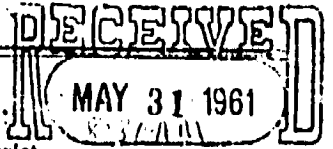


577-1

1. Considered 1-7, 1970
2. Name of Applicant ROBERT H. GETTY
3. Post Office Address NEWELL
4. Amount of water claimed 1.8
5. Source of water supply HORSE CREEK
6. Water to be used for IRRIGATION
Acres to be irrigated 127
7. Water to be diverted and used in BUTTE county
about SE 3S miles of NEWELL
8. Proof of Publication Received 1-6-70
Not received
9. Application Approved
Subject to
Not Approved
Action deferred
10. Remarks:



No. 577-1
 Water Division No. 1 Blaine Couleau River
 (Blanks to be filled by the Engineer for the W. R. C.)

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 Gilbert & Kathy Cord
Ray & Doris Schild
 Postoffice address Newell, SD 57760, County BUTTE, State SD. 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 GETTY IRRIGATION PROJECT
3. Amount of water claimed KYI 1.8 cubic feet per second
4. Source of water supply HORSE CREEK
5. Location of point of diversion BETWEEN A POINT S 0° E 1155' from the W 1/4 Cor. Sec. 13, T. 8 N., R. 6 E and a Point N. 50° 45' W/327' from the S 1/4 Cor. Sec. 13, T. 8 N., R. 6 E-PHM
on both Bank Butte County.
6. Annual period or periods during which water is to be used April 1st thru Nov. 30th
7. To be used for:

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

- (a) Number of acres to be irrigated 127 acres.
SW-NW-30 Ac., SE-NW-38 Ac., NW-SW-24 Ac., NE-SW-35 Ac. S. 13, T. 8 N., R. 6 E
- (b) Legal subdivisions to be irrigated Total 127 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.) Irrigation

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

- (a) Nature of use Irrigation
 Name any of the above uses claimed
- (b) Amount of power to be generated None horse power.
 Amount claimed for engine cooling None
- (c) Location of plant None
- (d) Method of developing power None
- (e) Point where water will be returned to stream XXXXX

map # 492-1

8. Estimated cost of work:

(a) Head Gates, \$.....

Pumping plant pipe etc. (Est.)

\$2500.00

(c) Fluming, \$.....

(d) Canal-earth, \$.....

Rock, \$.....

(e) Other structures

Total, \$.....

9. Description of diversion works:

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

II. Dimensions of works.

- (a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....material used in construction
- (b) Reservoir: Capacity when filled.....acre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-FEET CAPACITY

- (c)* Head gate: Width.....feet; height.....feet; Material
- (d) Canal: Total length.....miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work.....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 BELLE FOURCHE BEE, BELLE FOURCHE, SO. DAK.

STATE OF SOUTH DAKOTA

County of.....BUTTE.....

I, ROBERT H. GETTY

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 18th day of May 1961

Carl M. Cornell

Notary Public (Official Seal)

*Each diversion must have a headgate or measuring device.

CARL M. CORNELL

PLAT
OF
GETTIE IRRIGATION PROJECT
Section 13, T.8 N., R.3 E-5MM
Newell, Butte County, South Dakota

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

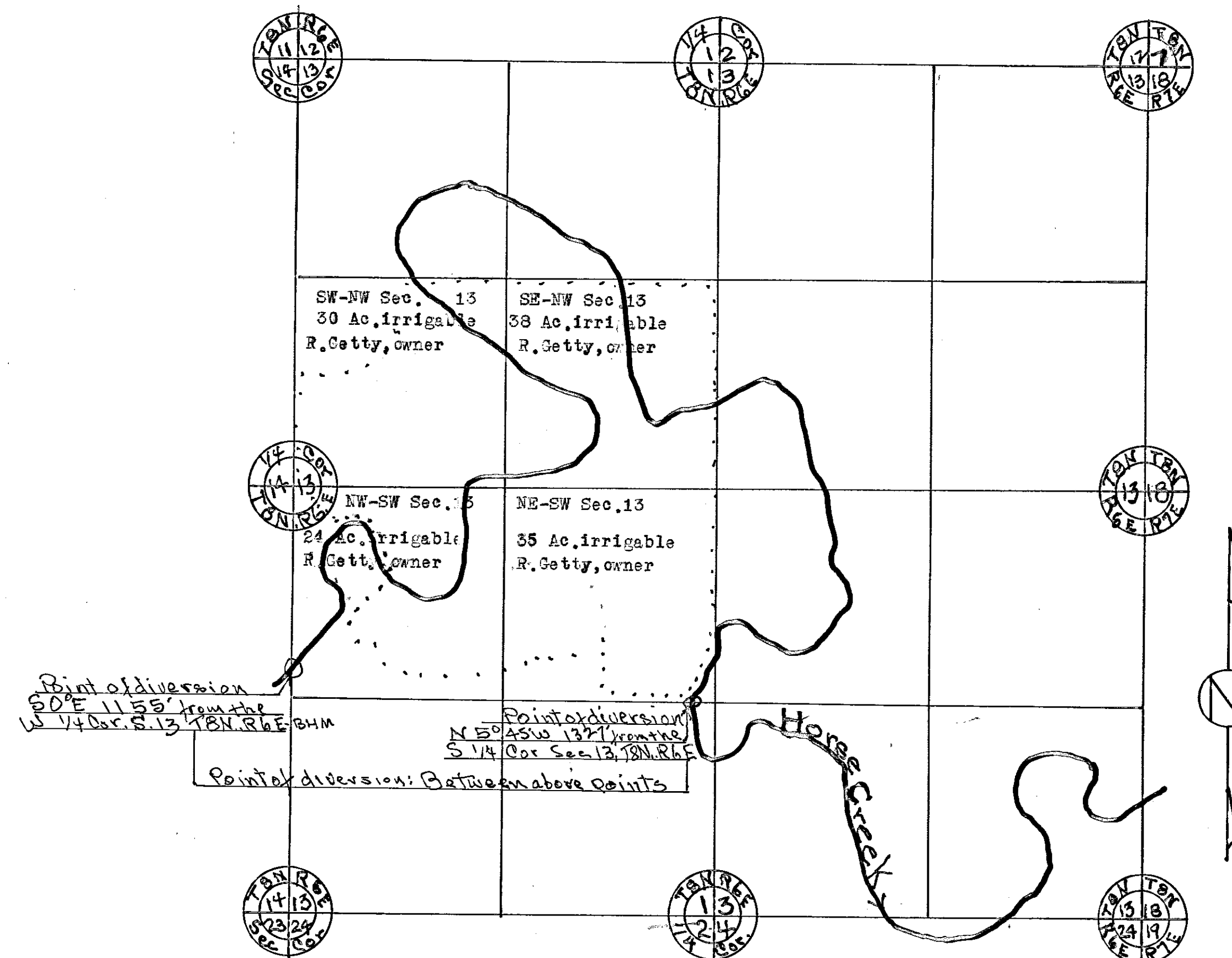
- SURVEYOR'S CERTIFICATE -

I, Carl M. Cornell, Licensed Surveyor, in and for the State of South Dakota, do hereby certify that, at the request of Robert H. Getty, of Newell, Butte County, South Dakota, I have made a survey of the tracts shown hereon, for the purpose of furnishing the required plat as a part of his Application to Appropriate Water for irrigation purposes and for the further purpose of indicating the irrigable areas therein contained. I further certify the bearings and lengths of the several lines shown hereon and their location with reference to the Government Land Corners shown, are correct to the best of my knowledge and belief. Subscribed and sworn to at Buffalo, Harding County, South Dakota this 24th day of May 1961.

