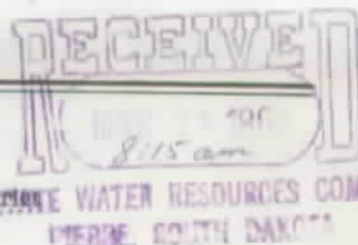


680-1

1. Considered 5-1, 1963
2. Name of Applicant CARL L. EIBEL
3. Post Office Address GLENCROSB
4. Amount of water claimed 1.04
5. Source of water supply DRY DRAW
6. Water to be used for IRRIGATION  
Acres to be irrigate 73
7. Water to be diverted and used in DEWEY County  
about 8 M miles E of TIMBER LAKE
8. Proof of Publication Received 1/25  
Not Received \_\_\_\_\_
9. Application Approved \_\_\_\_\_  
Subject to \_\_\_\_\_  
Not Approved \_\_\_\_\_  
Action deferred \_\_\_\_\_
10. Remarks:

No. 680-1Water Division No. 1

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

MOREAU RIVER

## APPLICATION FOR PERMIT

## To Appropriative Water within the State of South Dakota

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

1. Name of applicant Carl L. Leibel  
 Postoffice address Glencross, County Dewey, State South Dakota

~~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, \$ Govt. cost share

2. Name of diversion work Carl L. Leibel Waterspreading Project No. 1

3. Amount of water claimed 1.04 cubic feet per second or 219 ac. ft.

4. Source of water supply surface runoff

5. Location of point of diversion (See Jack Jewett Project) N 77° 30' W 159 rods from the

- SE corner SECTION 21, T17N, R22E on both bank Dewey County.

6. Annual period or periods during which water is to be used when available (when runoff occurs)

7. To be used for:

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

- (a) Number of acres to be irrigated 73 acres.

- (b) Legal subdivisions to be irrigated (See attachment)

(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.) \_\_\_\_\_

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

- (a) Nature of use \_\_\_\_\_  
 Name any of the above uses claimed

- (b) Amount of power to be generated \_\_\_\_\_ horse power.

Amount claimed for engine cooling \_\_\_\_\_

- (c) Location of plant \_\_\_\_\_

- (d) Method of developing power \_\_\_\_\_

- (e) Point where water will be returned to stream \_\_\_\_\_

MAP No 568-1

8. Estimated cost of work: --- (See Jack Jewett Project)

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

(b) Pumping plant, \$-----

(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.)

(See Jack Jewett Project)

**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<br>OUTLET- FEET | SURFACE AREA AT EACH<br>DEPTH AT OUTLET--ACRES | FEET | ACRE- FEET<br>CAPACITY |
|--------------------------|------------------------------------------------|------|------------------------|
|                          |                                                |      |                        |
|                          |                                                |      |                        |
|                          |                                                |      |                        |
|                          |                                                |      |                        |
|                          |                                                |      |                        |
|                          |                                                |      |                        |
|                          |                                                |      |                        |
|                          |                                                |      |                        |

(c) Head-gate Width ----- feet; height ----- feet; Material -----

(d) Canal Total length ----- miles.

| LOCATION BELOW<br>HEADGATE | DEPTH      | BOTTOM<br>WIDTH | WIDTH AT<br>WATER-LINE | GRADE<br>PER MILE |
|----------------------------|------------|-----------------|------------------------|-------------------|
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ----- 5 ----- years.

11. Time required for complete application of water to the proposed beneficial use ----- 5 + 4 ----- years.

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

STATE OF SOUTH DAKOTA

County of Dewey } ss.

