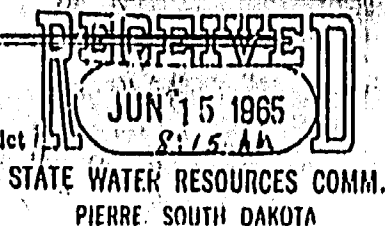


755-1

1. Considered 7-14, 1905
2. Name of Applicant DALE E. MADSEN
3. Post Office Address NEW UNDERWOOD
4. Amount of Water Claimed 3.27
5. Source of water supply ELK CREEK
6. Water to be used for IRRIGATION
Acres to be irrigated 229
7. Water to be diverted and used in MEADE County about
7 Miles 15 of NEW UNDERWOOD.
8. Proof of Publication Received ☒
Not Received
9. Application Approved
Subject to
Not Approved
Action deferred
10. Remarks:

No. 755-1Water Division No. 1 ELK CREEK District 1
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of applicant DALE E. MADSEN RR-#1, Box 55
 Postoffice address New Underwood, County Meade 57761, State S.D.

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)

Direct labor and by contractors

(b) Cash on hand, \$ _____

(c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____

(e) Other resources, \$ _____

2. Name of diversion work The Madsen Irrigation Project3. Amount of water claimed 3.27 cubic feet per second4. Source of water supply Elk Creek

Between a point S. 42° 15' E. 1075' from the W 1/4 Cor. Sec. 29, T. 3 N. R. 11 E

5. Location of point of diversion and a point S 88° 30' E. 2570' from the W 1/4 Cor. Sec. 28, T. 3 N., R. 11 E - E 1/4
on both NE 1/4 bank Meade County.6. Annual period or periods during which water is to be used April 1st to Nov. 1st7. To be used for: Irrigation
 I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity, pump-
ing and spreader systems(a) Number of acres to be irrigated 229 acres.NW-SW-3 ac., NE-SW-6 ac., SW-SW-3 ac., SE-SW-17 ac., NW-SE-35 ac.,

(b) Legal subdivisions to be irrigated

(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.)

NE-SE-38 ac., SW-SE-38 ac., SE-SE-37 ac., 163 ac. Sec. 29 T. 3 N., R. 11 E - 163 A

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

Stockwatering only.NW-SW-36 ac., NE-SW-30 ac. Total 66 ac. Sec. 28, T. 3 N., R. 11 E66
229 A

None.

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

(a) Nature of use None

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 X

MAP NO-634-1

8. Estimated cost of work:

(a) Head Gates, \$2000.00. Trailer mounted (b) Pumping plant, \$2000.00
 (c) Fluming, \$..... (d) Canal-earth, \$400.00. Rock, \$.....
 (e) Other structures \$300.00 Total, \$2200.00

9. Description of diversion works:

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

Spreading of flood water by dikes & ditches and pumping from
 Elk Creek into ditch and dike system

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottom feet; length at top
feet; thickness at bottomfeet; thickness at top
 feet; slope at front water face; slope at back face
 material used in construction
 (b) Reservoir: Capacity when filledacre 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; heightfeet;
 Material
 (d) Canal: Total lengthmiles.

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 work5.....years.
 11. Time required for complete application of water to the proposed beneficial use5..... years.
 12. Choice of Newspaper for publication of notice of intention to appropriate

Rapid City, Daily Journal, Rapid City, So. Dak.

STATE OF SOUTH DAKOTA

County of Meade } ss.

I, DALE E. MADSEN, 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 Dale E. Madsen

Subscribed and sworn to before me this 4th day of June 1965

Carl M. Cornell

Notary Public (An officer qualified under)

*Each diversion must have a headgate or measuring device.

CARL M. CORNELL
 Notary Public, Meade County, S. D.

FLAT
OF

The Madsen Irrigation Project,
Sections 28 and 29, T.3 N., R.11 E-BHM in Meade County, South Dakota,
Dale E. Madsen, Owner,
New Underwood, South Dakota. Scale: 1 inch = 660 feet.
8 inches = 1 mile.

IHM FARMALL H TRACTOR
Rainmaster Model DP8
1300' GATED PIPE - 10"

- - 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 Dale E. Madsen of New Underwood, Meade County, South Dakota, I have made a survey and prepared this plat of the several irrigable tracts shown hereon which said tracts embrace the irrigation project for which this map and the "Application for a Permit to appropriate Water" which accompanies same are being furnished by the applicant.

