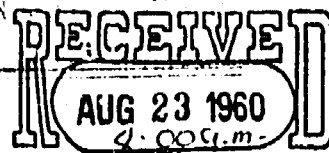


508-

- 508-
1. Considered 12-21, 1962
2. Name of Applicant Anna & Harvey Gustafson
3. Post Office Address Norwell
4. Amount of water claimed 1.7
5. Source of water supply Yellow River & a dry draw
6. Water to be used for irrigation
Acres to be irrigated 120
7. Water to be diverted and used in Butter County about
3 1/2 miles _____ of Norwell.
8. Proof of Publication Received ☒ Not Received ☐
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

Anna and Harvey Knutson

Form 2—Application for Permit to Appropriate Water—Original



No. ~~422~~ 508-1

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

District STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

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

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

1. Name of applicant ~~ANNA & HARVEY KNUTSON (Mother and son)~~ SR. & B.O. & S.
Postoffice address ~~NEVELL~~ County ~~BUTTE~~ State ~~SO. DAK.~~

I. If a corporation

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

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

2. Name of diversion work THE KNUTSON IRRIGATION PROJECT

3. Amount of water claimed 1.7 cubic feet per second

4. Source of water supply WILLOW CREEK AND KNUTSON CREEK DRAIN

(Willow Cr.) Between a point N 23°30'E 575' from the S & Cor. S.1 and a point
also from Knutson Draw at a point N 45°W 71' from the E & Cor. S.13, T. 8 N
R. 6 E - 11M on Knutson Draw on Both bank Butte County.

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

7. To be used for:

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

(a) Number of acres to be irrigated 120 acres.
SW-NE Sec. 1 7 Ac. Sec. 12 75 Ac.
NE-NE 22 Ac., SE-NE 29 Ac., NE-SE 24 Ac.
SE-NE Sec. 13 38 Ac. Sec. 13, T. 9 N., R. 6 E 38 Ac.
(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) 120 Ac

Stockwater and irrigation

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use Stockwater and irrigation
Name any of the above uses claimed

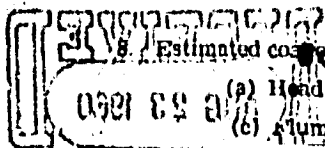
(b) Amount of power to be generated X X horse power.

Amount claimed for engine cooling X X

(c) Location of plant X X

(d) Method of developing power X X

MAP N° 428-1



Estimated cost of proposed pump and equipment about \$1400.00

(a) Head Gates, \$----- (b) Pumping plant, \$-----

(c) Fluming, \$----- (d) Canal-earth, \$-----

Rock, \$-----

(e) Other structures \$-----

Total, \$-----

Description of diversion works:

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

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 MILL
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-----4-----years.

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

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

THE VALLEY IRRIGATOR, Newell, So. Dak.

STATE OF SOUTH DAKOTA

County of **BUTTE**

I, **Anna and Harvey Knutson, (Mother and son.)**, 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

Subscribed and sworn to before me this **11th** day of **August**, 19**80**

Carl M. Cornell,

Notary Public for **SOUTH DAKOTA**

*Each diversion must have a headgate or measuring device

PLAT
OF
THE KNUTSON IRRIGATION PROJECT.
Sections 1, 12 and 13, T 8 N., R. 6 E-BEM
Butte County, South Dakota.

Scale; 1 inch = 660 feet.
8 inches = 1 mile.

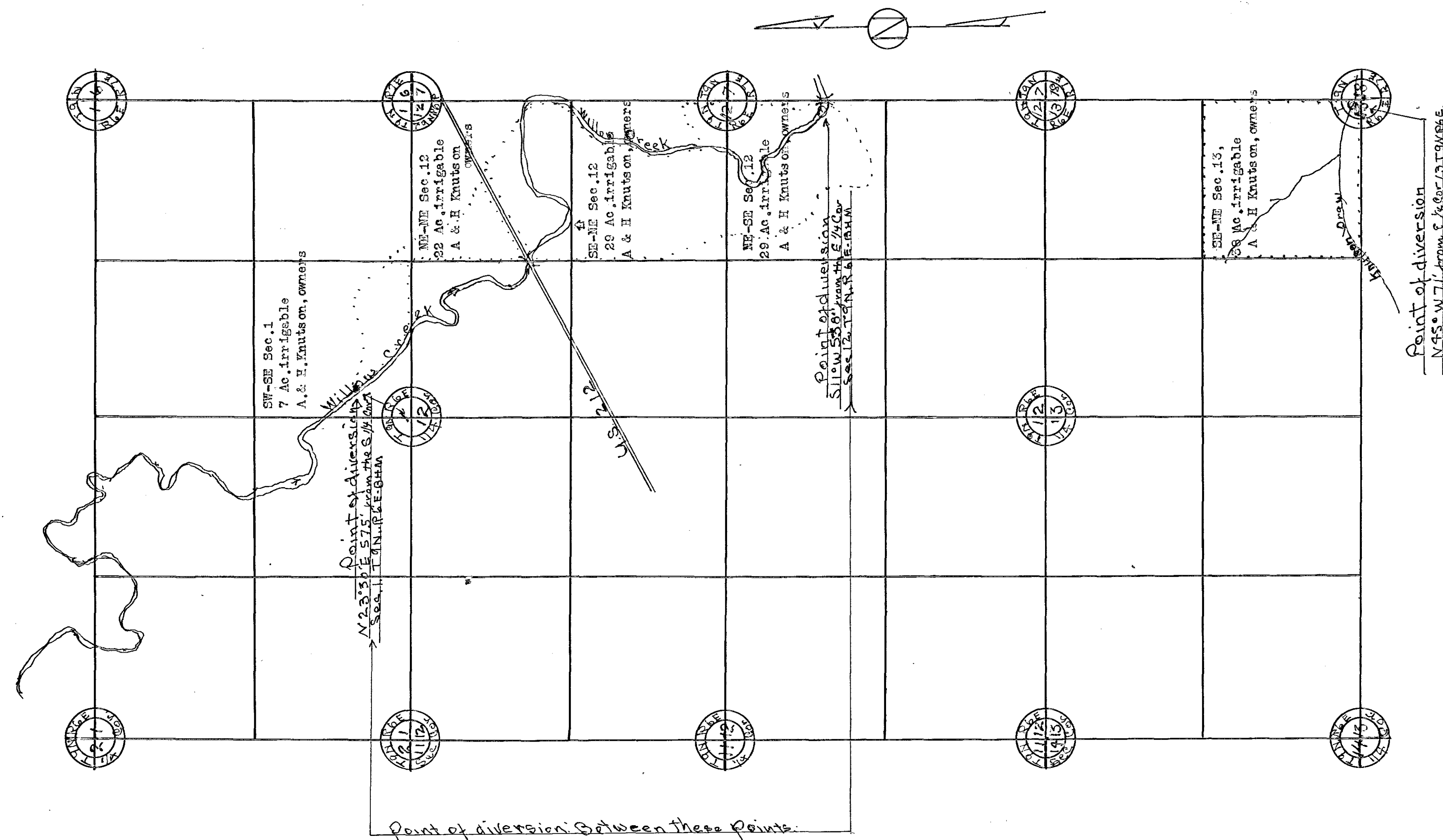
- SURVEYOR'S CERTIFICATE -
I, Carl M. Cornell, Licensed Surveyor, in and for the State of South Dakota, do hereby certify that, at the request of Arne and Harvey Knutson, of Newell, Butte County, South Dakota, I have made a survey and prepared this plat, of the irrigable areas shown on, for the purpose of computing the total irrigable area embraced in the applicants "Application for a Permit to Appropriate Water for Irrigation Purposes," and for the further purpose of furnishing the required plat of the project as a part of their application for a Permit.
I further certify that the bearings and lengths of all lines shown hereon, and their location, with reference to the Government Land Corners shown,
Subscribed and sworn to at Buffalo, South Dakota this 16th day of August 1960.