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

Subscribed and sworn to before me at Buffalo, South Dakota this 24th day of May 1961.

Eleanor Lindholm
Notary Public (SEAL)



DIVERSION OF WATER UNDER THIS PERMIT IS CONTINGENT UPON WATER SUPPLIES BEING FIRST AVAILABLE TO THE PRIOR WATER RIGHTS ON HORSE CREEK. FLOW RECORDS SHOW THAT THERE ARE OCCASIONAL YEARS WHEN THE FLOWS OF HORSE CREEK ARE DEFINITELY AND RECOGNIZABLY LOWER THAN USUAL DURING THE MONTHS OF JULY, AUGUST AND SEPTEMBER. DIVERSIONS OF WATER ARE NOT TO BE MADE UNDER THIS PERMIT DURING SUCH LOW FLOW PERIODS.

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, JANUARY 9, 1970

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock
a.m. upon the 31ST day of MAY, 1961.

State Water Resources Commission

By:

Auston Jones
for Chief Engineer, Executive Officer

Number of permit 577-1

Date of first receipt of application MAY 31, 1961

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

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right MAY 31, 1961

Approved JANUARY 7, 1970, Recorded in Book 11 Page 24-24

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 _____

JANUARY 7, 1972

2nd. The whole of said work is to be completed on or before JANUARY 7, 1974

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

JANUARY 7, 1978

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 1.8 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 JANUARY 7, 1978; said water to be used during the following described annual period:

APRIL 1 THRU NOVEMBER 30

Witness my hand this 9TH day of JANUARY, 1970

State Water Resources Commission

By:

John E. Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

Form 6 - Notice of Intent to Appropriate Water

No. 577-1

Publish first publication, on or before December 10, 1969

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

November 24, 1969

Notice is hereby given that Robert H. Getty
whose post office address is Nowell, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
1.8 cubic feet of water per second of time from the Horse Creek through the
Getty Irrigation Project, the point of diversion of which is to be located in the xxxx

between points in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$,

of Section 13, Twp. 8N, Range 6E. Said water to be used for the purpose
of providing irrigation of the following described land:

N $\frac{1}{2}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$, Section 13, T8N, R6E

This application No. 577-1 will be considered by the Water Resources Commission at their office at
Pierre upon the 7th day of January, 1970, at 2:00 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: Robert H. Getty, Nowell, S.D. 57760

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Butte) ss.

I, Laurina Meyer hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Pierre Soureche Ben

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

Pierre of Butte Soureche Ben

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

Nov 28, 1969

Dec 5, 1969

Dec 12, 1969

Dec 29, 1969

Laurina Meyer
(Signature)

Publisher
(Title)

Dec 28, 1969
(Date Signed)

No. 577-1
NOTICE INTENT
TO APPROPRIATE WATER
Pierre, South Dakota 57501
November 21, 1969

Notice is hereby given that
Robert H. Getty whose post office
address is Newell, South Dakota,
has made an application in
accordance with the provisions
of the water laws of South Dakota
for a permit to appropriate
for beneficial use 1.8 cubic feet
of water per second of time from
Horse Creek thru the Getty Irrigation
Project, the point of
diversion of which is to be located
between points in the
NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$, of
Section 13, T 14 N, R 10 E, Range 6E.
Said water to be used for the
purpose of providing irrigation
on portions of the following described
land NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$
NW $\frac{1}{4}$, Section 13, T 14 N, R 10 E.

This application No. 577-1
will be considered by the Water
Resources Commission at
their office at Pierre upon the
7th day of January, 1970, at 2:00
P.M. All interested persons
may appear and be heard.

WATER RESOURCES
COMMISSION
By: Burton F. Jones Specialist
C: 11/28-112 5-12-19

RECEIVED
JAN 6 1970
STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

Please send application
for water transfer rights
on the Robert Getty, farm
No. 577-1. We bought
the place 4 years ago.

Source of water supply
on Horse Creek.



Yours Truly
RAY and Doris Schild
Newell, S.D.

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

N^o 4 5645

PIERRE, March 15, 1977

RECEIVED OF Ray and Doris Schild

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

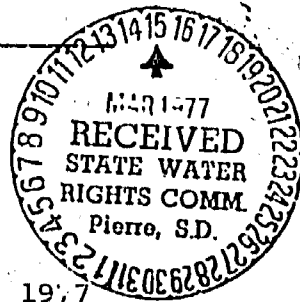
Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and Issuing Cert. of Construction No.		
Fee for Inspecting Beneficial Use, and Issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw. No.		
Fee for filing <u>Transfer of Water Right 577-1</u>	2	00
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	2	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH dw

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
 Joe Foss Building
 Pierre, South Dakota 57501

Date March 9, 1977

This is to notify you that title to the land's described as follows:

N $\frac{1}{2}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$, Section 13, T8N, R6E

formerly owned by Robert Getty

has been transferred to Ray & Doris Schild

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

Water Right Permit No. 577-1 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Rights Commission as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA)

County of BUTTE)

) ss.

I, RAY SCHILD or Doris Schild 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.

Ray Schild or Doris Schild
 (Signed)

Subscribed and sworn to before me this 11th day of MARCH

19 77.

Neil A. Martin
 (Notary Public)

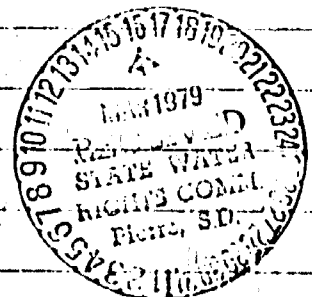
NEIL A. MARTIN, Newell, S. Dak.
 My Commission Expires Oct. 5, 1983

Please Transfer
Water Rights 577-1

To Gilbert K. Wood
or Kathy A. Wood

We sold Them This
Property.

Alexis Schild
Raymond Schild
RR Newell - S. Dak. 57760



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6883

PIERRE, April 3, 1972

RECEIVED OF Boris Schild, Hewell SD 57760

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and Issuing Cert. of Construction No.		
Fee for Inspecting Beneficial Use, and Issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing transfer of water permit No. 577-1	2	50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH kJW

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
Foss Building
Pierre, SD 57501

Date: 3-29-79

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

127 acres in portions of the W $\frac{1}{2}$ of Section 13, T8N, R6E

formerly owned by Ray & Doris Schild, Newell, SD 57760

has been transferred to Gilbert & Kathy Wood, RR, Newell, SD 57760

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

Water Right Permit No. 577-1 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 Commission as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)
County of BUTTE) ss.

I, RAYMOND SCHILD 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.

Raymond Schild
(Signed)

Subscribed and sworn to before me this 29th Day of MARCH 1979.

Neil A. Martin
(Notary Public)

Neil A. Martin, Newell, S. Dak.
My Commission Expires Oct. 5, 1983



PH - 456 - 2700

577-1 Gilbert & Kathy Wood
works Tues in Belle

" Wed " Jack

" Thurs " Belle Cotton

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

577-1

November 29, 1982

Gilbert & Kathy Wood
RR#1, Box 34
Newell, South Dakota 57760

Dear Mr. & Mrs. Wood:

The inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Permit No. 577-1 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$12.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$12.00 fee from you, your Water License will be sent to you.

You will also receive the Certificate of Construction as required by statute.

Sincerely,

CENNY YOUNG
Water Rights Specialist

GY:ms

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

Water Rights Division
605 773-3352

January 31, 1983 .

SECOND NOTICE
Permit No. 577-1

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Gilbert & Kathy Wood
RR 1 Box 34
Newell SD 57760

Dear Mr. & Mrs. Wood:

November 12, 1982 you were notified the required final inspection fee of \$12 is due before Water License No. 577-1 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-3(3). Upon receipt of the \$12 fee, your Water License will be sent to you. You will also receive the Certificate of Construction as required by Statute. These are the final papers for the perfection of your Water Right.