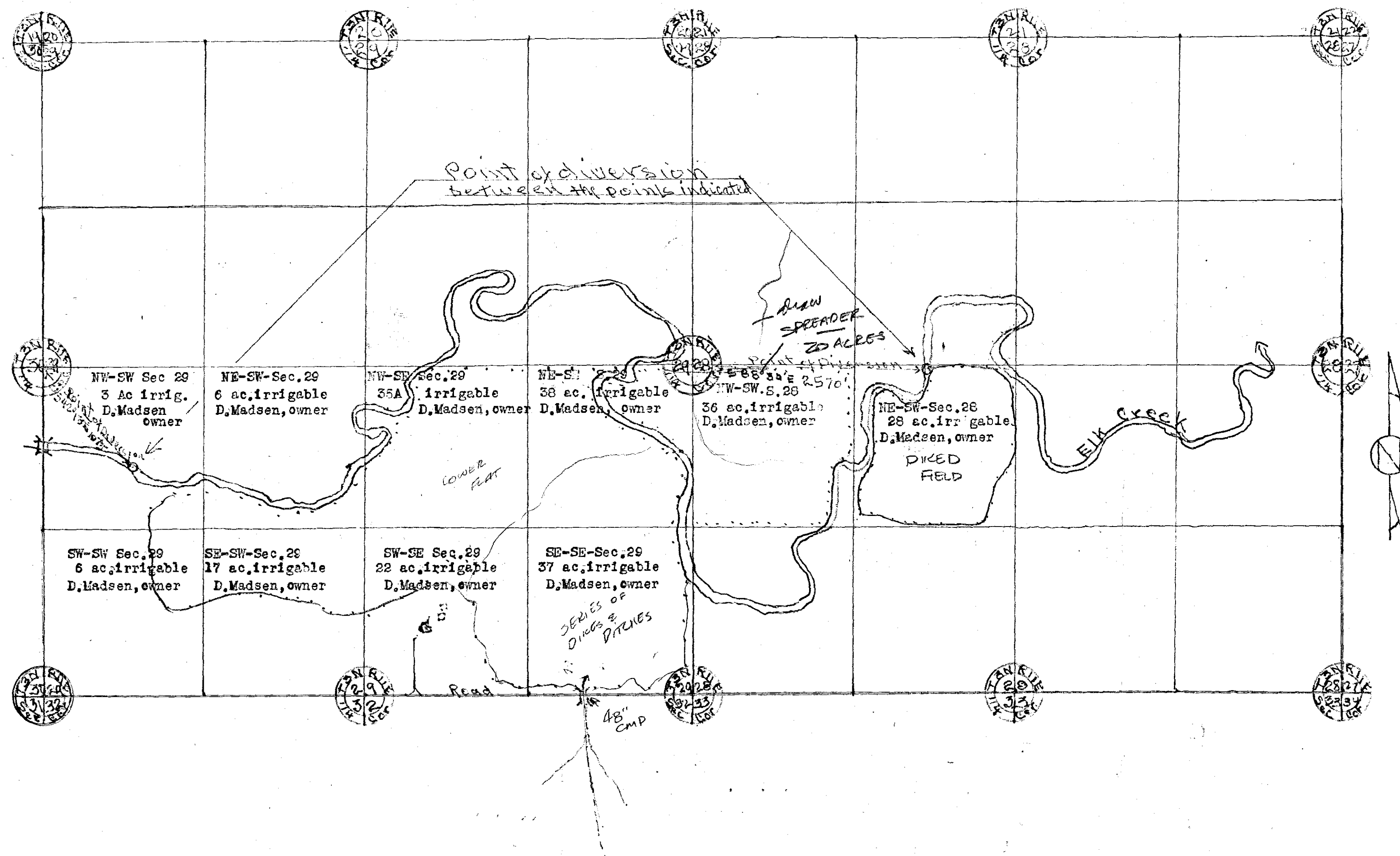
I further certify that the bearings and lengths of all lines shown and their location with reference to the Government Land Corners shown hereon, are correct, to the best of my knowledge and belief.

Subscribed and sworn to at Buffalo, South Dakota this 9th day of June 1965.

SIGNED: Carl M. Cornell
Carl M. Cornell, Licensed Surveyor #144
(SEAL)

Subscribed and sworn to before me at Buffalo, South Dakota this 9th day of June 1965.

M. R. Hann
Notary Public. (SEAL)



Remarks by State Water Resources Commission:

THIS PERMIT IS APPROVED CONTINGENT UPON THE
IRRIGATION SYSTEM BEING CONSTRUCTED & OPERATED
SO THAT LOW FLOWS AS NEEDED FOR DOWNSTREAM
DOMESTIC USE AND PRIOR WATER RIGHTS ARE
BY-PASSED.

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota, AUGUST 13 1965

This is to certify that the foregoing application was received by the Commission at 8:15 o'clock
9 a.m. upon the 15TH day of JUNE, 1965

State Water Resources Commission

By:

Austin Jones
for Chief Engineer, Executive Officer

Number of permit 755-1

Date of first receipt of application JUNE 15, 1965

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 JUNE 15, 1965

Approved JULY 14, 1965, Recorded in Book 9 Page 42

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 14, 1968

2nd. The whole of said work is to be completed on or before JULY 14, 1970

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is JULY 14, 1970

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 3.27 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 JULY 14, 1970; said water to be used during the following described annual period:

APRIL 1 TO NOVEMBER 1
Witness my hand this 13TH day of AUGUST, 1965

State Water Resources Commission

By:

Spencer
Chief Engineer, Executive Officer

Certificate of Construction Issued

JULY 17, 1974

Water License Issued

JULY 17, 1974

WATER LICENSE NO. 755-1.