SIGNED: *Carl M. Cornell* (SEAL)

Carl M. Cornell, Licensed Surveyor No. 144

Subscribed and sworn to before me at Buffalo, South Dakota this 16th day of August 1960.

Jane Henderson
Notary Public (SEAL)



Remarks by State Water Resources Commission:

The use of water under this permit is contingent upon water supplies being available to prior water rights.

STATE OF SOUTH DAKOTA
County of Hughes ss.

Pierre, South Dakota, JANUARY 3, 1961

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
a.m. upon the 23rd day of August, 1960.

State Water Resources Commission
By: Burtin Zinner
for Chief Engineer, Executive Officer

Number of permit 508-1

Date of first receipt of application August 23, 1960

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

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right August 23, 1960

Approved December 21, 1960, Recorded in Book 6 Page 173

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 _____

December 21, 1962

2nd. The whole of said work is to be completed on or before December 21, 1964

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

December 21, 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 17 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 21, 1969, said water to be used during the following described annual period:

April to September, inclusive

Witness my hand this 3rd day of January, 1961

State Water Resources Commission

By: Spencer Zinner
Chief Engineer, Executive Officer

Certificate of Construction Issued OCTOBER 17, 1969

Water License Issued OCTOBER 17, 1969

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 508-1

(1) WHEREAS, On the 23rd day of August A. D. 19 60
Harvey Knuteson

made Water Right Application No. 508-1 for a permit to use 1.7 cubic feet per second of the waters
of Willow Creek and Knuteson Draw
County of Butte State of South Dakota, for irrigation
purposes; and

(2) WHEREAS, On the 3rd day of January A. D. 19 61
Permit No. 508-1 with a date of priority of August 23, 1960

was issued to said applicant for the diversion of said water and provided for the completion of construction of the water
supply system therein described on or before the 21st day of December A. D. 19 64 and for the
application to beneficial use of said water on or before the 21st day of December A. D. 19 68

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert 1.7 cubic feet
per second of water for beneficial use and.

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

for irrigating the following land in T9N, R6E

Section 1	SW $\frac{1}{4}$ SE $\frac{1}{4}$	7 acres
Section 12	E $\frac{1}{4}$ NE $\frac{1}{4}$	51 acres
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	24 acres
Section 13	SE $\frac{1}{4}$ NE $\frac{1}{4}$	38 acres
Total		120 acres

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

_____ of Newell, South Dakota
the holder _____ and owner _____ of said permit No. 508-1 a water right, dating from August 23, 1960
_____ a use of 1.7 cubic feet per second of the waters
of Willow Creek and Knutson Draw

in the County of _____ and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at between points N. 23°30' E., 575 feet from the S½ Corner,
Section 1 and S. 11° W., 538 feet from the E½ Corner, Section 12, and from a point
N. 45° W., 71 feet from the E½ Corner, Section 13, T9N, R6E

and conduct to and upon portions of Sections 1, 12 and 13, T9N, R6E, described on the face of
this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 508-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 17th day of October A. D.
Nineteen Hundred and Sixty-nine

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Permit No. 508-1

Water Diversion No. 1 Belle Fourche River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Harvey Knuteson

_____ the holder _____ of
Permit No. 508-1, issued upon Application No. 508-1, bearing date of priority of August 23,
1960 authorizing the diversion of 1.7 cu. ft. per second of the waters of _____
Willow Creek and
Knuteson Draw County of Butte, State of South Dakota at _____
between points N. 23°30' E, 575 feet from the S $\frac{1}{2}$ corner, Section 1, and S. 11°
W., 538 feet from the E $\frac{1}{2}$ Corner, Section 12, and from a point N 45° W., 71 feet
from the E $\frac{1}{2}$ Corner, Section 13, T9N, R6E, for irrigation
xxx

_____ 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 4.4 cu. ft. per second of water.

Date October 17, 1969

WATER RESOURCES COMMISSION

By:

J.W. CRINES, Executive Officer

Permit No. 508-1Water Division 1 BELLE FOURCHE RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by HARVEY
KNUTSON of NEWELL holdof Permit No. 508-1, bearing date of priority of AUGUST 23, 1960authorizing the diversion of 1.7 cu. ft. per second of the waters of WILLOW CREEK & KNUTSON DRAW
for IRRIGATION purposes, in BUTTE County.