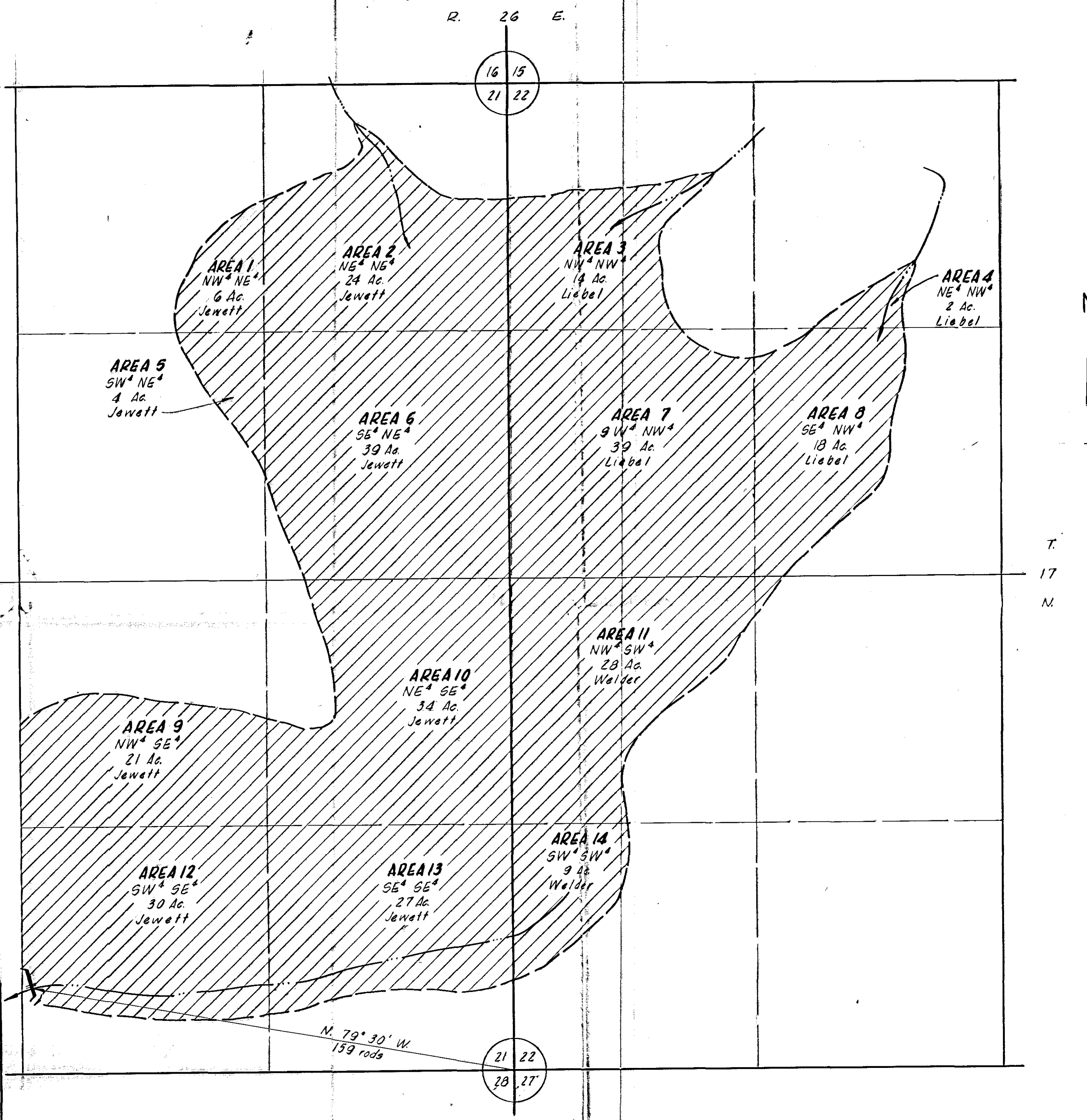
I, Carl L. Leibel, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed

Subscribed and sworn to before me this 20<sup>th</sup> day of March 1963

Notary Public (or other qualified officer.)