(1) WHEREAS, On the 15th day of June A. D. 19 65

Dale E. Madsen

made Water Right Application No. 755-1 for a permit to use 3.27 cubic feet per second of the waters of Elk Creek

County of Meade, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 13th day of August A. D. 19 65

Permit No. 755-1, with a date of priority of June 15, 1965

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 14th day of July A. D. 19 70 and for the application to beneficial use of said water on or before the 14th day of July A. D. 19 70

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 2.91 cubic feet per second of water for beneficial use and,

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

for irrigating the following land in T3N, R11E

Section 28,	NW $\frac{1}{4}$ SW $\frac{1}{4}$	20 acres
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	28 acres
Section 29	NW $\frac{1}{4}$ SW $\frac{1}{4}$	3 acres
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	6 acres
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	6 acres
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	17 acres
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	35 acres
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	30 acres
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	22 acres
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	37 acres
Total		204 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 Dale E. Madsen

of New Underwood, S.D.

the holder _____ and owner _____ of said permit No. 755-1 a water right, dating from June 15, 1965

to use of 2.91 cubic feet per second of the waters

of Elk Creek

in the County of Meade and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at between points South 42° 15' East, 1075 feet from

the W $\frac{1}{2}$ Corner, Section 29, and South 88° 30' East, 2570 feet from the W $\frac{1}{2}$ Corner,

Section 28, T3N, R11E

and conduct to and upon portions of Sections 28 and 29, T3N, R11E, more fully described on the

face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 755-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 17th day of July A. D.

Nineteen Hundred and Seventy-four

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer DONALD DRISCOLL

Form 15.

Permit No. 755-1

Water Diversion No. 1 ELK CREEK Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Dale E. Madsen

_____ the holder _____ of
Permit No. 755-1, issued upon Application No. 755-1, bearing date of priority of June 15,
1965 authorizing the diversion of 3.27 cu. ft. per second of the waters of _____
Elk Creek County of Meade, State of South Dakota at _____
between points South 42° 15' East, 1075 feet from the W¹ Corner, Sec. 29, and
South 88° 30' East, 2570 feet from the W¹ Corner, Section 28, T3N, R11E
_____, for irrigation

_____ purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit: that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 3.33 cu. ft. per second of water.

Date July 17, 1974

By: WATER RIGHTS COMMISSION

DONALD DRISCOLL, Chief Engineer

Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Pennington

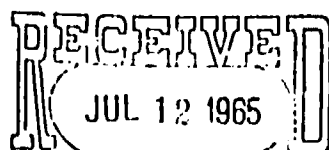
ss.

W. C. WAGMAN, of Rapid City, in said County, being first duly sworn, upon his oath says: That he is now and was at all times hereinafter mentioned, the agent of the publisher named, designated and appointed as such for the purposes herein set forth, by resolution and action of its Board of Directors, of The ~~XXXXXX PUBLISHING COMPANY~~ ^{Rapid City Journal Company} ~~XXXXXX~~, a corporation, of Rapid City, South Dakota, the owner and publisher of the RAPID CITY DAILY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated; that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bonafide circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said RAPID CITY DAILY JOURNAL, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said newspaper once each week for four successive weeks, the first publication thereof being on the 18th day of June, 19.65., and the last publication thereof being on the 9th day of July, 19.65., that the fees charged for the publication thereof are seventeen Dollars and 30 cents.

W. C. Wagman

Subscribed and sworn to before me this 9th day of July, 19.65.

Jonis Martin
Notary Public.



STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

NOTICE OF APPOINTMENT OF WATER RIGHTS SPECIALIST
Office of State Water Resources Commission
Pierre, S. Dak.
June 12, 1965
Notice is hereby given that Dale E. Maden, whose postoffice address is New Caledonia, 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 3.27 cubic feet of water per second of time from Elk Creek through the Maden Irrigation Project, the point of diversion of which is to be located on either bank of said stream between a point in the NW 1/4, Section 29, and a point in the NW 1/4 of the SW 1/4 of Section 28 Twp. 2N Range 11E. Said water to be used for the purpose of providing irrigation for portions of the following described lands:
NW 1/4, Section 29, SW 1/4 and SE 1/4, Section 28, T2N, R11E.
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 14th day of July, 1965, at 2:00 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 of all information presented.
State Water Resources Commission
By: Burton F. Jones
Water Rights Specialist

(First Publication ~~on or before~~ June 19, 1965)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., June 15, 1965

Notice is hereby given that Dale E. Madsen whose postoffice address is New Underwood 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 3.27 cubic feet of water per second of time from the Elk Creek through the Madsen Irrigation Project, the point of diversion of which is to be located on the back of said stream between a point in the NW 1/4 SW 1/4 Section 29, and a point in the NE 1/4 of the SW 1/4 of Section 28 Twp. 3N Range 11E. Said water to be used for the purpose of providing irrigation on the following described land:

N 1/2 SW 1/4, Section 28; SW 1/4 and SE 1/4, Section 29, T3N, R11E

and for PURPOSES

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 14th day of July, 1965, at 2:00 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.

cc: Publisher
Rapid City Daily Journal
Rapid City, South Dakota

State Water Resources Commission

By:

BURTON F. JONES
Water Right Specialist

Permit No. 755-1Water Division 1 ELK CREEK Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USEWATER RIGHTS COMMISSION
TO: Water Rights 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 DALE E. MADSEN of NEIN UNDERWOOD holder of Permit No. 755-1, bearing date of priority of JUNE 15, 1965, authorizing the diversion of 3.27 cu. ft. per second of the waters of ELK CREEK for IRRIGATION purposes, in MEADE 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:

RAINMASTER MODEL BDP-8" PUMP - P.T.O., POWERED BY FARMALL "H" GASOLINE TRACTOR

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

1300' OF 10" GATED PIPE (USED FOR MAINLINE TO DITCHES AND/OR Diked FIELDS)

C. Works used to apply water to beneficial use.

SERIES OF DIKES AND DITCHES TO LEVELLED LAND. LOWER AREA ALONG CREEK IS AN ALMOST NATURAL SPREADER AREA, REQUIRING VERY LITTLE WORK TO SPREAD WATERThe system is in the following condition: FAIR

The point of diversion is located BETWEEN POINTS S42°15'E, 1075 FEET FROM THE N 1/4 CORNER, SECTION 29; AND S88°30'E, 2570 FEET FROM THE W 1/4 CORNER, SECTION 28, T3N, R11E

The works are capable of diverting and conveying to the place of use 3.33cu. 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 T3N, R11E

SECTION 29		SECTION 28	
NW 1/4 SW 1/4	3 AC.	NW 1/4 SE 1/4	35 AC.
NE 1/4 SW 1/4	6 "	NW 1/4 SW 1/4	20 AC.
SW 1/4 SW 1/4	6 "	NE 1/4 SW 1/4	28 "
SE 1/4 SW 1/4	17 "	SW 1/4 SE 1/4	22 "
		SE 1/4 SE 1/4	37 "

comprising a total of 204 acres of land.

MR. MADSEN INDICATES THAT THE MAIN SOURCE OF WATER FOR THE BIGGEST PORTION OF THE LAND IS FROM A LARGE DRAW COMING FROM THE SOUTH. HE HAS A LARGE DAM ON THE DRAW WHICH HE STATES WAS BUILT IN 1944, AND THAT THE AREA IN SECTION 29 WAS DEVELOPED AT THAT TIME. HE STATES HE HAS PUMPED FROM ELK CREEK INTO THIS SYSTEM, BUT PRIMARILY HE PUMPS ONTO THE 28 ACRE FIELD IN THE NE 1/4 SW 1/4 SECTION 28, AND ONTO 20 ACRES IN THE NW 1/4 SW 1/4 SECTION 29.

Date

JULY 11, 1974

[Signature]
(Signature)

WATER RIGHT SPECIALIST
WATER RIGHTS COMMISSION

Water Rights Division
(605) 773-3352

755-1
772-1
759-1

August 4, 1981

Mr. Dale Madsen
New Underwood, SD 57761

Dear Mr. Madsen:

This letter is to inform you that our office has received several complaints on the construction work you and Mr. Jim Aucker have done on Elk Creek just north of Mr. Aucker's home.

The complaints were that you and Mr. Aucker are holding back downstream domestic water supplies. We investigated the situation on July 29, 1981 and have decided to wait until there is a larger runoff into the creek to evaluate the situation. If it is determined that the construction change on Elk Creek is interfering with downstream domestic water you will be instructed to correct the problem.

Would you please send a letter to this office stating the purpose for the construction of these dykes and if you or Mr. Aucker have any future plans for irrigating using this construction change.

If you have any questions, please call this office.

Sincerely,

THOMAS G. SCHALL
Water Resources Engineer

TGS/bat

cc: Mr. James L. Aucker, Jr.
New Underwood, SD 57761

(605) 773-3352
Water Rights Division

755-1
772-1
759-1

August 4, 1981

Mr. Clarence Humphrey
New Underwood, SD 57761

Dear Mr. Humphrey:

After our meeting on July 29, 1981 concerning the situation with Mr. Dale Madsen and Mr. Ann Auker on Elk Creek, we decided to wait until there is sufficient runoff into Elk Creek to effectively evaluate the situation. Since the creek has been dry for sometime it will take a large runoff to fill all the natural pot holes in the creek before it will run. If it is determined that the construction change on Elk Creek is interfering with the downstream domestic water supply, Mr. Madsen and Mr. Auker will be instructed to correct the problem.

If you have any questions, please call the office.

Sincerely,

TIMOTHY G. SCHAAL
Water Resources Engineer

TGS/bat

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

August 25, 1981

Dale Madsen
New Underwood,
South Dakota 57761

Dear Mr. Madsen:

In reply to your letter dated August 17, 1981, I met with several of the downstream users of Elk Creek at the home of Mr. Clarence Humphrey on July 29, 1981. As I stated before, their main concern with the construction work that you have completed was that you were holding back some downstream domestic water. We suggest that you get together with Mr. Humphrey and try to resolve this situation.

If an agreement can not be reached, we suggest that additional work be completed on the bypass channel. It appeared that the bypass channel constructed between the two dykes had an area that was a natural low spot and no construction work was evident through this area. We request that the bypass channel be lowered to the elevation of the creek bed and the channel be completed through the low spot with a sufficient grade to prevent any storage of water behind your erosion control structure.

If you have any questions concerning this matter, please contact this office.