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

The Water Use System consists of,

A. Works used to divert the water:

BERKELEY 10" PUMP,
POWERED BY 770 OLIVER OR 930 CASE GASOLINE
TRACTOR

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

1200' OF 10" ALUMINUM PIPE

C. Works used to apply water to beneficial use.

WATER PUMPED TO DITCHES & DISTRIBUTED
BY GRAVITYThe system is in the following condition: GOODThe point of diversion is located BETWEEN POINTS N23°30'E, 515' FROM S 1/4 CORNER,
SECTION 1, T9N, R6E, AND S11°W, 538' FROM E 1/4 CORNER, SEC. 12, T9N, R6E,
AND A POINT N45°W 71' FROM E 1/4 CORNER, SECTION 13, T9N, R6E
The works are capable of diverting and conveying to the place of use 2.4cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN T9N R6E

SECTION 1	SECTION 12	SECTION 13
<u>S1W 1/4 SE 1/4 7 AC.</u>	<u>E 1/2 NE 1/4 51 AC.</u>	<u>SE 1/4 NE 1/4 28 AC.</u>
	<u>NE 1/4 SE 1/4 24 AC.</u>	

comprising a total of 120 acres of land.Date SEPTEMBER 15, 1969B. J. [Signature]
(Signature)WATER RIGHT SPECIALIST
WATER RESOURCES COMMISSION

**OVERSIZE
DOCUMENT IS
SUPPLEMENTARY
TO MICROFILM FILE**

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Burke } ss.

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

P. Lyn Gladstone being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the

Valley Irrigator 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 Waxwell, County of

Burke and State of South Dakota; that the said notice was published in said newspaper on the following dates:

November 24, 1960

December 1, 1960

December 8, 1960

December 15, 1960

in each and every issue of the full number thereof, the first publication being made on the 24 day of November

1960 and the last publication on the 15th day of

December 1960, upon which days or times

of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was editor and publisher of the said newspaper.

APPROPRIATION OF WATER

Office of State Water Resources
Commission, Pierre, S. Dak.
November 18, 1960

Notice is hereby given that Anna & Harvey Knuteson, whose postoffice address is Nowell, S. Dak., have made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.7 cubic feet of water per second of time from Willow Creek & Knuteson Draw through the Knuteson Irrigation Project, the point of diversion of which is to be located on both banks of said stream between a point in the SW1/4 Sec. 1, and a point in the SE1/4 of the NE1/4 of Section 12, Twp. 2N, Range 6E. Said water to be used for the purpose of providing irrigation on portions of the following described land: SW1/4 Sec. 1; E1/4 NW1/4 and NE1/4 Sec. 12; SE1/4 NW1/4, Sec. 12, all in T. 2N, R. 6E, and for stockwatering purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 31st day of December, 1960, at 3 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
Right Specialist (864)

Subscribed and sworn to before me this 15 day of December A. D. 1960

Notary Public Burke County, S. D.

(First Publication on or before Nov. 24 60)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., November 18, 19 60

Notice is hereby given that Anna & Harvey Knuteson 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 1.7 cubic feet of water per second of time from at Killow Creek & Knuteson Draw through the Knuteson Irrigation Project, the point of diversion of which is to be located on max both between a point in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 1, and a point bank of said stream/in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 13 Twp. 9N Range 6E. Said water to be used for the purpose of providing irrigation on the fol- portions of lowing described land:

SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 1; E $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 12; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec 13.all in T. 9N. R. 6Eand for stockwatering purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 21st day of December, 19 60 at 2 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

cc: **F. Lyn Gladstone-Publisher**
Valley Irrigator
Newell, South Dakota

By:

~~Chief Engineer, Freehold Office~~
Burton F. Jones
Water Right Specialist

SOUTH DAKOTA Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

Phone (605) 773-3352

January 18, 1982

E. Edward & Chris Knuteson
Star Route #2, Box 5
Newell, South Dakota 57760

Dear Sirs:

Please find enclosed a copy of our Form 20, Notice of Transfer of Water Permit. This must be signed by the owner before a notary public and returned to this office with a fee of Two Dollars and Fifty Cents (\$2.50).

Upon receipt of the Form 20 and the \$2.50 filing fee the permit will be transferred to the proper name.

Please advise this office if you have any questions.

Sincerely,

Genny Young
Water Rights Specialist

GY:ms
Enc.

WNR-820A-7/79
Transmittal of Transfer of Water Permit

Second Notice

August 25, 1983

Permit No. 508-1

E. Edward and Chris Knuteson
S.R.#2, Box 5
Newell, South Dakota 57760

Dear Mr. and Mrs. Knuteson:

On January 10, 1983, notice was sent to you concerning the transfer of Water Permit No. 508-1 in the name of Harvey Knuteson which covers irrigation of 120 acres in the SW 1/4 SE 1/4 Section 1, E 1/2 NE 1/4, NE 1/4 SE 1/4 Section 12, and SE 1/4 NE 1/4 Section 13, T9N, R6E. 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. The first notice sent to you made reference to South Dakota Water Law 46-5-30.3 which requires notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact us.