MARION K. FETT  
Notary Public, DEWEY COUNTY, S. DAK.  
Commission Expires 6-17-68



All lands described are owned by  
Jack Jewett, Carl L. Liebel, and Mike Walder

| LOCATION OF LAND TO BE IRRIGATED |          |         |          |       |       |        |
|----------------------------------|----------|---------|----------|-------|-------|--------|
| AREA                             | LOCATION | SECTION | TOWNSHIP | RANGE | ACRES | OWNER  |
| 1                                | NW NE    | 21      | 17N      | 26E   | 6     | JEWETT |
| 2                                | NE NE    | 21      | 17N      | 26E   | 24    | JEWETT |
| 3                                | NW NW    | 22      | 17N      | 26E   | 14    | LIEBEL |
| 4                                | NE NW    | 22      | 17N      | 26E   | 2     | LIEBEL |
| 5                                | SW NE    | 21      | 17N      | 26E   | 4     | JEWETT |
| 6                                | SE NE    | 21      | 17N      | 26E   | 39    | JEWETT |
| 7                                | SW NW    | 22      | 17N      | 26E   | 39    | LIEBEL |
| 8                                | SE NW    | 22      | 17N      | 26E   | 18    | LIEBEL |
| 9                                | NW SE    | 21      | 17N      | 26E   | 21    | JEWETT |
| 10                               | NE SE    | 21      | 17N      | 26E   | 34    | JEWETT |
| 11                               | NW SW    | 22      | 17N      | 26E   | 28    | WELDER |
| 12                               | SW SE    | 21      | 17N      | 26E   | 30    | JEWETT |
| 13                               | SE SE    | 21      | 17N      | 26E   | 27    | JEWETT |
| 14                               | SW SW    | 22      | 17N      | 26E   | 9     | WELDER |
| TOTAL                            |          |         |          |       | 299   |        |

**SURVEYOR'S CERTIFICATE**

I, KENNETH HUBER, DO HEREBY CERTIFY THAT THIS MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF THE JACK JEWETT, CARL L. LIEBEL, & MIKE WELDER WATERSPREADING PROJECT NO. 1 AND HAS BEEN PREPARED BY THE SOIL CONSERVATION SERVICE FOR THE DEWEY COUNTY SOIL AND WATER CONSERVATION DISTRICT.

SIGNATURE: Kenneth Huber  
TITLE: AGRICULTURAL ENGINEER  
U.S. DEPARTMENT OF AGRICULTURE  
SOIL CONSERVATION SERVICE

SUBSCRIBED AND SWORN TO BEFORE ME THIS 20 DAY OF March, 1981, A.D.

Kenneth Huber  
NOTARY PUBLIC

MY COMMISSION EXPIRES 1981  
Notary Public, WASHINGTON CO., N.D.  
My Commission Expires 1981

— — — — — Spreader dike  
▨ Land to be irrigated  
— — — — — Natural drainage way

Scale: 1" = 400'

**JACK JEWETT, CARL L. LIEBEL, MIKE WELDER,  
WATERSPREADING PROJECT NUMBER 1**

Dewey County, South Dakota

**U. S. DEPARTMENT OF AGRICULTURE  
SOIL CONSERVATION SERVICE**

|                |            |                      |
|----------------|------------|----------------------|
| Designed _____ | Date _____ | Approved by _____    |
| Drawn _____    |            | Title _____          |
| Traced _____   |            | Title _____          |
| Checked _____  | 1-28-81    | Sheet _____ of _____ |

Remarks by State Water Resources Commission:

The diversion rate limitation of 1 cubic foot per second for each 70 acres irrigated shall not apply to this Dry Draw irrigation diversion during periods of flood flows, when such flows are in excess of the amount of water required to satisfy domestic use requirements and other water rights.

STATE OF SOUTH DAKOTA

County of

HUGHES

ss.

Pierre, South Dakota,

MAY 10

1963

This is to certify that the foregoing application was received by the Commission at 8:15 o'clock

a.m. upon the

15<sup>TH</sup>

day of

MARCH

1963

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Number of permit

680-1

Date of first receipt of application

MARCH 15

1963

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

MARCH 15

1963

Date of receipt of corrected application

MARCH 21

1963

Date from which applicant may claim right

MARCH 15

1963

Approved

MAY 1

1963

Recorded in Book

8

Page

65

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

NOVEMBER 1, 1965

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

MAY 1

1968

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

MAY 1

1972

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 1.04 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

MAY 1

1972;

said water to be used during the following described annual period:

Whenever water is AVAILABLE

Witness my hand this

10<sup>TH</sup>

day of

MAY

1963

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Certificate of Construction issued

19

Water License issued

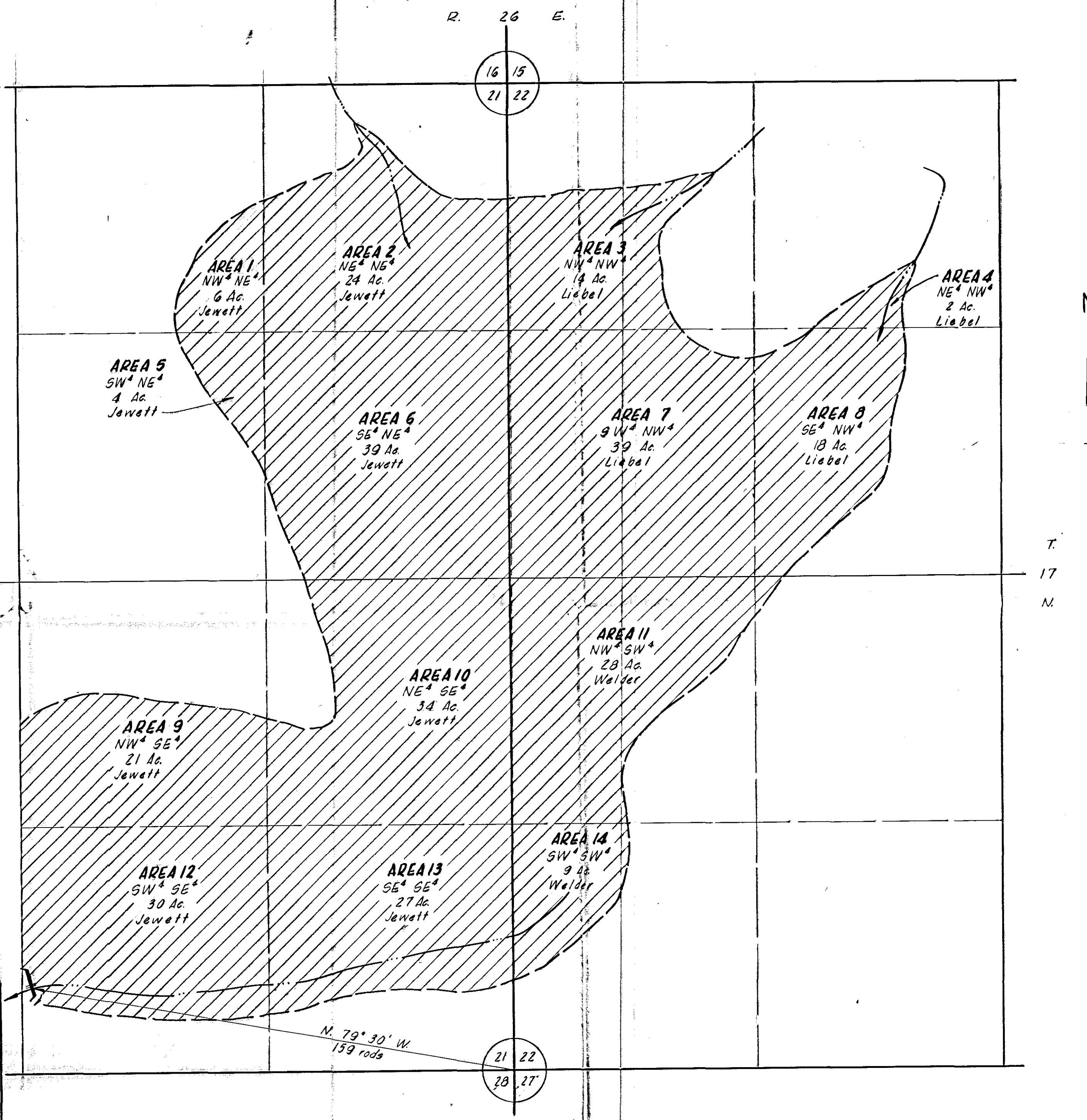
19

Attachment

CARL L. LEIBEL WATERSPREADING PROJECT NO. 1

7. I. (b) Legal subdivisions to be irrigated:

| <u>Area</u> | <u>Location</u>                                               | <u>Section</u> | <u>Township</u> | <u>Range</u> | <u>Acres</u> |
|-------------|---------------------------------------------------------------|----------------|-----------------|--------------|--------------|
| 3           | NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> | 22             | 17N             | 26E          | 14           |
| 4           | NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> | 22             | 17N             | 26E          | 2            |
| 7           | SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> | 22             | 17N             | 26E          | 39           |
| 8           | SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> | 22             | 17N             | 26E          | 18           |
|             |                                                               |                |                 |              | —            |
|             |                                                               |                |                 | Total—       | 73           |



All lands described are owned by  
Jack Jewett, Carl L. Liebel, and Mike Walder

| LOCATION OF LAND TO BE IRRIGATED |          |         |          |       |       |        |
|----------------------------------|----------|---------|----------|-------|-------|--------|
| AREA                             | LOCATION | SECTION | TOWNSHIP | RANGE | ACRES | OWNER  |
| 1                                | NW NE    | 21      | 17N      | 26E   | 6     | JEWETT |
| 2                                | NE NE    | 21      | 17N      | 26E   | 24    | JEWETT |
| 3                                | NW NW    | 22      | 17N      | 26E   | 14    | LIEBEL |
| 4                                | NE NW    | 22      | 17N      | 26E   | 2     | LIEBEL |
| 5                                | SW NE    | 21      | 17N      | 26E   | 4     | JEWETT |