Sincerely,

TIMOTHY G SCHAAL
Water Resources Engineer

TGS:kw

cc: James L Aucker, Jr.
New Underwood SD

Clarence Humphrey
New Underwood SD

Equal Opportunity Employer

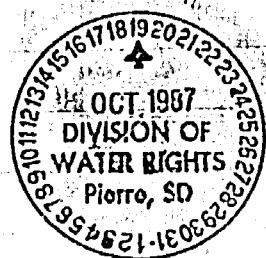
| 755-1 |

Oct 14 - 1987

Dear Sirs:

you sent me a letter with
a paper to be filed out & sent
back to you. We have lost the
letter & am writing to you to
tell you we didn't irrigate last
yr & wasn't any available water to
irrigate with.

Thank you
Mike E. Madson
New Underwood
S. Dak 57761
RR1 Box 55



 **Department of
Water & Natural Resources**

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

October 19, 1989

755-1

Margie L Madsen
RR #1 Box 55
New Underwood, SD 57761

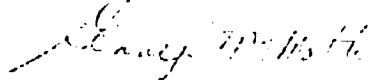
Dear Mrs. Madsen:

Thank you for the prompt return of your 1989 irrigation questionnaire. Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 755-1. 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.

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



 **Department of
Water & Natural Resources**

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

October 23, 1989

755-1

Margie L Madsen
RR #1 Box 55
New Underwood, SD 57761

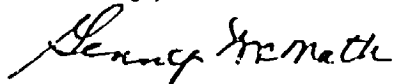
Dear Mr. Madsen:

Enclosed is your check #3071 in the amount of \$2.50 you submitted for filing a "Notice of Transfer". The transfer form was completed properly, however, your check needs to be signed before it can be processed.

Please sign and return the check to us as soon as possible. We will begin processing the transfer upon receipt of the filing fee.

If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst

enclosure: check





NO. 755-1

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Right
Foss Building
Pierre, SD 57501

Date: _____

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

N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 28, S $\frac{1}{2}$ Section 29, T3N, R11E

formerly owned by Dale Madsen

has been transferred to Margie L Madsen, RR #1 Box 55, New Underwood, SD 57761

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

Water Right ~~XXXX~~ No. 755-1 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.

STATE OF SOUTH DAKOTA)
County of Pennings) ss.

I, Margie L Madsen 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.

Margie L Madsen
(Signed)

Subscribed and sworn to before me this 20 Day of October, 1989.

Wm. L. Madsen
(Notary Public)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411949

Pierre, October 27, 1989

RECEIVED OF Margie Hadsen, Box 55, RR #1 Hax Underwood, SD 57761

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 <u>Water Right No. 755-1</u>	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 John Hatch
Chief Engineer John Hatch/mrd

 **Department of
Water & Natural Resources**

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

October 30, 1999

755-1

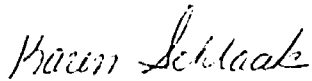
Margie L. Madsen
RR 1, Box 55
New Underwood SD 57661

Dear Ms. Madsen:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 755-1.

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

Sincerely,



KAREN SCHLAAK
Senior Secretary
605 773-3352

enclosure





755-1

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

January 21, 1994

755-1

Stacy J Madsen, Administrator
RR #1 Box 55
New Underwood, SD 57761

Dear Ms. Madsen:

I am contacting you in regard to ownership of Water Right No. 755-1, currently listed in the name of Margie L Madsen. You indicated on the 1993 irrigation questionnaire that the name should be changed to either your name or the Margie Madsen Estate.

I have enclosed a partially completed "Notice of Transfer" for use in filing an ownership change with Water Right No. 755-1. Please complete the form by including the name(s) the water right should be listed in and then sign the form in the presence of notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resource Analyst
Water Rights Division
(605) 773-3352

enclosure



755-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 11, 1994

SECOND NOTICE
Permit No. 755-1

Stacy J. Madsen, Administrator
RR 1, Box 55
New Underwood, SD 57761

Dear Ms. Madsen:

On January 21, 1994, notice was sent to you concerning the transfer of Water Right No. 755-1 in the name of Margie L. Madsen. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed is an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The water right can then be transferred to your name. If you are not the present owner of the land covered under this water right, 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 Genny McMath, (605) 773-3352.

Very truly yours,

for RON DUVAL
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

enclosure

Is your RETURN ADDRESS completed on the reverse side?

SENDER: • Complete items 1 and/or 2 for additional services. • Complete items 3, and 4a & b. • Print your name and address on the reverse of this form, so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Request-1" on the mailpiece below the article number. • The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. ☐ Addressee's Address 2. ☐ Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: Stacy J. Madsen, Admin. RR 1, Box 55 New Underwood SD 57761		4a. Article Number P 318 052 1643	
5. Signature (Addressee) Janette Madsen		4b. Service Type ☐ Registered ☐ Insured ☒ Certified ☐ CGD ☐ Express Mail ☐ Return Receipt for Merchandise	
6. Signature (Agent) Tanner		7. Date of Delivery 5-13-94	
		8. Addressee's Address (Only if requested and fee is paid)	

Thank you for using Return Receipt Service.

755-1

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 755-1

Date: May 17, 94

I/We request that Water Right No. 755-1

formerly owned by: Margie L. Madson, RR #1 Box 55, New Underwood, SD 57761

be transferred to: (name & address) STACY J. MADSEN ADM.