Very truly yours,

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

SS09.WP

Form 3811, Jan. 1970

● **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

☒ Show to whom and date delivered.....*

☐ Show to whom, date and address of delivery.....*

☐ RESTRICTED DELIVERY
Show to whom and date delivered.....*

☐ RESTRICTED DELIVERY.
Show to whom, date, and address of delivery.....*

(CONSULT POSTMASTER FOR FEES)

2. **ARTICLE ADDRESSED TO:**
Edward & Chris Knutson
SR #2, Box 5
Newell SD 57760

3. **ARTICLE DESCRIPTION:**

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
P-721	937 454	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4. *Chris E. Knutson*
DATE OF DELIVERY
AUG 26 1983

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS
ker

NEWELL SD
AUG 26 1983
USPO

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

No. _____

 **Department of
Water & Natural Resources**

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

N O T I C E

The inspection of your water use system and inspection of the extent application of water to beneficial use, as developed under your Water Right No. _____ has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

Section 50 of House Bill 1001 as passed by the 1983 Legislature effective March 8, 1983 states that a permit holder may not divert water until this \$50.00 license fee has been paid.

Sincerely,

NOTE: On form of payment, please include the number of the water permit. This insures proper handling of the fee.

VNR-814 3/83
Request for W/L fee (\$50)

NOTICE OF TRANSFER OF WATER PERMIT



NO. 508-1

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: September 6, 1983

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

120 acres - SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1; E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12; SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section

13, R9N, R6E

formerly owned by Harvey Knuteson

has been transferred to Edward & Chris Knuteson, SR 2, Box 5, Newell SD 57760

(please include complete mailing address)

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

Water Right Permit No. 508-1 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)
) ss.
County of Butte)

I, Edward & Chris Knuteson 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.

Chris Knuteson Ed Knuteson
(Signed)

Subscribed and sworn to before me this 9 Day of Sept, 1983.

Colgan Huber
(Notary Public)

COLGAN J. HUBER, Notary Public
Butte County
My Commission Expires April 23, 1987.

No. 508-1

South Dakota
Department of
Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

Phone (605) 773-3352

September 27, 1983

Chris Knuteson
SR/2
Newell, South Dakota 57760

Dear Mr. Knuteson:

Enclosed is receipt No. 4-9332 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 508-1.

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

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

ice of filing of Transfer of Water Right

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

No 4 9332

Pierre, September 12, 1983

RECEIVED OF Chris Knuteson, SR#2, Box 5, 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 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. _____	2	50
Fee for Filing Transfer Form _____ for WR# 508-1		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	2	50

By John Hatch
Chief Engineer JOHN HATCH (MS)

**South Dakota Department of
Water & Natural Resources**
Jne Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 12, 1985

Chris & E Edward Knuteson
SF: 2 Box 5
Newell SD 57760

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s). 508-1. The request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 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.

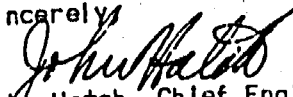
The hearings will be held at 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

The hearing will be conducted pursuant to the provisions of SDCL 45-1-12, 45-1-14, 45-2-9, 45-2-11, and 45-2-17. 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). 508-1 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
Phone: (605) 773-3352

NOTE: If the questionnaire(s) is received in this office before the May 15th hearing date, your name will be deleted from the agenda for the hearings.

South Dakota
Department of
Water & Natural Resources

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

June 12, 1985

Notice of Amendment to Water Permit(s)

To: Chris & E. Edward Knuteson
SR #2, Box 5
Newell, SD 57760

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

SUBJECT: Amendment to Water Permit No(s). 508-1.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 508-1 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.



Department of Water & Natural Resources

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

Attachment to Water Permit No(s). 508-1

Pursuant to the provisions of the notice dated April 15, 1985, and following the hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 508-1 to add the following qualification:

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



Department of Water & Natural Resources

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

March 31, 1986

Edward & Chris Knuteson
SR 2, Box 5
Newell, SD 57760

Notice

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). 508-1. 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). 508-1 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: Edward & Chris Knuteson
SR 2 Box 5
Newell SD 57760

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

SUBJECT: Amendment to Water Permit No(s). 508-1

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). 508-1 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

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

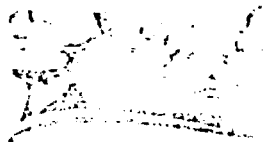
Attachment to Water Permit No. 508-1

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. 508-1 to add the following qualification:

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

Equal Opportunity Employer

South Dakota



GREAT FACES. GREAT PLACES.

February 1, 1991

E EDWARD & CHRIS KNUTESON
SR #2 BOX 5
NEWELL SD 57760

DEPARTMENT OF WATER & NATURAL RESOURCES

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-5181

NOTICE

RE: Violation of Water Permit No(s) 508-1

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 508-1. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of 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) 508-1 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, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

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

1. Suspend Permit No(s) 508-1 until the 1990 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 February 27, 1991 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,

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

● SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested. 1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)							
3. Article Addressed to: E EDWARD & CHRIS KNUTESON SR #2 BOX 5 NEWELL SD 57760	4. Article Number P 694 057 416 Type of Service: <table border="0"> <tr> <td>☐ Registered</td> <td>☐ Insured</td> </tr> <tr> <td>☒ Certified</td> <td>☐ COD</td> </tr> <tr> <td>☐ Express Mail</td> <td>☐ Ret. Receipt for Merchandise</td> </tr> </table> Always obtain signature of addressee or agent and DATE DELIVERED.	☐ Registered	☐ Insured	☒ Certified	☐ COD	☐ Express Mail	☐ Ret. Receipt for Merchandise
☐ Registered	☐ Insured						
☒ Certified	☐ COD						
☐ Express Mail	☐ Ret. Receipt for Merchandise						
5. Signature — Addressee X <i>Chris Knuteson</i>	8. Addressee's Address (ONLY if requested and fee paid)						
6. Signature — Agent X							
7. Date of Delivery FEB - 8 1991							



DEPARTMENT OF WATER & NATURAL RESOURCES

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

March 6, 1991

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: E EDWARD & CHRIS KNUTESON
SR #2 BOX 5
NEWELL, SD 57760

FROM: Ron Duvall, Natural Resources Engineer IV
Water Rights Division
(605, 773-3352) 

SUBJECT: One Year Suspension of Water Permit No(s).
508-1

Pursuant to the provisions of the notice dated February 1, 1991, and following the hearing of February 27, 1991, the Water Management Board has ordered:

That Water Permit No(s). 508-1 be SUSPENDED until December 31, 1991. Suspension of the permit(s) does not excuse the permit owner from the requirement to submit the 1990 irrigation questionnaire.

