dear Mr. Alexander:

I am contacting you in regard to ownership of land described in Water Right No. 482-1B. I have included a copy of the water right for your review (you may keep the copy for your records).

It is my understanding that you now own the land described in the water right. Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

As soon as we receive the completed transfer form and the filing fee from you, the water right can be changed over to your name.

Thank you in advance for your help in updating the water right. If you have any questions concerning the water right, please give me a call.

Sincerely,

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

enclosures

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date AUGUST 14, 2003

RECEIVED OF ROY ALEXANDER, BOX 622, HILL CITY SD 57745

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	2	50
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>482-1B</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

000883
000000

By

Darland Erbele
Chief Engineer *gm*

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

AUG 14 2003

WATER RIGHTS
PROGRAM

No. 482-1B

Date: _____

I/We request that Water Right No. 482-1B

formerly owned by: David Lowenstein

be transferred to: (name & address) Roy Alexander, Jr., Box 622, Hill City SD 57745

Telephone No.

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

216 acres - SW ¼ SW ¼ Section 1 and NW ¼ & W ½ NE ¼ Section 12, T9N, R4E

I/We understand that the validity of Water Right No. 482-1B has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

I/We Roy Alexander Jr. the new owner, certify that the above information is true and correct.

Roy Alexander Jr.
(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 ENVIRONMENT
and NATURAL RESOURCES**

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

August 15, 2003

482-1B

Roy Alexander Jr
Box 622
Hill City SD 57745

Dear Mr. Alexander:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 482-1B. The transfer has been completed. The water right formerly held by David Lowenstein is now listed in your name.

Enclosed is your Receipt No. 000883 in the amount of \$2.50 which you paid for filing the ownership change. You may keep this for your records.

If you have any questions concerning the water right, please give me a call.

Sincerely,

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

enclosure



482-1B
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2004

NOTICE

TO: ROY ALEXANDER, JR, BOX 622, HILL CITY, SD 57745
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 482-1B. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 482-1B qualification:

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

The hearing will be held at 8:30 am, March 3, 2004 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 482-1B in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 27, 2004, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.



482-1B

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 7544

Your item was delivered at 8:38 am on January 15, 2004 in HILL CITY, SD 57745. The item was signed for by J PETERSON.

[Shipment Details >](#)

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Enter label number:

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SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 7544

ROY ALEXANDER, JR
BOX 622
HILL CITY SD 57745

Waiver of Signature ☐ YES ☐ NO

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and NATURAL RESOURCES**

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

January 22, 2004

482-1B

Roy Alexander
PO Box 622
Hill City SD 57745

Dear Mr. Alexander:

I am writing to acknowledge receipt of your 2003 irrigation questionnaire. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right No. 482-1B.

I completed a questionnaire for you based on our January 22nd 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



482-1B

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2006

NOTICE

TO: ROY ALEXANDER, JR, BOX 622, HILL CITY, SD 57745
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 482-1B. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 482-1B qualification:

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

The hearing will be held at 10:30 am, March 2, 2006 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 482-1B in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **February 24, 2006**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



482-1B

Track & Confirm

Current Status

You entered 2303 2160 0000 0799 4619

Your item was delivered at 8:57 am on January 31, 2006 in HILL CITY, SD 57745. The item was signed for by J PETERSON.

[Shipment Details >](#)

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U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
4619 4620 0000 0912 EDE2

ROY ALEXANDER, JR
BOX 622
HILL CITY SD 57745

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

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PS Form 153, May 2002

(See Reverse)

McMath, Genny

To: Clint**Subject:** RE: Water right

-----Original Message-----

From: Clint [mailto:bfid1@sdplains.com]**Sent:** Friday, April 21, 2006 1:56 PM**To:** McMath, Genny**Subject:** Re: Water right

Genny,

the land was purchased by Roy J and Carol Kleinheksel their address is 12564 194th Street
Whitewood, SD 57793.

The legal description of the land that is within our district is as follows:

<i>Serial</i>	<i>S</i>	<i>T</i>	<i>R</i>	<i>Legal</i>
0206	1	9	4	SW4
0207	1	9	4	SE4
0268	12	9	4	N2NW4S2NW4
0600	6	9	5	NE4SW4SE4NW4
0601	6	9	5	Lots 6 & 7

I hope that this will answer your questions if not feel free to email or call me back.