RR1 Box 55 New Underwood S.DAK 57761 (Telephone No) 754-6976

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

N½ SW¼ Section 28, SW¼ and SE¼ Section 29, T3N, R11E

I/We understand that the validity of Water Right No. 755-1 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 46-2-12.

STATE OF SOUTH DAKOTA)

County of Meade)

I/We Stacy J. Madsen ADM. 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.

Stacy J. Madsen
(Signed)

Subscribed and sworn to before me this 12th day of May, 19 94.

Brenda R. White
(Notary Public)
my commission expires 4-20-98

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

Division of Water Rights

South Dakota Department of Environment and Natural Resources

414179

Pierre, _____ May 19 _____, 19 94

RECEIVED OF Shelle A. Madsen, RR 1 Box 55A, New Underwood, SD 57761

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 755-1</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

B.

Chief Engineer

John H. Hodel



755-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 26, 1994

No. 755-1

Stacy J. Madsen, Adm.
RR 1, Box 55
New Underwood, SD 57761

Dear Ms. Madsen:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 755-1.

Our records now show you as the owner of Water Right No. 755-1.

Sincerely,

A handwritten signature in cursive script that reads 'Cheryl F. Frost'.

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

enclosure

755-1

Bangs, McCullen, Butler, Foye & Simmons

Lawyers

818 St. Joe Street
Mailing Address P.O. Box 2670
Rapid City, South Dakota 57709-2670
605-343-1040
Telecopier 605-343-1503

Joseph M. Butler
Thomas H. Foye
Thomas E. Simmons
Charles L. Riter
Allen G. Nelson
James P. Hurley
Michael M. Hickey
Mark F. Marshall
Terry L. Hofer
Patrick K. Duffy

Rodney W. Schlauger*
Daniel E. Duffy
Jeffrey G. Hurd
Veronica L. Bowen

—
*Also Admitted in Minnesota,
Nebraska and North Dakota

March 7, 1995

George A. Bangs, Of Counsel
W.A. McCullen (1943-1987)

Recycled Paper (X)

Ms. Genny McMath
Natural Resource Analyst
Water Rights Division
Department of Environment
& Natural Resources
Joe Foss Bldg.
523 E. Capitol
Pierre, SD 57501-3181



RE: Estate of Margie L. Madsen
Water Right No. 755-1

Dear Ms. McMath:

This is a follow-up to a telephone conference you had with my legal assistant, Wanda Steckley, regarding the above-referenced water right.

Please direct future correspondence about the water right to Mr. Stacy J. Madsen, Executor of the Estate of Margie L. Madsen, RR 1, Box 55, New Underwood, SD 57761. The Executor will distribute the water right at a later date when distribution of the estate may be done.

If you have any questions, please let me know.

Thank you.

Very truly yours,

BANGS, McCULLEN, BUTLER, FOYE & SIMMONS

Charles L. Riter
Charles L. Riter

CLR:wks

cc: Mr. Stacy Madsen

755-1

ESTATE OF LENA MARGUERITE MADSEN a/k/a MARGIE L. MADSEN

Stacy Joe Madsen, Executor
RR 1, Box 55
New Underwood, SD 57741

October 26, 1995



Ms. Genny McMath
Natural Resource Analyst
Water Rights Division
Department of Environment & Natural Resources
Joe Foss Bldg.
523 E. Capitol
Pierre, SD 57501-3181

RE: Estate of Margie L. Madsen

Dear Ms. McMath:

I am the Executor of the Estate of Margie L. Madsen. Margie Madsen died on March 19, 1993, and, at that time, she owned Water Right #755-1. Please transfer that water right to Stacy Joe Madsen.

I enclose the following so you may transfer the water right:

1. Notice of Transfer of Ownership completed by me;
2. Letters Testamentary and Oath showing that I am the executor of the Margie Madsen Estate; and
3. Check for the \$2.50 transfer fee.

Please send to me a confirmation letter that the transfer has been made.

If you have any questions or need additional information or documentation, please contact my attorney, Charles L. Riter (343-1040).

Sincerely,

Stacy Joe Madsen

Stacy Joe Madsen, Executor
of Estate of Margie L. Madsen

CLR:SJM:wks
Enclosures

STATE OF SOUTH DAKOTA:
COUNTY OF MEADE

IN CIRCUIT COURT
PROBATE DIVISION
EIGHTH JUDICIAL CIRCUIT
File No. 93-33

IN THE MATTER OF THE ESTATE OF)
LENA MARGUERITE MADSEN, a/k/a)
MARGIE L. MADSEN, DECEASED.)

LETTERS TESTAMENTARY
AND OATH

The Last Will and Testament of Lena Marguerite Madsen, a/k/a Margie L. Madsen, deceased, a copy of which is hereunto annexed, was admitted to probate in this Court on May 18, 1994, and thus has been proved and recorded in the Circuit Court of Meade County, South Dakota. Stacy Joe Madsen, who is named Executor therein, is hereby appointed Executor, to serve without filing of a bond as required in the Last Will and Testament, and the Executor is hereby granted authority to administer this Estate under the Independent Administration of Decedents' Estates Act, SDCL Chapter 30-18A.