Suspension of a permit means water may not be pumped during the 1991 irrigation season. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.



DEPARTMENT OF WATER & NATURAL RESOURCES

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

March 22, 1991

508-1

NOTICE

TO: E Edward & Chris Knuteson
SR 2 Box 5
Newell, SD 57760

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

SUBJECT: Unclaimed Certified Mail

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 March 7 and March 12, 1991 to pick up and sign for the certified mail.

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

enclosure

CERTIFICATION

I hereby certify that on March 22, 1991, I have personally deposited with the U.S. Mail, postage prepaid envelopes containing a Notice regarding Unclaimed Certified Mail to E Edward & Chris Knuteson (Water Permit No. 508-1).

Jaci R Konop

JACI R. KONOP
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 25th day of March, 1991.

Karen Schlack
KAREN SCHLACK
Notary Public
My Commission Expires 12/31/92

Karen Schlack
Notary Public

508-1



January 29, 1993

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: E EDWARD & CHRIS KNUTESON
SR #2 BOX 5
NEWELL SD 57760

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

RE: Violation of Water Permit No(s) 508-1

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 508-1. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of 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) 508-1 qualification:

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

The hearing will be held at 9:30 am, March 3, 1993, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. 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) 508-1 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. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

SENDER:

- Fill in the name, address, and zip code of the person or business to whom the article is being sent.
- Fill in the name, address, and zip code of the person or business to whom the article is being sent on the reverse of this form so that we can return it to you.
- Write the name of the person or business to whom the article is being sent on the front of this mail piece, or on the back if space is needed.
- Write the name of the person or business to whom the article is being sent on the multiple below the article number.
- Write the name of the person or business to whom the article was delivered and the date.

508-1
E EDWARD & CHRIS KNUTESON
SR #2 BOX 5
NEWELL SD 57760

Chris Knuteson
Newell, S.D.

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

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

Consult postmaster for fee.

1a. Article Number

2906560187

b. Service Type

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

Delivery
FEB 12 1993

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

Thank you for using Return Receipt Service.

PS Form 3811, Domestic Use, 1991

U.S. GPO: 1992-323-402

DOMESTIC RETURN RECEIPT



508-1

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

March 9, 1993

NOTICE OF THREE YEAR SUSPENSION OF WATER PERMIT

TO: E EDWARD & CHRIS KNUTESON
SR #2 BOX 5
NEWELL SD 57760

FROM: Ron Duvall, Natural Resources Engineer IV
Water Rights Division
(605) 773-3352 *Ron Duvall*

SUBJECT: Three Year Suspension of Water Permit No. 508-1

Pursuant to the provisions of the notices dated January 29, 1993, and following the hearing of March 3, 1993, the Water Management Board has ordered:

That Water Permit No. 508-1 be SUSPENDED until December 31, 1995. Suspension of the permit does not excuse the permit owner from the requirement to submit the 1992 irrigation questionnaire.

Suspension means water may not be pumped during the 1993, 1994 or 1995 irrigation seasons. 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 a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 5-6, 1993 in Pierre. The letter should include your reasons for not completing the irrigation questionnaire prior to the March Board meeting.

CERTIFICATION

2354-3: Frank Goc, Box 222, Blunt, SD 57522.

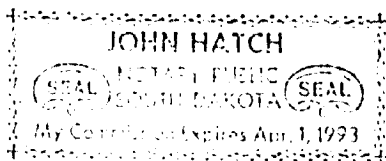
400-3: Warren Jorgenson, RR 2, Box 48, Elk Point, SD 57025.

508-1: E Edward & Chris Knuteson, SR 2, Box 5, Newell, SD 57760.

Leopold & Ernst

STATE OF SOUTH DAKOTA)
) ss
COUNTY OF HUGHES)

Sworn to, before me, this 16th day of March, 1993.



John H. H. H. H.
Notary Public

508-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

FAX TRANSMITTAL COVER PAGE

DATE: July 14, 1994

TO: Rod Horn
Horn Real Estate

PHONE #: _____ FAX #: 892-6386

NUMBER OF PAGES INCLUDING COVER PAGE 2

MESSAGE: A \$250 Siling Fee is required
for transfer.

Mail completed form + fee back to us at
address on transfer form. If questions,
please call me. -- Jenny McMath

FROM: Div of Water Rights
DENR.

PHONE #: 773-3352 FAX #: (605) 773-4068

508-1



Water Rights Division, DENR
523 E. Capitol
Pierre, SD 57501-3181

To Whom It May Concern,

We purchased property from Edward & Chris Knuteson and were told that the water permit is under suspension because a form was not returned to the Pierre office. The reason for this might have been that Edward Knuteson was killed in an auto accident. Please have the board review this and re-issue the permit. A check in the amount of \$2.50 is enclosed for the filing fees.

Thank you,

Ross & Barbara Delzer

Ross & Barbara Delzer
111 Union St.
Spearfish, SD 57783

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 508-1

Date: July 15, 1994

1\We request that Water Right No. 508-1

formerly owned by: E Edward & Chris Knuteson, Howell, SD 57760

be transferred to: (name & address) Ross O. & Barbara T. Delzer
111 Union Street
Spearfish, SD 57783 (Telephone No) (605) 642-8593

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

SW¼ SE¼ Section 1, E½ NE¼, NE¼ SE¼ Section 12, SE¼ NE¼ Section 13, T9N, R6E (120 acres)

I/We understand that the validity of Water Right No. 508-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

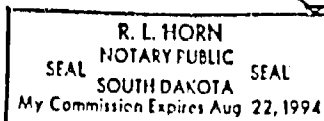
A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Butte)

X/We Ross O. Delzer & Barbara T. Delzer 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.