| 6                                | SE NE    | 21      | 17N      | 26E   | 39    | JEWETT |
| 7                                | SW NW    | 22      | 17N      | 26E   | 39    | LIEBEL |
| 8                                | SE NW    | 22      | 17N      | 26E   | 18    | LIEBEL |
| 9                                | NW SE    | 21      | 17N      | 26E   | 21    | JEWETT |
| 10                               | NE SE    | 21      | 17N      | 26E   | 34    | JEWETT |
| 11                               | NW SW    | 22      | 17N      | 26E   | 28    | WELDER |
| 12                               | SW SE    | 21      | 17N      | 26E   | 30    | JEWETT |
| 13                               | SE SE    | 21      | 17N      | 26E   | 27    | JEWETT |
| 14                               | SW SW    | 22      | 17N      | 26E   | 9     | WELDER |
| TOTAL                            |          |         |          |       | 299   |        |

**SURVEYOR'S CERTIFICATE**

I, KENNETH HUBER, DO HEREBY CERTIFY THAT THIS MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF THE JACK JEWETT, CARL L. LIEBEL, & MIKE WELDER WATERSPREADING PROJECT NO. 1 AND HAS BEEN PREPARED BY THE SOIL CONSERVATION SERVICE FOR THE DEWEY COUNTY SOIL AND WATER CONSERVATION DISTRICT.

SIGNATURE: Kenneth Huber  
TITLE: AGRICULTURAL ENGINEER  
U.S. DEPARTMENT OF AGRICULTURE  
SOIL CONSERVATION SERVICE

SUBSCRIBED AND SWORN TO BEFORE ME THIS 20 DAY OF March, 1981, A.D.

Kenneth Huber  
NOTARY PUBLIC

MY COMMISSION EXPIRES 1981  
Notary Public, WASHINGTON CO., S.D.  
My Commission Expires 1981

— — — — — Spreader dike  
▨ — — — — — Land to be irrigated  
— — — — — Natural drainage way

Scale: 1" = 400'

**JACK JEWETT, CARL L. LIEBEL, MIKE WELDER,  
WATERSPREADING PROJECT NUMBER 1**

Dewey County, South Dakota

**U. S. DEPARTMENT OF AGRICULTURE  
SOIL CONSERVATION SERVICE**

|                |             |                   |
|----------------|-------------|-------------------|
| Designed _____ | Date _____  | Approved by _____ |
| Drawn _____    |             | Title _____       |
| Traced _____   |             | Title _____       |
| Checked _____  | Sheet _____ | Drawing No. _____ |
|                | of _____    |                   |

## PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }  
County DEWEY } ss.

J. P. Byington being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the \_\_\_\_\_

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

City of Timber Lake, County of Dewey and State of South Dakota; that the said notice was published in said newspaper on the following dates:

April 4, 1963

April 11, 1963

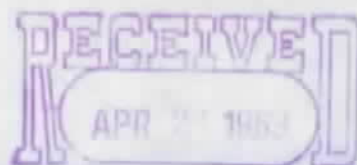
April 18, 1963

April 25, 1963

in each and every issue of the full number thereof, the first publication being made on the 4th day of April 1963 and the last publication on the 25th day of April 1963, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was \_\_\_\_\_ the printer and publisher of the said newspaper.

J. P. Byington

Subscribed and sworn to before me this 25th day of Apr A. D. 1963



STATE WATER RESOURCES COM. PIERRE, SOUTH DAKOTA

Notary Public Mary Byington County, S. D.

MARY BYINGTON  
Notary Public, DEWEY COUNTY, S. D.  
My Commission Expires 11/12/67

## APPROPRIATION OF WATER

Office of State Water Resources Commission.

Pierre, S. Dak., Mar. 22, 1963

Notice is hereby given that Jack Jewett, Carl L. Leibel and Mike Weider, whose postoffice address is Glenwood, S. Dak., have made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.64, 1.04 and 33 cubic feet of water per second of time respectively from the surface water through a dike and drain system, the point of diversion of which is to be located in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 21 Twp. 17N Range 20E. Said water to be used for the purpose of providing irrigation in portions of the following described land:

(Jack Jewett) All eight 40 acre sub-divisions in the E $\frac{1}{2}$ , Sec. 21, T17N, R20E

(Carl L. Leibel) All four 40 acre sub-divisions in the NW $\frac{1}{4}$ , Sec. 22, T17N, R20E

(Mike Weider) NW $\frac{1}{4}$  SW $\frac{1}{4}$  & SW $\frac{1}{4}$  SW $\frac{1}{4}$  sec. 22, T17N, R20E

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 1st day of May, 1963, at 2 P. M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

STATE WATER RESOURCES COMMISSION

By:

J. W. GRIMES  
Chief Engineer, Executive Officer

File: ADE 4-11-18-25, 1963

on or before April 4, 1963  
(First Publication \_\_\_\_\_, 19\_\_\_\_)

## APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak, March 29, 1963

Notice is hereby given that Jack Jewett, Carl L. Leibel and Mike Welder whose postoffice address is Glencross S. Dak., has made an application in accordance with

the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2,64, 1.04 and .53 respectively surface water through the a dike and drain system, the point of diversion of which is to be located ~~XXXX~~

~~back of the stream~~ in the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 21 portions of  
17N 26E  
Twp. \_\_\_\_\_ Range \_\_\_\_\_ Said water to be used for the purpose of providing irrigation on/the following described land:

(Jack Jewett) All eight 40 acre sub-divisions in the  $E\frac{1}{2}$ , Sec.21, T17N, R26E

(Carl L. Leibel) All four 40 acre sub-divisions in the  $NW\frac{1}{4}$ , Sec.22,T17N,R26E

(Mike Welder)  $NW\frac{1}{4}$   $SW\frac{1}{4}$  &  $SW\frac{1}{4}$   $SW\frac{1}{4}$  Sec. 22, T17N, R26E

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

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 1st day of May, 1963, at 2 P, M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

CC: Publisher  
Timber Lake Topic  
Timber Lake, South Dakota

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

Permit No. 680-1Water Division 1 Moreau River Water District

**REPORT OF EXAMINATION OF WORKS  
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

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

I have this day made a thorough examination of the water use system constructed by Carl L. Leibel  
(now deceased) of Glencross, South Dakota holder  
of Permit No. 680-1, bearing date of priority of March 15, 1963  
authorizing the diversion of 1.04 cu. ft. per second of the waters of surface runoff  
for irrigation purposes purposes, in Dewey 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:

Earth Dam about 600 feet long, 2 to 3 feet high, with top width of about 12 feet.  
(same structure as listed in "Report of Examination" 679-1)

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

Retained flood water application

C. Works used to apply water to beneficial use.

wooden stop logs in wooden headgate

The system is in the following condition: good

The point of diversion is located N 79°30' W, 159 rods from SE Corner of Section 21,  
T17N, R26E

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

Water has been put to beneficial use to the maximum extent as follows: Flood irrigation all in

|                                         |                                   |          |
|-----------------------------------------|-----------------------------------|----------|
| NW $\frac{1}{4}$ Section 22, T17N, R26E | NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 14 acres |
|                                         | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 2 acres  |
|                                         | SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 39 acres |
|                                         | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 18 acres |

comprising a total of 73 acres of land.Date July 2, 1969

Donald Driscoll  
(Signature)

DONALD DRISCOLL, Deputy Chief Engineer  
Water Resources Commission

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

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

680-1

August 15, 1988

Magdalane Leibel  
915 W 4th Avenue  
Mobridge, SD 57601

Dear Ms. Leibel:

Recently, our office mailed out a list of vested right claims, in the process of being validated, to every water right holder in each county. A notice was mailed to Carl Leibel, listed as owner of Water Permit No. 680-1, and was later returned by the Post Office. The Dewey County Assessor's Office has you listed as owner of the land described in Water Permit No. 680-1.

The purpose of this letter is to gather information from you as to the status of Water Permit No. 680-1. The permit authorizes irrigation of the NW 1/4 of Section 22, T17N, R26E. If the land is still irrigated, the permit should be transferred to your name.

Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Permit No. 680-1. Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50. The water permit will then be transferred to your name.

South Dakota Water Law states that the land must be irrigated at least once every three years, if water is available, in order for the permit to remain valid. If you no longer irrigate the land, please notify our office.

Also enclosed is the original notice mailed June 20, 1988, concerning vested right validations. Water Permit No. 680-1 does not appear on the list because it is not a vested water right claim. Permit No. 680-1 was submitted to our office, advertised, and approved by the Board. The permit has already, in effect, been validated. If you have any questions, please contact us.

Sincerely,

*Genny McMATH*

GENNY McMATH  
Natural Resources Analyst  
605 773-3352

enclosure



680-1

## McMath, Genny

---

**From:** Meier, Brandy  
**Sent:** Monday, August 12, 2013 1:08 PM  
**To:** McMath, Genny  
**Subject:** RE: land ownership in Dewey County

Genny,

Our office has the current ownership as:

Jean Lavone Speegle & Charles Louis Speegle Revocable trust  
PO Box 368  
Valley Mills, TX 76689-0368

## Brandy Meier

Dewey County Director of Equalization  
PO Box 296 / 710 C Street  
Timber Lake SD 57656  
PH: 605-865-3573  
Fax: 605-865-3691

---

**From:** McMath, Genny  
**Sent:** Monday, August 12, 2013 6:29 AM  
**To:** Meier, Brandy  
**Subject:** land ownership in Dewey County

Ms. Meier,

I am in the process of reviewing an old water right with land authorized for irrigation in Dewey county. The legal description is NW ¼ Section 22, T17N, R26E. I have a 2010-2011 plat book that tells me that the land is owned by Jean Speegle and Darlene Klein. The book does not give me their current mailing address.

Can you tell me whether or not the listing for ownership of Jean Speegle and Darlene Klein is accurate and if so, do you have a mailing address for them?

Thank you in advance for your help.

Genny McMath  
Water Rights Program  
605.773.5455



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

denr.sd.gov

August 21, 2013

680-1

Charles & Jean Speegle  
PO Box 368  
Valley Mills TX 76689-0368

Dear Mr. & Mrs. Speegle:

I am writing in reference to Water Permit No. 680-1 obtained by Carl Leibel back in 1963. The permit authorizes diversion of runoff water to irrigate 73 acres in the NW ¼ Section 22, T17N, R26E in Dewey County, South Dakota. I have included a copy of the permit and map associated with the project to give you an idea where it is located.