Clint Pitts
456-2541
BFID, Manager



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 25, 2006

482-1B

Roy J and Carol Kleinheksel
12564 194th St
Whitewood, SD 57793

Dear Mr. & Mrs. Kleinheksel:

I am contacting you in regard to ownership of land described in Water Right No. 482-1B. The water right is currently listed in the name of Roy Alexander Jr. Enclosed is a copy for your review.

The land described in Water Right No. 482-1B is within the Belle Fourche Irrigation District. Many irrigators who purchase water from the district also hold State water rights. The source of water described on the water right is typically a back-up source and utilized when water is in short supply through the district.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If after reviewing the enclosed material, you have any questions concerning completion of the "Notice of Transfer of Ownership" form or about the water right in general, please give me a call.

Sincerely,

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

enclosures

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date APRIL 28, 20 06

RECEIVED OF Roy Kleinheksel, 12564 194th St, Whitewood SD 57793

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>482-1B</u>	2	50
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

024417

By

Darland Erbe
Chief Engineer *gm*

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED
APR 28 2006
WATER RIGHTS
PROGRAM

No. 482-1B

Date: _____

I/We request that Water Right No. 482-1B

formerly owned by: Roy Alexander Jr

be transferred to: (name & address)

Roy Klenhalski
12564 1945th White Wood SO DAK
Telephone No. 269 2561

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

216 acres – SW ¼ SW ¼ Section 1 and NW ¼, W ½ NE ¼ Section 12, all in T9N, R4E

I/We understand that the validity of Water Right No. 482-1B has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

I/We Roy Klenhalski, the new owner, certify that the above information is true and correct.

Roy Klenhalski
(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 ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

May 1, 2006

482-1B

Roy J Kleinheksel
12564 194th St
Whitewood, SD 57793

Dear Mr. Kleinheksel:

Thank you for following up on the ownership change for Water Right No. 482-1B. The transfer has been completed. The water right, formerly held by Roy Alexander Jr., is now listed in your name. Enclosed is your Receipt No. 02417 in the amount of \$2.50 which you paid for filing the ownership change. You may keep this for your records.

Each year we mail irrigators in South Dakota an irrigation questionnaire for reporting how much water they used during that specific crop season. I am enclosing a sample copy of the form so you will have an idea of what type of information to keep track of during the season. The actual form that will need to be completed and returned to us will be mailed to you in October.

It is our understanding that you primarily use water purchased from the Belle Fourche Irrigation District. Submission of the annual questionnaire is mandatory even if you use purchased water from the District. However, if you used purchased water, just make a notation on the form to that affect and return it to us. If you use water as authorized by the water right, then the entire form will need to be completed and returned to us.

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

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 2, 2007

482-1B

Roy Kleinheksel
12564 194th St
Whitewood SD 57793

Dear Sir:

I am writing to acknowledge receipt of your 2007 irrigation questionnaire.

I am returning the form to you for completion. In order for the questionnaire to be considered complete, the back side also needs to be filled out.

Please include the number of acres, pump rate (in gallons per minute), days per month and hours per day the system(s) was running. The information is important to us in calculating how much water was used from a specific source.

Please complete and return the form to us by **December 3, 2007.** Thank you in advance for your help. If you have any questions, please contact me.

Sincerely,

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

enclosure



482-1B
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, 2009

NOTICE

TO: ROY KLEINHEKSEL, 12564 194TH ST, WHITEWOOD, SD 57793
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) 482-1B. 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) 482-1B 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) 482-1B 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/eforms/secure/eforms/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.

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Label/Receipt Number: 2303 2160 0000 0802 6982

Status: **Delivered**

Your item was delivered at 11:50 AM on January 26, 2009 in WHITEWOOD, SD 57793. The item was signed for by C KLEINHEKSEL.

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SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 6982

ROY KLEINHEKSEL
12564 194TH ST
WHITEWOOD SD 57793

Waiver of Signature ☐ YES ☐ NOPostmark
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PS Form 3800, January 2002

(See Reverse)



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

February 2, 2009

482-1B

Carol Kleinheksel
12564 194th St
Whitewood SD 57793

Dear Mr. Kleinheksel:

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. 482-1B. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

In response to your notation about ownership of the land, I am enclosing a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

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

enclosure

RECEIVED

FEB 11 2009

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 482-1B

Date: 1/3/2009

I/We request that Water Right No. 482-1B

formerly owned by: Roy Kleinheksel

be transferred to: (name & address) Carol Kleinheksel, 12564 194th St, Whitewood SD 57783

Telephone No. 605-269-2561

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

216 acres – SW ¼ SW ¼ Section 1, T9N, R4E; N ½ Section 12, T9N, R4E

I/We understand that the validity of Water Right No. 482-1B has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

I/We [Signature], the new owner, certify that the above information is true and correct.