X Russ O. Delzer
X Barbara (Signed) Delzer

Subscribed and sworn to before me this 15th day of July, 19 94



(Notary Public)

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

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



508-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 2, 1994

Ross & Barbara Delzer
111 Union St.
Spearfish, SD 57783

Dear Mr. & Ms. Delzer:

We are in receipt of your Notice of Transfer of Ownership form. Your letter stated that a check in the amount of \$2.50 for filing this transfer was enclosed with the form; however, there was not a check enclosed. It must have accidentally been left out.

Please submit the \$2.50 fee so that we may proceed with the ownership.

Your immediate response is appreciated, and if you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, reading 'Cheryl F. Frost'.

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

RECEIPT

Division of Water Rights

414237

South Dakota Department of Environment and Natural Resources

Pierre, August 5, 1994

RECEIVED OF Barbara Lutzer, 111 Union St. Spearfish, SD 57783

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>Water Right No. 508-1</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John W. Hatch
Chief Engineer



August 4, 1994

508-1

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

NOTICE

TO: Ross O & Barbara T Delzer, 111 Union Street, Spearfish,
SD 57783

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

SUBJECT: Notice of Hearing to Consider Request for
Reconsideration of Suspended Water Right No. 503-1

The hearing on your August 1, 1994, request to the Water Management Board to reconsider suspension of Water Right No. 508-1 has been scheduled for 10:00 am, August 31, 1994, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD.

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

After all evidence is taken at the hearing, the Board may issue a decision to rescind the suspension of your permit, defer action or take no action. The hearing is an adversary proceeding and any party 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 at the hearing. Any decision rendered by the Board may be appealed to the Circuit Court or to the State Supreme Court as provided by law.

Prior to August 19, 1994, contact the Water Rights Division by writing to 523 E Capitol, Pierre, SD 57501-3181 or calling (605) 773-3352 to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

cc: Diane Best, Assistant Attorney General

CERTIFICATION

I hereby certify that on August 4, 1994, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated August 4, 1994, regarding Notice of Hearing to Consider Request for Reconsideration of Suspended Water Right No. 508-1, addressed as stated below:

Ross O. & Barbara T. Delzer, 111 Union Street, Spearfish, SD 57783.

Copy Sent Inter-office to:

Diane Best, Assistant Attorney General, Capitol Building.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 10th day of August, 1994.

John H. [Signature]
(Notary Public



508-1

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

September 6, 1994

NOTICE

TO: Ross O & Barbara Delzer, 111 Union St, Spearfish, SD 57783

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

SUBJECT: Reinstatement of Water Right No. 508-1

On August 31, 1994 the Water Management Board took action to rescind a motion made at the March 3, 1993 meeting to suspend Water Right No. 508-1. This action reinstated Water Right No. 508-1 and allows for irrigation of the acreage described in the water right.

Violation of a water right or permit by not returning the annual irrigation questionnaire is very serious and can result in suspension or cancellation of that right. The Board's action to reinstate your water right was based on the fact that you were not the owners of the water right at the time the violation occurred.

Enclosed is your receipt in the amount of \$2.50 which you paid for filing a "Notice of Transfer of Ownership". The water right was transferred to your names on August 1, 1994..

If you have any questions concerning the Board's action, please contact us.

508-1

CERTIFICATION

I hereby certify that on September 6, 1994, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated September 6, 1994, regarding Reinstatement of Water Right No. 508-1, addressed as stated below:

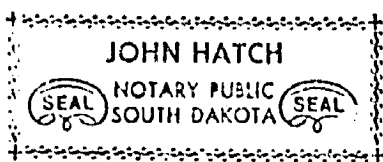
Ross O. and Barbara Delzer, 111 Union St., Spearfish, SD 57783.

Eric Gronlund
Eric Gronlund

Natural Resources Engineer III

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 8th day of September, 1994.



John Hatch
Notary Public

JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001

508-1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 22, 2003

508-1
1014-1

Ross & Barbara Delzer
19481 US Hwy 85
Belle Fourche SD 57717-3100

Dear Mr. & Mrs. Delzer:

Enclosed is a "Notice" dated October 17, 2003 concerning the 2003 irrigation questionnaire. The notice was originally mailed to HC 71 Box 5, Newell, 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
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Ross Delzer

DATE: November 4, 2004

TELEPHONE: 605 642-3778

RE: ownership of Water Right No. 508-1

COMMENTS:

I called and spoke with Mr. Delzer about his comments on the 2004 irrigation questionnaire that he had sold the land. Prior to contacting the new owner, I wanted to find out if the land described in the water right was within the Belle Fourche Irrigation District.

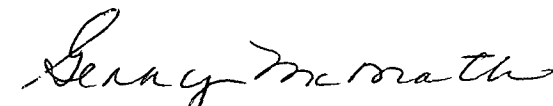
Mr. Delzer confirmed the land was in the Project and that was the source of water they typically used. He indicated that Willow Creek and Knuteson Draw were, in most years, dry and did not have an adequate flow of water to use when needed.

November 4th

I called and spoke with Clinton Anderson about ownership of the water right. He confirmed that he and his wife purchased the land. He requested information about the water right and a transfer of ownership form to complete.

Send to: Clinton & Mary Anderson
2404 Walnut Grove Circle
Nixa MO 65714

Phone: 417-880-9763


Genny McMath
Environmental Scientist



November 5, 2004

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

508-1

Clinton & Mary Anderson
2404 Walnut Grove Circle
Nixa MO 65714

Dear Mr. & Mrs. Anderson:

I am writing in follow-up to our phone conversation concerning Water Right No. 508-1. The water right is currently listed in the names of Ross and Barbara Delzer. Enclosed is a copy for your records.

I have included copies of the 2003 and 2004 irrigation questionnaire submitted by Ross Delzer. These types of forms are required each year. Typically, we mail them out from our office in October each year and they are due back to us by the first of December.

Also 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 you have any questions concerning any of the enclosed information, please contact me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

No. 508-1

Date: _____

WATER RIGHTS
PROGRAM

I/We request that Water Right No. 508-1

formerly owned by: Ross O & Barbara T Delzer

be transferred to: (name & address) Clinton & Mary Anderson, 2404 Walnut Grove Circle,
Nixa, MO 65714

Telephone No. _____

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

120 acres – SW ¼ SE ¼ Section 1, E ½ NE ¼ and NE ¼ SE ¼ Section 12, and SE ¼ NE ¼ Section 13
all in T9N, R6E

I/We understand that the validity of Water Right No. 508-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

I/We Clinton R. Anderson, the new owner, certify that the above information is true and correct.

Clinton R. Anderson

(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 December 13 14, 20 04

RECEIVED OF Clinton & Mary Anderson, 2404 Walnut Grove Circle, Nixa MO 65714

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>508-1</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.

001517

By

Darland Erbele
Chief Engineer
gmn



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 14, 2004

508-1

Clinton & Mary Anderson
2404 Walnut Grove Circle
Nixa MO 65714

Dear Mr. & Mrs. Anderson:

Thank you for following up on the ownership change for Water Right No. 508-1. The transfer has been completed. The water right formerly held by Ross and Barbara Delzer is now listed in your names.

Enclosed is your Receipt No. 001517 in the amount of \$2.50. You may keep this for your records.

If I can answer any questions, please contact me.

Sincerely,

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

enclosure



**DEPARTMENT of ENVIRONMENT
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www.state.sd.us/denr

January 24, 2006

NOTICE

TO: CLINTON & MARY ANDERSON, 2404 WALNUT GROVE CIRCLE, NIXA, MO 65714
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) 508-1. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 508-1 qualification:

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

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

1. Suspend or cancel Permit No(s) 508-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

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

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



**DEPARTMENT of ENVIRONMENT
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PMB 2020
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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 3, 2006

508-1

Clinton & Mary Anderson
2404 Walnut Grove Circle
Nixa MO 65714

Dear Mr. & Mrs. Anderson:

I am writing to acknowledge receipt of your 2005 irrigation questionnaire. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right No. 508-1.

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



508-1

Track & Confirm

Current Status

You entered 2303 2160 0000 0799 4633

Your item was delivered at 12:49 pm on January 30, 2006 in NIXA, MO 65714. The item was signed for by C ANDERSON.

[Shipment Details >](#)

Notification Options

- ▶ **Track & Confirm by email** [What is this?](#) [Go >](#)
- ▶ **Request Proof of Delivery** [What is this?](#) [Go >](#)



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Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 4633

CLINTON & MARY ANDERSON
2404 WALNUT GROVE CIRCLE
NIXA MO 65714

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

CHECK ONE (POSTAL USE ONLY)

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

PS Form 153, May 2002

(See Reverse)



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

October 19, 2009

508-1

Clinton & Mary Anderson
PO Box 97
Belle Fourche SD 57717-0097

Dear Mr. & Mrs. Anderson:

Enclosed is a "Notice" dated October 16, 2009 concerning the 2009 irrigation questionnaire.

The notice was originally mailed to 2404 Walnut Grove Circle, Nixa MO. 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,

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

enclosures

2010 Water Management Board Irrigation Questionnaire

Please fill out and return before **December 3, 2010**

REMEMBER! Return of this questionnaire is required whether or not you irrigated this year.

Return the completed form(s) to the Water Rights Program at 523 E Capitol, Pierre, SD 57501 3181 ph. (605) 773 3352 or send your form(s) electronically over the internet at <http://denr.sd.gov/iq.aspx>

Permit No. 508-1

CLINTON & MARY ANDERSON
PO BOX 97
BELLE FOURCHE SD 57717 0097

Any address/ownership corrections?

Robert Walters
Email *P.O. Box 846*
Phone *Spearfish SD. 57783*

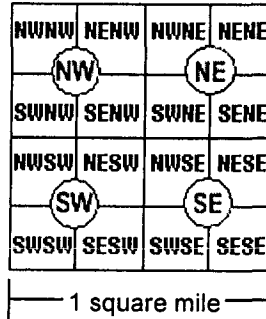
1. Did you irrigate in 2010? *yes ☐ **no ☐
*If yes, _____ acres were irrigated out of
the 120.00 acres covered by Permit No. 508-1

**If no, check reason(s) for not irrigating:
sufficient moisture ☐ no water available ☐
system not constructed ☐ use abandoned ☐
enrolled in CRP ☐, through what year? _____
other ☐, please explain in the Comment Box:

Comment Box

Sold property

2. If your answer to question No. 1 is "no," you are done!
If you answered "yes," please complete Nos. 3, 4 & 5.
3. Did you apply chemicals or fertilizer through the
system in 2010? yes ☐ no ☐
4. If more than one water source is listed below, circle
each source used. A. WILLOW CREEK
B. KNUTESON DRAW
5. Provide your water use on the back of this form.



Office use only

RECEIVED
OCT 19 2010
WATER RIGHTS
PROGRAM

Acreage permitted for irrigation under No. 508-1

(see above section map for help reading legal descriptions)

sec 01-T009N-R06E, SW1/4SE1/4 - 7.00 acres
sec 12-T009N-R06E, NE1/4NE1/4 - 51.00 acres
sec 12-T009N-R06E, NE1/4SE1/4 - 24.00 acres
sec 13-T009N-R06E, SE1/4NE1/4 - 38.00 acres

Please provide your 2010 water use to irrigate the above acreage on the REVERSE side of this form.