A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used. Failure to pay the fee means that the legal requirements to establish a water right have not been completed and a property right has not been established.

Please submit the required fee immediately to avoid jeopardizing your water permit or advise if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:GY:ks

Permit No. 577-1Water Division 1 Belle Fourche River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Gilbert & Kathy Wood of RR #1, Box 34, Newell, S.D. 57760 holder of Permit No. 577-1, bearing date of priority of May 31, 1961 authorizing the diversion of 1.3 cu. ft. per second of the waters of Horse Creek 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 pump pumps 600 gpm
Tractor Power Take-off.

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

1000 ft. 10" Gated pipe
Ditches from Project.

C. Works used to apply water to beneficial use.

Gated Pipe and Ditches and system from the
Belle Fourche Project.

This Permit is for supplemental irrigation

The system is in the following condition: Good

The point of diversion is located Between a point 330'S and 150'E of W $\frac{1}{2}$ Cor Sec. 13 (08)
and a point 1320' N and 700' W of S $\frac{1}{2}$ Cor Section 13, T8N R6E

The works are capable of diverting and conveying to the place of use 1.33 (600 gpm)cu. 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 Section 13,

T8N R6E SW $\frac{1}{2}$ NW $\frac{1}{4}$ - 8 AC., SE $\frac{1}{2}$ NW $\frac{1}{4}$ - 15 AC.
NW $\frac{1}{2}$ SW $\frac{1}{4}$ - 3 AC., NE $\frac{1}{2}$ SW $\frac{1}{4}$ - 26 AC.

comprising a total of 52 acres of land.

$52 \div 72 = .74 \text{ cfs}$
license for .74 cfs

Date August 2, 1982
Leroy L. Wernau
(Signature)

12.00
577-1

Gilbert & Kelly Wirth RR #1 Box 34,
Newell, S.D.

8-2-82

Ph. 456-2'00

Memorandum

1000 ft - 10" Gated pipe

Berkley tractor power take-off pump

Est. pumps 600 gpm.

used in conjunction with another irrigator. Pump not
available at inspection time.

This permit is for supplemental irrigation to the
Belle Fourche project. Most of the time he irrigates
he pumps into the project ditches to irrigate his
land

WATER LICENSE NO. 577-1.

(1) WHEREAS, On the 31st day of May A. D. 1961
Robert H. Getty

made Water Right Application No. 577-1 for a permit to use 1.80 cubic feet per second of the waters of Horse Creek
County of Butte, State of South Dakota, for Irrigation
purposes; and

(2) WHEREAS, On the 7th day of January A. D. 1970
Permit No. 577-1, with a date of priority of May 31, 1961
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 7th day of January A. D. 1974 and for the application to beneficial use of said water on or before the 7th day of January A. D. 1978

WHEREAS, on the 15th day of March 1977, Permit No. 577-1 was transferred to Ray and Doris Schild of Newell, South Dakota, and

WHEREAS, on the 3rd day of April, 1979, Permit No. 577-1 was transferred to Gilbert and Kathy Wood, Rural Route #1, Box 34, Newell, South Dakota,

and:
(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert .74 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,

to irrigate the following land all in Section 13, T8N, R6E,

SW¼NW¼	8 Acres	(BC)
SE¼NW¼	15 "	(BD)
NW¼SW¼	3 "	(CB)
NE¼SW¼	26 "	(CA)
TOTAL	52 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 Gilbert & Kathy Wood

of Rural Route #1, Box 34, Newell, South Dakota 57760
the holder \$ and owner \$ of said permit No. 577-1 a water right, dating from May 31, 1961
to use of .74 cubic feet per second of the waters
of Horse Creek

in the County of Butte and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at between a point 330'S and 150'E of the W $\frac{1}{2}$ Corner
(CB) and a point 1320'N and 200'W of the S $\frac{1}{2}$ Corner (CD) Section 13, T8N, R6E

and conducted to and upon portions of Section 13, T8N, R6E more fully described
on the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 577-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 3rd day of March A. D.
Nineteen Hundred and Eighty-three

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 577-1

Water Diversion No. 1 Belle Fourcin River Water District
10120202

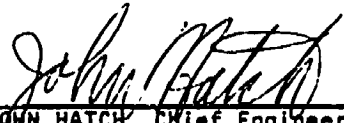
CERTIFICATE OF CONSTRUCTION

This is to Certify, That Gilbert & Kathy Wood

_____ the holder s of
Permit No. 577-1, issued upon Application No. 577-1 bearing date of priority of _____
May 31, 1969 authorizing the diversion of 1.80 cu. ft. per second of the waters of _____
Horse Creek County of Butte, State of South Dakota ~~st~~ _____
between a point 330'S and 150'E of the W½ Corner (CB) and a point 1320'N
and 200'W of the S½ Corner (CD) Section 13, T8N, R6E
_____, for Irrigation

purposes, he vs complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.33/ (600 gpm) cu. ft. per second of water.

Date March 3, 1983


JOHN HATCH, Chief Engineer
Water Rights Division



Department of Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

March 10, 1983

Gilbert & Kathy Wood
RR#1, Box 34
Neivell, South Dakota 57760

Dear Mr. & Mrs. Wood:

Enclosed herewith are, Water License No. 577-1 and Certificate of Construction.

Water License No. 577-1 is the final water right document completing your process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosures

RECEIPT

WATER RIGHTS COMMISSION

No 4 9160

State of South Dakota

PIERRE, February 14, 1983

RECEIVED OF Gilbert Wood, RR#1, Box 30, Newell, SD 57760

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No. 577-1	12	00
Fee for inspecting Beneficial Use, and issuing Water License No. 577-1		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	12	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer



**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 577-1

December 12, 1985

Raymond & Doris Schild
HC 66, Box 0
Chadron NE 69337

Dear Mr. & Mrs. Schild:

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

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

KAREN SCHLAACK
Administrative Aide

NOTE: Also enclosed are the 1985 Irrigation Questionnaires pertaining to Water Rights No. 318-1, 470-1 and 577-1. Please complete and return them to our office by January 10, 1986.



Department of Water & Natural Resources

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

Second Notice

Permit No. 577-1

March 3, 1986

Raymond & Doris Schild
HC 66, Box 0
Chadron, Nebraska 69337

Dear Mr. and Mrs. Schild:

On December 12, 1985 notice was sent to you concerning the transfer of Water Permit No. 577-1 in the name of Gilbert Wood which covers irrigation of 52 acres in the NW1/4, SW1/4 Section 13, T8N, 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. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact us.

Very truly yours,

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

S509.WR

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 9-12-86

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

52 acres - NW 1/4 SW 1/4 Section 13, T8N, R6E

formerly owned by Gilbert Wood

has been transferred to Raymond & Doris Schild, HC 66, Box O, Chadron NE C9337

(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 577-1 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

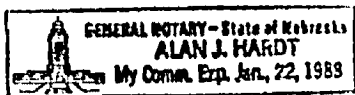
A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

Nebraska
STATE OF ~~SOUTH DAKOTA~~)
County of Dawes) ss.

I, Raymond and Doris Schild 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.

Raymond Schild
(Signed)

Subscribed and sworn to before me this 13 Day of March, 1986.



[Signature]
(Notary Public)



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410834

Pierre, March 17, 1990

RECEIVED OF Raymond & Doris Schild, HC 66, Box 2, Chadron, NE 68627

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 <u>577-1</u>		
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/159

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

March 18, 1986

Raymond & Doris Schild
HC 66, Box 0
Chadron, NE 69337

Dear Mr. & Mrs. Schild:

Enclosed is receipt No. 410364 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 577-1.