[Signature]
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/11, 20 09

RECEIVED OF Carol Kleinheksel 12564 194th St Whitewood SD 57793

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	2	50
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>482-1B</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2 50

No.

04028

By

Louise Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 11, 2009

482-1B

Carol Kleinheksel
12564 194th St
Whitewood SD 57793

Dear Mrs. Kleinheksel:

I am writing to acknowledge receipt of "Notice of Transfer of Ownership" form and filing fee you submitted for transferring Water Right No. 482-1B. The ownership change has been completed. The water right formerly listed in the name of Roy Kleinheksel is now listed in your name.

Enclosed is your Receipt No. 04028 in the amount of \$2.50. You may keep this for your records.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosure

482-1B



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 6, 2017

482-1B

Carol Kleinheksel
200 Montana Ave Apt 117
Lead SD 57754-1054

Dear Ms. Kleinheksel:

Enclosed is a "Notice" dated October 20, 2017 concerning the 2017 irrigation questionnaire.

The notice was originally mailed to 12564 194th St, Whitewood SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

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

enclosures

RECEIVED

MAR 12 2018

WATER RIGHTS
PROGRAM

SD EForm - 0495LD V2

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 482-1BDate: 3/8/18

I/We request that Water Right/Permit No. 482-1B formerly owned by:
Carol B. Kleinhessel be transferred to:

New Owner Name: Daniel S. Long
Address: 6405 Nunnery Road
City, State, Zip Waynesboro PA 17268 Telephone No. 717.729.0665

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

Township 9 North, Range 4 East of the Black Hills Meridian, Butte County, South Dakota:

Section 1: SW1/4SW1/4

Section 12: Part of NW1/4 and W1/2NE1/4

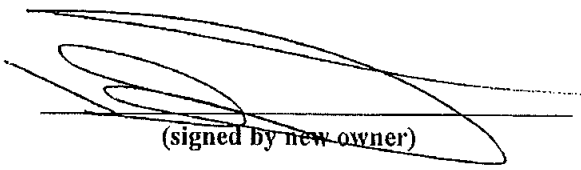
Permit Covers 216.0 Acres

☒ I understand that the validity of Water Right/Permit No. 482-1B has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 included to cover the filing fee as required by SDCL 46-2-13.

I, Daniel S. Long, 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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 12

, 20 18

Black Hills Title, Inc. PO Box 459 Spearfish, SD 57783

RECEIVED OF _____

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>482-1B</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. **08619**

By

Jeannie Goodman
Chief Engineer
JMG



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

March 13, 2018

482-1B

Daniel S Long
6405 Nunnery Rd
Waynesboro PA 17268

Dear Mr. Long:

I am writing to acknowledge receipt of the transfer form and filing fee submitted on your behalf by Black Hills Title Inc., Spearfish SD. The ownership change has been processed. Water Right No. 482-1B formerly held by Carol B Kleinheksel is now listed in your name.

Each year we mail irrigators in South Dakota an irrigation questionnaire for reporting how much water they used during that specific crop season. I am enclosing a sample copy of the form so you will have an idea of what type of information to keep track of during the season. The actual form that will need to be completed and returned to us will be mailed to you in October, 2018.

It is our understanding that the primary use of water for the acreage is purchased from the Belle Fourche Irrigation District. Submission of the annual questionnaire is **mandatory** even if you purchase water from the District. However, if you used purchased water, just make a notation on the form to that affect and return it to us. If you use water as authorized by the water right, then the entire form will need to be completed and returned to us.

The Receipt for the filing fee paid by the title company is being forwarded to them by copy of this letter. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure

c: Black Hills Title Inc., PO Box 459, Spearfish SD 57783

482-1B



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2026

NOTICE

TO: DANIEL S LONG, 6405 NUNNERY RD, WAYNESBORO, PA 17268
FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaire(s)

Our records indicate your 2025 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 482-1B. The request for the Questionnaire was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 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) 482-1B qualification:

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

The hearing will be held on **Wednesday, March 4, 2026 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 482-1B 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 4, 2026** 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 Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: BVPVSH**

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.