The Dewey County Director of Equalization as you (Jean Lavone Speegle and Charles Louis Speegle Revocable Trust) listed as owners. Currently, we are trying to find out whether the spreader system is still in place, if so, to what extent irrigation is taking place. If the land is irrigated, the permit will need to be transferred to reflect current ownership. Once that is completed, an on-site investigation will need to be conducted for purposes of issuing a water license for the project as it exists.

Under South Dakota Water Law, water must be placed to beneficial use for the purpose it was appropriated at least once every three years in order to maintain a water permit. This three year period may be waived if legal excuse exists for the years of nonuse. Enclosed are excerpts of the water right laws and Water Management Board Rules dealing with these issues.

After reading through the enclosed materials, please get in touch with me so we can determine how best to update the water permit.

Sincerely,

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

enclosures

**WATER RIGHTS PROGRAM -- FILE DOCUMENTATION**

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**NAME & ADDRESS:** Charles & Jean Speegle

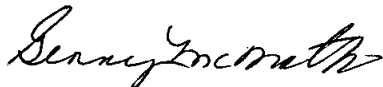
**DATE:** October 22, 2013

**RE:** status of Water Permit No. 680-1

Jean Speegle called in reference to my letter of August 21<sup>st</sup>. She indicated that her father (Carl Leibel) had originally filed the permit application. She was unaware of any irrigation on the land. She went on to say that she had contacted her cousin who lives on the land and also neighbors with adjoining land and none of them irrigated or knew anything about the project her father had made an application for.

I asked her about the existence of a dam on the property. The project as described in the original permit was to divert runoff water from a dry draw. An inspection of the system occurred in 1969 and at that time a small dam was used. Mrs. Speegle indicated there is a very small dam on the neighbor's land but she didn't think it would store any water much less irrigate anything.

She was agreeable to cancellation of the water permit. We discussed their ability to re-apply for an irrigation permit in the future if things changed and they wanted to irrigate.



Genny McMath  
Water Rights Program



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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October 22, 2013

680-1

Charles & Jean Speegle  
PO Box 368  
Valley Mills TX 76689-0368

Dear Mr. & Mrs. Speegle:

I am writing in follow-up to our phone conversation concerning Water Permit No. 680-1. The permit obtained by Carl Leibel authorizes diversion of runoff water for irrigation purposes. It is my understanding from our conversation that the land is not irrigated. You indicated that through checking with family and neighbors in the area, no one remembers the land being irrigated.

Based on our phone conversation and the information you provided, the water permit will be scheduled for cancellation consideration at an upcoming Water Management Board meeting. You will be notified of the time, date and place once it is scheduled. As long as you agree with the proceedings, you do not need to do anything further. If at any time through the process you have questions, please feel free to give me a call.

Sincerely,

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

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

**WATER RIGHTS PROGRAM -- FILE DOCUMENTATION**

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**NAME & ADDRESS:** Jean Speegle, PO Box 368, Valley Mills TX 76689

**DATE:** October 30, 2013

**RE:** Water Permit No. 680-1

**Conversation:**

Jean Speegle called and requested more information on the water right. She still doesn't think there is anything out there but wants to be sure before anything happens in the way of cancellation.

I explained the three year use it or lose it criteria and she thought that perhaps if there was anything out there, it had not been used due to lack of water. The original system as described in the 1969 inspection report by Driscoll indicated the system was a spreader type with wooden stop logs and wooden headgate.

A relative living on the place didn't know anything about irrigation and she took his word for it that nothing was out there. After visiting with someone who told her not to let her water right go, she would like to have someone go take a look at the area and make sure everything was truly gone before letting the water right go.

**Recommendation:**

Conduct a field investigation of the permitted area to determine if the system exists to the extent water could be diverted if water was available. If something is present, gather enough information for licensing purposes. If nothing is present, schedule the water permit for cancellation consideration.

Prior to going to the area, check with her cousin living on the place to obtain access. His name is Jerry Leibel and can be reached at (605) 865-3317.



Genny McMath  
Water Rights Program