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

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

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

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

January 29, 1988

RAYMOND/DORIS SCHILD
HC 66 BOX 0
CHADRON, NE 69337

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

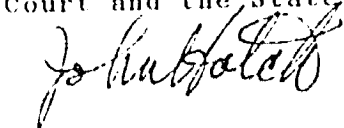
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 470-1, 577-1. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of 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 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

1. Amend Permit No(s). 470-1, 577-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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



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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

February 25, 1988

318-1
470-1
577-1

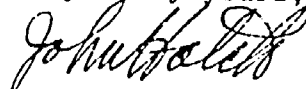
Raymond & Doris Schild
HC 66, Box 0
Chadron NE 69337

Dear Mr. & Mrs. Schild:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 318-1, 470-1, 577-1 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



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

cc: Paul Schild
RR 1, Box 47
Newell SD 57760

577-1

Please transfer 577-1
Water Division No 1 Belle Fourche, La.
Water right of May 31, 1961 -

Transfer to

Jon and HEIDI ALDREN

RR 2 Box 196

Whitewood, S. Dakota

57793

We fold the place to them



SOUTH Dakota
Department of
Water & Natural Resources

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

March 1, 1990

577-1

Jon & Heidi Aldren
RR #2 Box 196
Whitewood, SD 57793

Dear Mr. & Mrs. Aldren:

Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 577-1. The water right is currently listed in the name of Raymond and Doris Schild.

Please check over the form and sign in the presence of a notary public. Upon completion, please return the form to our office. The \$2.50 filing fee has been paid by Raymond Schild.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

No. 577-1

TO: Chief Engineer
Water Rights Division, DWNR
523 East Capitol
Pierre, SD 57501-3181

Date: 3/16/90



I/We request that Water Permit/Right No. 577-1

formerly owned by: Raymond & Doris Schild

be transferred to: (name & address) Jon & Heidi Aldren R+3 BX196

Whitewood S.D. 57793 (telephone No.) 269-2317

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

52 acres - S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 13, T8N, R6E

I/We understand that the validity of Water Permit/Right No. 577-1 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 Lawrence)

I/We Jon & Heidi Aldren 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.

Jon Aldren Heidi Aldren
(Signed)

Subscribed and sworn to before me this 16 day of March, 1990.

KRISTYL L. MESSNER
Notary Public, South Dakota
My Commission Expires April 28, 1996

Kristyl L. Messner
(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 water 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.

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

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

April 2, 1990

No. 577-1

Raymond Schild
HC 66, Box 0
Chadron NE 69337

Dear Mr. Schild:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 577-1.

Our records now show Jon & Heidi Aldren as the owners of this Water Right.

Sincerely,

Karen Schlaak

KAREN SCHLAACK
Senior Secretary
Water Rights Division
605 773-3352

enclosure

cc: Jon & Heidi Aldren

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412103

Pierre, February 27, 1959

RECEIVED OF Raymond Schild, HC 66 Box 2 Chadron, NE 69337

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ Water Right No. 577-1	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	2	50

By

Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 17, 1995

577-1

Max Bowen
126 State Street
Spearfish, SD 57783

Dear Mr. Bowen:

I am contacting you in regard to ownership of land described in Water Right No. 577-1. The water right is currently listed in the name of Jon and Heidi Aldren. The Aldrens' have notified our office that they have sold the land to you.

I am enclosing a partially completed *Notice of Transfer of Ownership* form for use in filing an ownership change on Water Right No. 577-1. Please review the form for accuracy and complete as needed. Upon completion, please sign the form in the presence of a notary public and then return it to our office with a required filing fee of \$2.50.

Enclosed is a copy of the water right for your review. If you have any questions concerning the water right or completion of the transfer form, please contact 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. 577-1

Date: 2-17-96

I/We request that Water Right No. 577-1

formerly owned by: Jon & Heidi Aldren, RR 2 Box 196, Whitewood, SD 57793

be transferred to: (name & address) Max & Melissa Bowen
RR1 NEWELL SD 57760 Telephone No. 605-456-2906

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

52 acres in the S 1/2 NW 1/4, N 1/2 SW 1/4 Section 13, T8N, R6E

I/We understand that the validity of Water Right No. 577-1 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 attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of BUTTE)

I/We Max Bowen 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.

Max Bowen
(Signed)

Subscribed and sworn to before me this 17 day of Feb, 19 96.

Don Bauer
(Notary Public)

My Commission Expires Dec. 8, 2001

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

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

RECEIPT

414812

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, February 22, 1996

RECEIVED OF Max or Melissa Bowen, RR 1, Hewell, SD 57760

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form Water Right No. 577-1	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Hatch (Signature)
Chief Engineer



577-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 4, 1996

No. 577-1

Max or Melissa Bowen
RR 1
Newell, SD 57760

Dear Mr. and Ms. Bowen,

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 577-1.
Our records now show you as the owner of Water Right No. 577-1.

Sincerely,

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

enclosure



577-1
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: MAX & BRENDA BOWEN, RR 1 BOX 34, NEWELL, SD 57760 0359

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 has not been submitted for Permit No(s) 577-1. 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 be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 13, 2002, in the Visitor Center (west bank of Capitol Lake), 650 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 577-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 8, 2002, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

577-1

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MAX & BRENDA BOWEN
RR 1 BOX 34
NEWELL SD 57760 0359

COMPLETE THIS SECTION ON DELIVERY

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

Brenda Bowen 1-22-02

C. Signature

X Brenda Bowen

☐ Agent☐ AddresseeD. Is delivery address different from item 1? ☒ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.C.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7001 2510 0004 4797 5460



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 30, 2002

577-1

Max & Brenda Bowen
RR 1 Box 34
Newell SD 57760

Dear Mr. & Mrs. Bowen:

I am writing to acknowledge receipt of your 2001 irrigation questionnaire. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right No. 577-1.

The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



577-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: MAX & BRENDA BOWEN, RR 1 BOX 34, NEWELL, SD 57760 0359

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

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire

Our records indicate that the 2002 Irrigation Questionnaire has not been submitted for Permit No(s) 577-1. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 5, 2003, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No. 577-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **February 28, 2003**, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



577-1

Track & Confirm

Delivery Status

You entered 2301 0370 0000 7540 5584

Your item was delivered at 11:04 am on January 23, 2003 in NEWELL, SD 57760. The item was signed for by M BOWEN.

[Shipment History >](#)[Request Delivery Record >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

POSTAL INSPECTORS
Preserving the Trust

[site map](#) [contact us](#) [government services](#)
Copyright © 1999-2002 USPS. All Rights Reserved. [Terms of Use](#) [Privacy Policy](#)

U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 0370 0000 7540 5584

MAX & BRENDA BOWEN
RR 1 BOX 34
NEWELL SD 57760 0359

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
☐ Package Services

(See Reverse)

PS Form 153, February 2001

577-1

TO WHOM IT CONCERNS,

I FOUND THIS IN A STACK OF PAPERS YESTERDAY.

I AM SO SORRY THIS IS LATE. I DIDN'T REALIZE
IT NEVER GOT SENT BACK.

I APOLOGIZE!

SINCERELY,

My Bow



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 19, 2003

577-1

Max & Brenda Bowen
RR 1 Box 34
Newell SD 57760-0359

Dear Mr. & Mrs. Bowen:

I am writing to acknowledge receipt of your 2002 irrigation questionnaire. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right No. 577-1.