Dated at Deadwood, Lawrence County, South Dakota, this 3 day of November, 1994.

BY THE COURT:

151 Warren L. Johnson
CIRCUIT COURT JUDGE

ATTEST:

151 Patricia M. Williams
CLERK OF COURTS

BY _____
DEPUTY



OATH

STATE OF SOUTH DAKOTA: SS
COUNTY OF PENNINGTON :

Stacy Joe Madsen, being duly sworn on his oath, deposes and says: He will perform according to law the duties of Executor of the Estate of Lena Marguerite Madsen, a/k/a Margie L. Madsen, deceased.

Stacy Joe Madsen
STACY JOE MADSEN

Subscribed and sworn to before me this 1st day of November, 1994.

Karla Stokley
NOTARY PUBLIC

(SEAL)

My Commission Expires: 5-2-95



NOTICE OF TRANSFER OF OWNERSHIP.

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



No. 755-1

Date: October 26, 1995

I/We request that Water Right No. 755-1

formerly owned by: Margie L. Madsen, RR #1 Box 55, New Underwood, SD 57761

be transferred to: (name & address) Stacy Joe Madsen, RR 1, Box 55, New Underwood, SD 57761

(Telephone No) (605) 754-6976

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

N½ SW¼ Section 28, SW¼ and SE¼ Section 29, T3N, R11E

I/We understand that the validity of Water Right No. 755-1 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 Pennington)

and individually

Executor of the Estate of Lena Marguerite Madsen aka Margie L. Madsen,
I/We Stacy Joe Madsen, 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.

ESTATE OF LENA MARGUERITE MADSEN aka MARGIE L. MADSEN

BY Stacy Joe Madsen
(Signed)

Stacy Joe Madsen, Executor and individually

Subscribed and sworn to before me this 26 day of October, 1995.

Wanda Stickley
(Notary Public)

My Commission Expires: 8-2-2003

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

Division of Water Rights

South Dakota Department of Environment and Natural Resources

414654

Pierre, _____ October 27 _____, 19 95

RECEIVED OF Bangs, McCullen, Butler, Foye & Simmons, Box 2670, Rapid City, SD 57709
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 755-1</u>		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)		
Total	2	50

By

Chief Engineer

John H. Hester



755-1

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

November 3, 1995

No. 755-1

Charles L. Riter
Bangs, McCullen, Butler,
Foye & Sinmons
Box 2670
Rapid City, SD 57709

Dear Mr. Riter:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 755-1.
Our records now show Stacy Joe Madsen as the owner of Water Right No. 755-1.

Sincerely,

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

nclosure

Stacy Joe Madsen, RR 1, Box 55, New Underwood, SD 57751

ated on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

755-1

STACY JOE MADSEN

RR 1 BOX 55

NEW UNDERWOOD SD 57761 9607

5. Received By: (Print Name)

Stacy Joe Madsen

6. Signature: (Addressee or Agent)

X Stacy Joe Madsen

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

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

Consult postmaster for fee.

4a. Article Number

P 378 081 379

4b. Service Type

☐ Registered

☐ Express Mail

☐ Return Receipt for Merchandise

☒ Certified

☐ Insured

☐ COD

7. Date of Delivery

5/17 2-6-97

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

Domestic Return Receipt

Thank you for using Return Receipt Service.

755-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 4, 1997

NOTICE

TO: STACY JOE MADSEN, RR 1 BOX 55, NEW UNDERWOOD, SD 57761 9607

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 755-1. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 2:30 pm, March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 755-1 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, 1997, 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 18, 1997

755-1

Stacy Joe Madsen
RR 1 Box 55
New Underwood, SD 57761-9607

Dear Mr. Madsen:

I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaire.

I completed a questionnaire for you based on our February 18th telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

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

Sincerely,

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



**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: STACY JOE MADSEN, 16256 RED TOP RD, NEW UNDERWOOD, SD 57761

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) 755-1. 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) 755-1 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.

755-1

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

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 4216
Status: **Delivered**

Your item was delivered at 1:04 PM on January 19, 2008 in NEW UNDERWOOD, SD 57761. The item was signed for by S MADSEN.

[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

USA: 1-800-275-8777
Outside US: 1-800-275-8777International
1-800-275-8777

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 4216	
STACY JOE MADSEN 16256 RED TOP RD NEW UNDERWOOD SD 57761	
Waiver of Signature ☐ YES ☐ NO	POSTAL CUSTOMER: Keep this receipt. For Inquiries: Access internet web site at www.usps.com or call 1-800-222-1811
Postmark Here	☐ 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 20, 2008

755-1

Stacy Joe Madsen
16256 Red Top Rd
New Underwood SD 57761

Dear Mr. Madsen:

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. 755-1.

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
Environmental Scientist
Water Rights Program
(605) 773-3352

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 22, 2010

NOTICE

TO: STACY JOE MADSEN, 16256 RED TOP RD, NEW UNDERWOOD, SD 57761

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire has not been submitted for Permit No(s) 755-1. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 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 10, 2010**, 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) 755-1 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 5, 2010**, 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 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.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.