For an example of a completed questionnaire, please refer to the reverse side of your cover letter.



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RECEIVED
OCT 29 2010
WATER RIGHTS
PROGRAM

October 20, 2010

508-1

Robert Walters
PO Box 846
Spearfish SD 57783

Dear Mr. Walters:

I am writing to you in regard to ownership of land described in Water Right No. 508-1. Clinton and Mary Anderson, the current water right holders have notified us that they sold the property to you. I have enclosed a copy of the water right for your review.

If you intend to irrigate, the water right should be transferred to your name. 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 \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

Also enclosed is the 2010 irrigation questionnaire (yellow form) pertaining to the water right. Please complete the form and return it along with the transfer form and filing fee. The completed form is due back in our office prior to December 3rd. A postage paid envelope is enclosed.

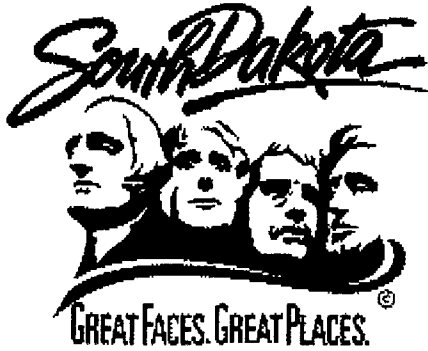
If you do not wish to maintain the water right, please contact me as soon as possible. Thank you in advance for your help in updating the water right.

Sincerely,

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

enclosures

*I had purchased a large
tract from the Andersons and
then sold this parcel to
a neighbor - the owners are
Terry and TERESA BONNET at
18397 Knutson Road - Newell
SD. 57760*



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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November 8, 2010

508-1

Terry & Teresa Bonnet
18397 Knutson Rd
Newell SD 57760

Dear Mr. & Mrs. Bonnet:

I am writing to you in regard to ownership of land described in Water Right No. 508-1. Clinton and Mary Anderson, the current water right holders notified us they sold the property to Robert Walters. Mr. Walters has notified us that he sold the land to you. I have enclosed a copy of the water right for your review.

If you intend to irrigate, the water right should be transferred to your name. 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 \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

Also enclosed is the 2010 irrigation questionnaire (yellow form) pertaining to the water right. Please complete the form and return it along with the transfer form and filing fee. The completed form is due back in our office prior to December 3rd. A postage paid envelope is enclosed.

If you do not wish to maintain the water right, please contact me as soon as possible. Thank you in advance for your help in updating the water right.

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

enclosures

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Terry Bonnet, 18397 Knutson Rd., Newell SD 57760

DATE: August 31, 2011

TELEPHONE: 456-1966

RE: irrigation of land described in Water Right No. 508-1

COMMENTS:

I contacted Clitt Pitts with the Belle Fourche Irrigation District to find out if the land described in the water right was in the project area and if he knew who owned the land. The current owner of part of the property (Terry Bonnet) actually works at the District office.

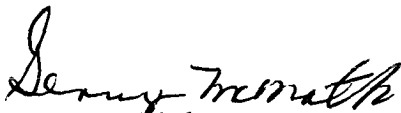
I was able to visit with Mr. Bonnet who indicated he owned some of the land under No. 508-1 and the remainder was owned by Jeff Kessel in Spearfish. Mr. Bonnet indicated he would not be irrigating the land because he would have to put in a rather long pipeline to get to the property. He said any of the irrigation he does is done with Project water.

Mr. Bonnet said he could not speak for Mr. Kessel but he doubted the land Mr. Kessel owns will be irrigated either. Mr. Kessel is home for 2 weeks at a time and then back to North Dakota for his job.

September 1, 2011:

Jeff Kessel called; he would like to maintain his portion of the water right. Send him a copy of the water right, a transfer form and include excerpts of water laws on legal excuse criteria. Send info to:

Jeff Kessel, 2114 Mustang Ln, Spearfish, SD
(phone – 605 722-4442) (cell # is 701 260-3237)



Genny McMath
Environmental Scientist



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<http://denr.sd.gov>

September 6, 2011

508-1

Jeff Kessel
2114 Mustang Ln
Spearfish SD 57783

Dear Mr. Kessel:

Thank you for contacting me regarding ownership of land described in Water Right No. 508-1

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

It is my understanding that you only own a portion of the land described in the water right. I included an extra copy of the front page of the license so you could circle the land you own and the diversion source you use. This will ensure that the breakdown is correct when the water right is divided and reissued.

Once we receive the "Transfer of Ownership" form and filing fee, the water right will be divided and reissued to reflect separate ownership between you and Mr. Bonnet. Mr. Bonnet has indicated he will not be utilizing the pumping right and therefore his portion will be brought before the Water Management Board for cancellation consideration.

For informational purposes, I have included excerpts of the SD Water Laws and Water Management Board Rules. These outline the criteria for maintaining a water right. The sample irrigation questionnaire outlines what type of information to keep track of during the irrigation season.

If you have any questions concerning any of the enclosed materials, 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



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<http://denr.sd.gov>

December 13, 2011

508-1

Jeff Kessel
2114 Mustang Ln
Spearfish SD 57783

Dear Mr. Kessel:

I am writing in follow-up to the irrigation questionnaire you submitted back in November for Water Right No. 508-1. On the form, you indicated no irrigation was done due to sufficient moisture and added a note about not owning land in Section 13.

It is our understanding that Terry Bonnet owns the land in Section 13 and does not wish to retain his portion. We are currently waiting for you to file the ownership change for the land in Sections 1 and 12, T9N, R6E. As soon as that is done, the water right will be divided and reissued to reflect separate ownership. This will mean the land in Section 13 will be removed from your portion.

In the event you no longer have the transfer form sent to you back in September, I am including an additional form. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

For informational purposes, I am also enclosing a copy of the letter sent to you in September. 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

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