The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



577-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2004

NOTICE

TO: MAX & BRENDA BOWEN, RR 1 BOX 34, NEWELL, SD 57760 0359

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire has not been submitted for Permit No(s) 577-1. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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

1. Amend Permit No(s) 577-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 27, 2004, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



577-1

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 8183

Your item was delivered at 10:21 am on January 16, 2004 in NEWELL, SD 57760. The item was signed for by M BOWEN.

[Shipment Details >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

Notification Options

▶ Track & Confirm by email

[What is this?](#)

[Go >](#)

▶ Request Proof of Delivery

[What is this?](#)

[Go >](#)



POSTAL INSPECTORS
Preserving the Trust

[site map](#) [contact us](#) [government services](#)
Copyright © 1999-2002 USPS. All Rights Reserved. Terms of Use Privacy Policy

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 8183

MAX & BRENDA BOWEN
RR 1 BOX 34
NEWELL SD 57760 0359

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

Ing.

POSTAL CUSTOMER:

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

☐ Priority Mail®
☐ Package Services



577-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 3, 2004

577-1

Max & Brenda Bowen
13525 Wilson Cemetery Rd
Newell SD 57760

Dear Mr. & Mrs. Bowen:

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. 577-1.

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



577-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2005

NOTICE

TO: MAX & BRENDA BOWEN, 13525 WILSON CEMETERY RD, NEWELL, SD 57760

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire

Our records indicate that the 2004 Irrigation Questionnaire has not been submitted for Permit No. 577-1. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 2, 2005, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No. 577-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire is received in this office on/or before February 25, 2005, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire, please contact Genny McMath at (605) 773-3352.

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



577-1

Track & Confirm

Current Status

You entered 2301 3460 0000 8516 1190

Your item was delivered at 11:56 am on January 21, 2005 in NEWELL, SD 57760. The item was signed for by B BOWEN.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email [What is this?](#) [Go >](#)

▶ Request Proof of Delivery [What is this?](#) [Go >](#)



POSTAL INSPECTORS
Preserving the Trust

[site map](#) [contact us](#) [government services](#)

Copyright © 1999-2002 USPS. All Rights Reserved. Terms of Use Privacy Policy

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8516 1190

MAX & BRENDA BOWEN
13525 WILSON CEMETERY RD
NEWELL SD 57760

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®
☐ Package Services

PS Form 153, July 2001

(See Reverse)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 14, 2005

577-1

Max & Brenda Bowen
13525 Wilson Cemetery Rd
Newell SD 57760

Dear Mr. & Mrs. Bowen:

I am writing to acknowledge receipt of your 2004 irrigation questionnaire. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 577-1.

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

NOT TO SCALE





577-1
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 2007

NOTICE

TO: MAX & BRENDA BOWEN, 13525 WILSON CEMETERY RD, NEWELL, SD 57760

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

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire

Our records indicate that the 2006 Irrigation Questionnaire has not been submitted for Permit No. 577-1. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:30 am, March 7, 2007, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No. 577-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire is received in this office on/or before March 1, 2007, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed is an additional questionnaire for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V5-IQ.pdf>

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



577-1

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: **2303 2160 0000 0799 6460**
Status: **Delivered**

Your item was delivered at 1:33 PM on January 30, 2007 in NEWELL, SD 57760. The item was signed for by M BOWEN.

[Additional Details >](#)[Return to USPS.com Home >](#)

Track & Confirm

Enter Label/Receipt Number.

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)



POSTAL INSPECTORS
Preserving the Trust

[site map](#)[contact us](#)[government services](#)[jobs](#)[National & Premier Accounts](#)

Copyright © 1999-2004 USPS. All Rights Reserved. Terms of Use Privacy Policy

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
0449 6620 0000 0799 6460

MAX & BRENDA BOWEN
13525 WILSON CEMETERY RD
NEWELL SD 57760

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 3800, May 2002

(See Reverse)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 13, 2007

577-1

Max & Brenda Bowen
13525 Wilson Cemetery Rd
Newell SD 57760

Dear Mr. & Mrs. Bowen:

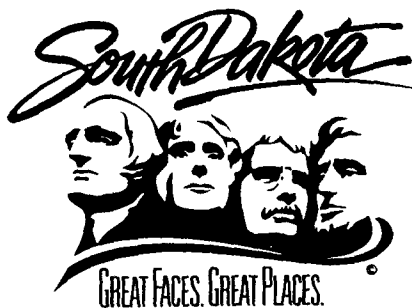
I am writing to acknowledge receipt of your 2006 irrigation questionnaire. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right No. 577-1.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 18, 2008

NOTICE

TO: MAX & BRENDA BOWEN, 13525 WILSON CEMETERY RD, NEWELL, SD 57760

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire has not been submitted for Permit No(s) 577-1. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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

1. Amend Permit No(s) 577-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

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

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



577-1

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 3851
Status: **Delivered**

Your item was delivered at 11:37 AM on January 22, 2008 in NEWELL, SD 57760. The item was signed for by M BOWEN.

[Additional Details >](#)[Return to USPS.com Home >](#)

Track & Confirm

Enter Label/Receipt Number.

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)

[Site Map](#)[Contact Us](#)[Forms](#)[Gov't Services](#)[Jobs](#)[Privacy Policy](#)[Terms of Use](#)[National & Premier Accounts](#)

Copyright© 1999-2007 USPS. All Rights Reserved.

No FEAR Act EEO Data

FOIA



USPS Internet Web Site



USPS Internet Web Site

MAX & BRENDA BOWEN
13525 WILSON CEMETERY RD
NEWELL SD 57760

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

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

SIGNATURE CONFIRMATION NUMBER: 159E 2000 0000 0902 2160 0802 3851



**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 20, 2008

577-1

Max & Brenda Bowen
13525 Wilson Cemetery Rd
Newell SD 57760

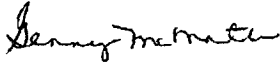
Dear Mr. & Mrs. Bowen:

I am writing to acknowledge receipt of your 2007 irrigation questionnaire. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right No. 577-1.

The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,


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



577-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2009

NOTICE

TO: MAX & BRENDA BOWEN, 13525 WILSON CEMETERY RD, NEWELL, SD 57760

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 has not been submitted for Permit No(s) 577-1. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 11, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 577-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 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.pd>

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.

577-1

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: **2303 2160 0000 0802 5336**
Status: **Delivered**

Your item was delivered at 1:54 PM on January 29, 2009 in NEWELL, SD 57760. The item was signed for by M BOWEN.

Track & Confirm

Enter Label/Receipt Number.

[Additional Details >](#)[Return to USPS.com Home >](#)

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)

[Site Map](#)[Contact Us](#)[Forms](#)[Gov't Services](#)[Jobs](#)[Privacy Policy](#)[Terms of Use](#)[National & Premier Accounts](#)

Copyright© 1999-2007 USPS. All Rights Reserved.

No FEAR Act EEO Data

FOIA

USPS Internet Web
InterLabel InquiryUSPS Internet Web
InterLabel Inquiry

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 5336

MAX & BRENDA BOWEN
13525 WILSON CEMETERY RD
NEWELL SD 57760

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

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



**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 10, 2009

577-1

Max & Brenda Bowen
13525 Wilson Cemetery Rd
Newell SD 57760

Dear Mr. & Mrs. Bowen:

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. 577-1.

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

If you have any questions, please contact me.

Sincerely,

A handwritten signature in 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



577-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 21, 2011

NOTICE

TO: MAX & BRENDA BOWEN, 13525 WILSON CEMETERY RD, NEWELL, SD 57760

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

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaire(s)

Our records indicate that the 2010 Irrigation Questionnaire has not been submitted for Permit No(s) 577-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 9, 2011**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 577-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2011**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 1, 2011

577-1

Max & Brenda Bowen
13525 Wilson Cemetery Rd
Newell SD 57760

Dear Mr. & Mrs. Bowen:

I am writing to acknowledge receipt of your 2010 irrigation questionnaire.