755-1
[Home](#) | [Help](#) | [Sign In](#)

[Track & Confirm](#)
[FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 8078

Service(s): Signature Confirmation™

Status: Delivered

Your item was delivered at 9:30 AM on January 25, 2010 in NEW UNDERWOOD, SD 57761. The item was signed for by S MADSEN.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Detailed Results:

- Delivered, January 25, 2010, 9:30 am, NEW UNDERWOOD, SD 57761
- Notice Left, January 23, 2010, 12:40 pm, NEW UNDERWOOD, SD 57761
- Out for Delivery or Available at PO Box, January 23, 2010, 8:55 am, NEW UNDERWOOD, SD 57761
- Sorting Complete, January 23, 2010, 8:25 am, NEW UNDERWOOD, SD 57761
- Arrival at Post Office, January 23, 2010, 7:42 am, NEW UNDERWOOD, SD 57761

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](#)
[Customer Service](#)
[Forms](#)
[Gov't Services](#)
[Careers](#)
[Privacy Policy](#)
[Terms of Use](#)
[Business Customer Gateway](#)

Copyright© 2010 USPS. All Rights Reserved.

No FEAR Act EEO Data

FOIA

United States Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
 2303 2160 0000 0802 8078

STACY JOE MADSEN
 16256 RED TOP RD
 NEW UNDERWOOD SD 57761

for mailing.

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

PS Form 3800, July 2003



**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 3, 2010

755-1

Stacy Joe Madsen
16256 Red Top Rd
New Underwood SD 57761

Dear Mr. Madsen:

I am writing to acknowledge receipt of your 2009 irrigation questionnaire. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right No. 755-1.

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



755-1
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: STACY JOE MADSEN, 16256 RED TOP RD, NEW UNDERWOOD, SD 57761

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) 755-1 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) 755-1 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 23, 2013

755-1

Stacy Joe Madsen
16256 Red Top Rd
New Underwood SD 57761

Dear Mr. Madsen:

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. 755-1. 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

755-1



DENR
SOUTH DAKOTA

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

November 3, 2020

755-1

Travis & Nena Madsen
23325 Red Top Rd
New Underwood SD 57761

Dear Mr. & Ms. Madsen:

Thank you for the prompt return of the 2020 irrigation questionnaire for Water Right No. 755-1. I note by the form you indicated an ownership change has occurred.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and complete as needed. Upon completion, please sign and return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

For informational purposes, if you need a copy of the water right or just want to review the administrative file for the water right, you can go to our website under databases and enter the water right number (755-1). The website is: <https://denr.sd.gov/des/wr/dbwrsearch.aspx>

If you have any questions, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Genny McMath". The signature is fluid and cursive.

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

755-1



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 6, 2021

755-1

Travis & Nena Madsen
23325 Red Top Rd
New Underwood SD 57761

Dear Mr. & Ms. Madsen:

Back in November you notified us the ownership of the land described in Water Right No. 755-1 had changed. A partially completed transfer form was send to you. To date, we have not received anything back from you.

In the event you do not have the original form, I am enclosing an additional form for your use. Upon completion, please sign and return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Genny McMath".

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

enclosure

PAID

JAN 25 2021

Ck# 2147

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

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

JAN 25 2021

WATER RIGHTS
PROGRAM

No. 755-1

Date: 1-21-2021

I/We request that Water Right No. 755-1

formerly owned by: Stacy Joe Madsen

be transferred to: (name & address) Travis or Nena Madsen

22335 Red Top Rd New Underwood S.D. 57761

Telephone No. 605-515-3609

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

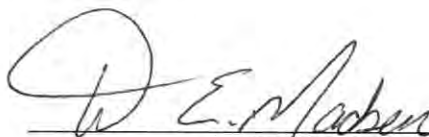
N ½ SW ¼ Section 28 and S ½ Section 29, T3N, R11E

I/We understand that the validity of Water Right No. 755-1 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 Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

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



(Signed by new owner)

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

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

755-1

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Environment and Natural Resources

Date January 25, 2021RECEIVED OF Travis/Nena Madsen 11224 Red Top Rd. New Underwood SD 57761

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>755-1</u>	\$50.00
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	\$50.00

By Eric Gronlund
Chief Engineer

vme

755-1



DENR
SOUTH DAKOTA

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

February 2, 2021

755-1

Travis or Nena Madsen
22335 Red Top Rd
New Underwood SD 57761

Dear Mr. & Mrs. Madsen:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 755-1.

The ownership change has been completed. The water right formerly held by Stacy Joe Madsen is now listed under your names.

Enclosed for your records is a receipt for the filing fee you paid. If I can answer any questions for you, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Genny McMath".

Genny McMath
Water Rights Program
605 773-3352
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

January 20, 2023

NOTICE

TO: TRAVIS OR NENA MADSEN, 22335 RED TOP RD, NEW UNDERWOOD, SD 57761

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 has not been submitted for Permit No(s) 755-1 as required by administrative rule 74:02:01:14.02. 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 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 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 755-1 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 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: WTTCED**

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

February 8, 2023

755-1

Travis or Nena Madsen
22335 Red Top Rd
New Underwood SD 57761

Dear Mr. or Ms. Madsen:

I am writing to acknowledge receipt of your 2022 irrigation questionnaire.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right No. 755-1. 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
Genny.mcmath@state.sd.us