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right No. 577-1. 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
email: genny.mcmath@state.sd.us



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2012

NOTICE

TO: MAX & BRENDA BOWEN, 13525 WILSON CEMETERY RD, NEWELL, SD 57760

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

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire has not been submitted for Permit No(s) 577-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 7, 2012**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 577-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 2, 2012**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 2012

577-1

Max & Brenda Bowen
13525 Wilson Cemetery Rd
Newell SD 57760

Dear Mr. & Mrs. Bowen:

I am writing to acknowledge receipt of your 2011 irrigation questionnaire.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right No. 577-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in 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



577-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2013

NOTICE

TO: MAX & BRENDA BOWEN, 13525 WILSON CEMETERY RD, NEWELL, SD 57760

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire has not been submitted for Permit No(s) 577-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **8:30 am, March 7, 2013**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 577-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 30, 2013

577-1

Max & Brenda Bowen
13525 Wilson Cemetery Rd
Newell SD 57760

Dear Mr. & Mrs. Bowen:

I am writing to acknowledge receipt of your 2012 irrigation questionnaire.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right No. 577-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2014

NOTICE

TO: MAX & BRENDA BOWEN, 13525 WILSON CEMETERY RD, NEWELL, SD 57760

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

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaire(s)

Our records indicate that the 2013 Irrigation Questionnaire has not been submitted for Permit No(s) 577-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 18, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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

1. Amend Permit No(s) 577-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 2014

577-1

Max & Brenda Bowen
13525 Wilson Cemetery Rd
Newell SD 57760

Dear Mr. & Mrs. Bowen:

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

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Right No. 577-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



577-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: MAX & BRENDA BOWEN, 13525 WILSON CEMETERY RD, NEWELL, SD 57760

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire

Our records indicate your 2014 Irrigation Questionnaire has not been submitted for Permit No(s) 577-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 4, 2015**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 577-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182

February 19, 2015

577-1

Max & Brenda Bowen
13525 Wilson Cemetery Rd
Newell SD 57760

Dear Mr. & Mrs. Bowen:

I am writing to acknowledge receipt of your 2014 irrigation questionnaire.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right No. 577-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



577-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 25, 2019

NOTICE

TO: MAX & BRENDA BOWEN, 13525 WILSON CEMETERY RD, NEWELL, SD 57760

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

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire has not been submitted for Permit No(s) 577-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 577-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 6, 2019** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

ALERT: PAYMENT TRANSACTIONS ON SOME APPLICATIONS WILL BE TEMPORARILY...

USPS Tracking® FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)**Track Another Package +****Tracking Number:** 70171000000032517503

Remove X

Your item was picked up at the post office at 1:03 pm on February 11, 2019 in NEWELL, SD 57760.

 **Delivered**

February 11, 2019 at 1:03 pm
Delivered, Individual Picked Up at Post Office
NEWELL, SD 57760

Get Updates ▼

Text & Email Updates

Tracking History

Product Information

▼

See Less ^

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$	2-11-19 Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy) \$	
☐ Return Receipt (electronic) \$	
☐ Certified Mail Restricted Delivery \$	
☐ Adult Signature Required \$	
☐ Adult Signature Restricted Delivery \$	
Postage	
MAX & BRENDA BOWEN 13525 WILSON CEMETERY RD NEWELL SD 57760	
PS Form 3800, April 2015 PSN 7580-02-000-9047 See Reverse for Instructions	

7017 1000 0000 3251 7503

Can't find what you're looking for?



577-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

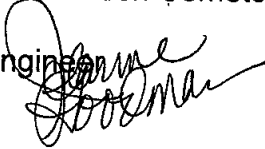
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

March 7, 2019

NOTICE OF ENTRY OF ORDER TO AMEND WATER RIGHT

TO: Max & Brenda Bowen, 13525 Wilson Cemetery Rd, Newell SD 57760

FROM: Jeanne Goodman, Chief Engineer
Water Rights Program 

SUBJECT: Amendment to Water Right No. 577-1

On March 6, 2019, the Water Management Board amended Water Right No. 577-1 to add the following qualification:

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

This action was taken for your failure to return the 2018 irrigation questionnaire. The addition of this qualification to your water right means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water right with no use of water for up to one year for the first violation.

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

577-1

CERTIFICATION

I hereby certify that on March 7, 2019, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope containing a Notice dated March 7, 2019 regarding Amended Water Rights addressed as stated below:

- No. 515-3: Daniel Benson, 45586 US Hwy 18, Hurley SD 57036-6009
Bruce D Peterson, 3600 S Slaten Park Dr, Sioux Falls SD 57103
- No. 1175-2: Wayne Bond, 28623 234th Ave, Tuthill SD 57574
- No. 577-1: Max & Brenda Bowen, 13525 Wilson Cemetery Rd, Newell SD 57760
- Nos. 291-1
513-1 George Johnson, False Bottom Livestock, 11295 SD Hwy 34, St Onge SD 57779
- No. 3469-3 Stan Kopfman, PO Box 100, Alpena SD 57312-0100
- No. 2983-3 Skip Rau, 12553 309th Ave, Selby SD 57472

Vickie Maberry
Vickie Maberry
Water Rights Program
Environment and Natural Resources

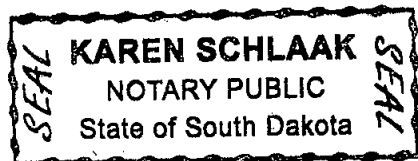
STATE OF SOUTH DAKOTA)

) SS

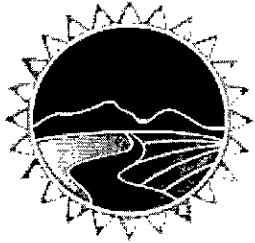
COUNTY OF HUGHES)

Sworn to, before me, this 7th day of March, 2019.

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



577-1



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

October 29, 2020

577-1

Max Bowen
17600 Kentucky Pl
Mud Butte SD 57758 7021

Dear Mr. Bowen:

Enclosed is a "Notice" dated October 23, 2020 concerning the 2020 irrigation questionnaire.

The notice was originally mailed to 13525 Wilson Cemetery Rd, 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, appearing to read "Genny McMath".

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

enclosures



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: MAX & BRENDA BOWEN, 17600 KENTUCKY PL, MUD BUTTE, SD 57758 7021

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 577-1. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 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) 577-1 qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 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) 577-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 3, 2021** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: IRWEPM**

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.

577-1

USPS Tracking®**FAQs >****Track Another Package +****Tracking Number:** 70191120000129103160**Remove X**

Your item was picked up at the post office at 12:48 pm on January 29, 2021 in NEWELL, SD 57760.

✓ Delivered

January 29, 2021 at 12:48 pm
Delivered, Individual Picked Up at Post Office
NEWELL, SD 57760

Get Updates ✓**Text & Email Updates****Tracking History****Product Information**

09TE 0762 1000 0211 6102

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$	delivered 1-29-2021 Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy) \$	
☐ Return Receipt (electronic) \$	
☐ Certified Mail Restricted Delivery \$	
☐ Adult Signature Required \$	
☐ Adult Signature Restricted Delivery \$	
Postmark	
MAX & BRENDA BOWEN 17600 KENTUCKY PL MUD BUTTE SD 57758 7021	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Feedback

577-1



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 4, 2021

NOTICE OF ENTRY OF ORDER FOR ONE YEAR SUSPENSION OF WATER RIGHT

TO: Max & Brenda Bowen, 17600 Kentucky Pl, Mud Butte SD 57758

FROM: Eric Gronlund, Chief Engineer *Eric Gronlund*
Water Rights Program

SUBJECT: One Year Suspension of Water Right No. 577-1

On March 3, 2021, the Water Management Board ordered:

Effective April 3, 2021, Water Right No. 577-1 be suspended for the 2021 irrigation season for failure to submit the 2020 irrigation questionnaire.

If the 2020 irrigation questionnaire is received prior to April 3, 2021, the suspension will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2021 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2021 unless the 2020 irrigation questionnaire is submitted by April 3, 2021.

After April 3rd, you may petition the Water Management Board to rescind the suspension. You will need to submit the 2020 irrigation questionnaire and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May 5-6, 2021 in Pierre, SD. The letter should include your reasons for not completing the 2020 irrigation questionnaire. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

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

577-1

Certification

I hereby certify that on March 4, 2021, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 4, 2021 regarding Water Management Board action taken March 3, 2021 for Irrigation Questionnaire violations addressed as stated below:

Amendments:

No. 1994-3: Albert Hattum, 21862 W Bend Rd, Harrold SD 57536
No. 4332-3: Kash Van Dyke, 22071 486th Ave, Elkton SD 57026

One Year Suspensions:

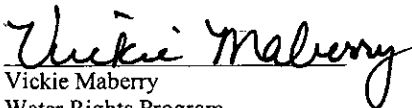
No. 515-3: Bruce D Peterson, 3600 S Slaten Park Dr, Sioux Falls SD 57103
Daniel Benson, 45586 US Hwy 18, Hurley SD 57036
No. 577-1: Max & Brenda Bowen, 17600 Kentucky Pl, Mud Butte SD 57758
No. 5524-3: Wade & Todd Druin, 30911 457th Ave, Volin SD 57072-6322
No. 1554A-1: Franklin Dyck, 313 Pierre St, Vale SD 57788
No. 1935-1: Brian Dyck, 313 Pierre St, Vale SD 57788
No. 2675-3: Beau Gregg, 22289 Mint Rd, Harrold SD 57536
Nos. 6822-3, 8070-3 & 8071-3: Roger Hansen, Hansen Properties, PO Box B, Centerville SD 57014
No. 1150-2: O M Iwan & Sons, 24912 Rocky Ford Rd, Midland SD 57552
Nos. 4678-3 & 6960-3: Craig Jepsen, Jepsen Farms, 505 Larson St SW, Hutchinson MN 55350-2108
Nos. 5566-3, 7615-3 & 7616-3: Wayne Reiersen, 30048 Reiersen Pl, Pollock SD 57648
No. 2350-3: Bill Boyer, River View Farms, PO Box 486, Alcester SD 57001-0486
No. 2497-2: Marty Vanderploeg, 22958 293rd St., Martin SD 57551

Three Year Suspensions:

No. 4472-3: Darrel Biddle, 37461 287th St, Geddes SD 57342
No. 7970-3: David Hoops, PO Box 462, Huron SD 57350-0462

Suspend/Amend

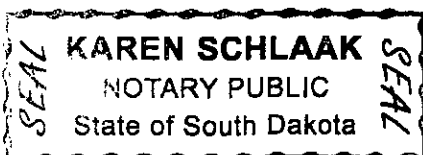
Nos. 6565-3, 6566-3, 6817-3, 6818-3, 6819-3, 7003-3, 7383-3, 7693-3, 7994-3, 974-3 & 1813-3:
• Roger Hansen, Hansen Ventures LLC, 700 W Broadway, Centerville SD 57014
Nos. 4705-3, 7924-3, 3803-3 & 4448-3A
• Brandon Ritter, 30489 115th St, Mound City SD 57646
• Iverson Farms, A Ltd Partnership, 30856 119th St, Mound City SD 57646


Vickie Maberry
Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 4th day of March, 2021.


Karen Schlaak
Notary Public
My Commission expires April 1, 2025





DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2023

NOTICE

TO: MAX & BRENDA BOWEN, 17600 KENTUCKY PL, MUD BUTTE, SD 57758 7021
FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 577-1. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 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) 577-1 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 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) 577-1 in accordance with applicable provisions of SDCL 46-1-12. **Due to a past violation, the recommendation to the Board will be for a three year suspension;**
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 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: ZXLAHC**

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.

577-1

USPS Tracking®

FAQs >

Tracking Number:

70201810000098485146

Copy

Add to Informed Delivery

(https://informedelivery.usps.com/)

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$	☐ Return Receipt (hardcopy) \$ ☐ Return Receipt (electronic) \$ ☐ Certified Mail Restricted Delivery \$ ☐ Adult Signature Required \$ ☐ Adult Signature Restricted Delivery \$
Extra Services & Fees (check box, add fee as appropriate)	
Postage \$	
Total Postage \$	
Sent To Street and City, State,	
MAX & BRENDA BOWEN 17600 KENTUCKY PL MUD BUTTE SD 57758 7021	
PS Form 3800, April 2012	

Postmark
Here

X

Feedback

Latest Update

Your item arrived at our USPS facility in MINNEAPOLIS MN DISTRIBUTION CENTER on February 9, 2023 at 11:33 am. The item is currently in transit to the destination.

Get More Out of USPS Tracking:**USPS Tracking Plus®****Moving Through Network****Arrived at USPS Regional Facility**

MINNEAPOLIS MN DISTRIBUTION CENTER
February 9, 2023, 11:33 am

Unclaimed/Being Returned to Sender

NEWELL, SD 57760
February 7, 2023, 9:07 am

Reminder to Schedule Redelivery of your item

January 28, 2023

Available for Pickup

NEWELL, SD 57760
January 23, 2023, 12:59 pm

Notice Left (No Authorized Recipient Available)

MUD BUTTE, SD 57758
January 23, 2023, 9:55 am

- **Arrived at USPS Regional Facility**
RAPID CITY SD DISTRIBUTION CENTER
January 22, 2023, 2:29 pm
- **Arrived at USPS Regional Facility**
SIOUX FALLS SD DISTRIBUTION CENTER
January 21, 2023, 12:25 pm
- **Arrived at USPS Regional Facility**
HURON SD DISTRIBUTION CENTER
January 20, 2023, 10:38 pm
- **Hide Tracking History**

Text & Email Updates



USPS Tracking Plus®



Product Information



Feedback

See Less ^

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs



577-1

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 14, 2023

NOTICE

TO: Max & Brenda Bowen, 17600 Kentucky Pl, Mud Butte SD 57788-7021

FROM: Ron Duvall, Natural Resources Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program 

SUBJECT: Unclaimed Certified Mail Concerning Violation of Water Right No. 577-1

The attached notice was sent certified mail, return-receipt requested. The post office has returned the certified mail to our office marked "unclaimed". The envelope indicated the post office notified you January 23rd & January 28th, 2023 to pick up and sign for the certified mail.

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

577-1

CERTIFICATION

I hereby certify that on February 14, 2023, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope containing a Notice dated February 14, 2023 regarding Unclaimed Certified Mail to the Water Right/Permit Holders addressed as stated below:

No. ~~1150-2~~⁵⁷⁷⁻¹; Max & Brenda Bowen, 17600 Kentucky Pl, Mud Butte SD 57788-7021

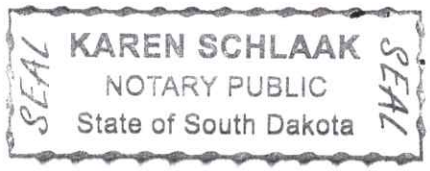
Vickie Maberry

Vickie Maberry
Senior Secretary-Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 14th day of February, 2023.

Karen Schlaak
Karen Schlaak Notary Public
My Commission expires April 1, 2025





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 8, 2023

NOTICE OF ENTRY OF ORDER OF THREE-YEAR SUSPENSION OF WATER RIGHT

TO: Max & Brenda Bowen, 17600 Kentucky Pl, Mud Butte SD 57758

FROM: Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Three Year Suspension of Water Right No. 577-1

On March 8, 2023, the Water Management Board ordered:

That effective April 8, 2023, Water Right No. 577-1 be suspended for the 2023, 2024 and 2025 irrigation seasons for failure to submit your 2022 irrigation questionnaire.

If the 2022 irrigation questionnaire is received prior to April 8, 2023, the suspension will not take effect.

Suspension means water may not be pumped during the 2023, 2024 and 2025 irrigation seasons. Consistent with the Board's order, you are not permitted to irrigate for three years unless the irrigation questionnaire is submitted by April 8, 2023.

After April 8th, you may petition the Water Management Board to rescind the suspension. You will need to submit the 2022 irrigation questionnaire and a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 3-4, 2023, in Pierre, SD. The letter should include your reasons for not completing the 2022 irrigation questionnaire. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

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

CERTIFICATION

I hereby certify that on March 8, 2023, I have personally deposited with the United States mail at Pierre, South Dakota, a first-class postage prepaid envelopes containing a "Notice" dated March 8, 2023, concerning Board action to amend, suspend or cancel water rights/permits to the following:

One-year suspensions:

1970-1: Russ Grover, Supt., Boulder Canyon Country Club, PO Box 305, Sturgis SD 57785
3487-3: Dave Hanson, 31489 455th Ave., Meckling SD 57069
1994-3: Albert Hattum, 21862 W Bend Rd, Harrold SD 57536

2072-3, 2126-3, 3204-3, 7236-3 & 7237-3:
David Ulvestad, 46720 201st St., Bruce SD 57220
Darwin Ulvestad, 46679 201st St, Bruce SD 57220

1252-1: Robert or Jennifer Weyrich, 6545 Dunsmore Rd, Rapid City SD 57702-7027

Three-year suspensions:

577-1: Max & Brenda Bowen, 17600 Kentucky Pl, Mud Butte SD 57758

6291-3: Jason Ramsdell, 23086 SD Hwy 13, Flandreau SD 57028
Flandreau Park Golf Club, 48250 230th St, Flandreau SD 57028

1692A-2: Ed McMahon, 23805 S Hwy 79, Hermosa SD 57744

Cancellations:

495-2: Harlan Eisenbraun, PO Box 416, Wall SD 57790
618-2: Joel Soderquist, Soderquist Family Ranch Limited Partnership, 17965 Baseline Rd,
Wasta SD 57791 6001

Amendment:

1014-2: Donn Paulson, 30121 323rd Ave., Colome SD 57528

Gerry McOrath

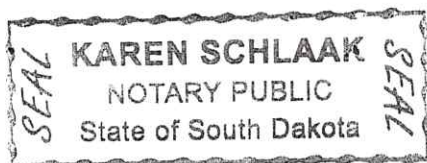
Genny McMath
Water Rights Program

[illegible]

Sworn to, before me, this 9th day of March, 2023.

Karen Schlaak

Karen Schlaak
Notary Public
My Commission expires April 1, 2025



577-1



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 20, 2023

577-1

Max & Brenda Bowen
PO Box 39
Union Center SD 57787-0039

Dear Mr. & Mrs. Bowen:

Enclosed is a "Notice" dated March 8, 2023, concerning a three-year suspension of Water Right No. 577-1.

The notice was originally mailed to 17600 Kentucky Pl, Mud Butte 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,

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

enclosure



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 8, 2023

Craig S Weirather
18960 Schild Rd
Newell SD 57760

Dear Mr. Weirather:

Each year, the State of South Dakota sends out Water Management Irrigation Questionnaires to collect information based on annual water use from our state's waters.

This year we received word from one of the irrigator's, Max Bowen, that the property he'd previously reported on (52 acres in the S ½ NW ¼ & N ½ SW ¼ - Sec 13 T8N, R6E) had been sold to you.

For your convenience I have enclosed a partially completed "Transfer of Ownership" form for you to complete and return in the pre-paid envelope. Please return the form with a check for \$50.00 made payable to "SD Water Rights Program" to cover the transfer fee. If you would prefer to pay by card you may call Megan Stephenson in our Fiscal Office at 605.773.4216. This form will still need to be returned even if you are submitting payment over the phone.

Should you decide you wish to discontinue the irrigation on this piece of land, we would ask that you let us know.

If you have any questions or concerns, please give me a call. My direct number is 605.910.5187

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

File No. 577-1

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Max Bower, PO BOX 39, Union Center SD 57787

DATE: 12-04-2023

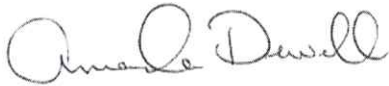
TELEPHONE: 6054562906

RE: Sale of Property (2017)

COMMENTS:

Max called to inform our office that the property covered under WR No. 577-1 had been sold in 2017 to Craig Weirather. Max did not know the exact spelling of Craig's name or any contact information. Max was able to confirm that no irrigation had taken place on the property for a few years, prior to the sale and had no reason to believe the new owners would have any interest in irrigating. No permanent system was in place at the time of sale.

Sec 13 T8N R6E NW ½



Amanda Dewell
Water Rights Program

577-1

PAID

APR 29 2024

Ck# 1041

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

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

Water Right/Permit No. 577-1

Rec't#

Date: 4-21-24

I/We request that Water Right/Permit No. 577-1 formerly owned by:

Max Bowen

be transferred to:

New Owner Name:

JEFFREY & KARI BENDER

Address:

7300 Red Stone Rd.

mobile: 307-680-2109

City, State, Zip

Gillette, WY 82718

email: bendercrew@gmail.com

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

52ac S $\frac{1}{2}$ NW $\frac{1}{4}$ + N $\frac{1}{2}$ SW $\frac{1}{4}$ - Sec 13 - T8N-R6E

I understand that the validity of Water Right/Permit No. 577-1 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, JEFFREY BENDER, 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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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.

RECEIVED

APR 29 2024

OFFICE OF
WATER

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

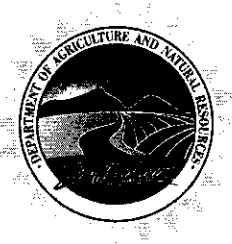
Date April 29, 2024

RECEIVED OF Jeffrey/Kari Bender 7300 Red Stone Rd., Gillette WY 82718

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>577-1</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$50.00</u>

By Eric Gronlund
Chief Engineer
me



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

April 30, 2024

577-1

Jeffrey & Kari Bender
7300 Red Stone Rd
Gillette WY 82718

Dear Mr. & Ms. Bender:

I have received your "Notice of Transfer of Ownership" form and the required fees. Enclosed are a copy of the original water right and receipt of payment for your records.

Water Right No. 577-1 previously owned by Max Bowen is now listed under yourselves. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the water right, State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the water right will be subject to cancellation.

It should be noted that Water Right No. 577-1 has been suspended by the Water Management Board through the 2025 irrigation season due to Mr. Bowen's failure to return annual irrigation questionnaires. (copy of suspension order enclosed)

Irrigation under Water Right No. 577-1 is not authorized to resume until April 1, 2026. However, as new owners of the water right you may submit a written request for the Water Management Board to lift the current suspension. Requests should be mailed to:

SD Water Management Board
Attn: Ron Duvall
523 E Capitol Ave
Pierre SD 57501

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures