

DENNIS OR LINDA ANDERSON

NOTICE OF TRANSFER OF OWNERSHIP



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

No. 768A-1

Date: 4-97

I/We request that Vested Water Right No. 768A-1 to the Vested Right

formerly owned by: Arlene Cox

be transferred to: (name & address) DARRELL B. OR CAROL L. I WAN

HC 73 Box 2292 Deadwood, S.D. 57732 Telephone No. 605-576-7528

To the following described land(s)/property has been transferred as described above: South Parts of S.W. 1/4, 2, 3 -
Me to the #1-2-3-4-5-6 - South Parts of Giltner, old No. 5, Reversion, Tribune, Drummond, Putnam,
+ Badger, Aotna -

I/We understand that the validity of Vested Water Right No. 768A-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit right is valid (see note).

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

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

STATE OF SOUTH DAKOTA)

County of Lawrence)

I/We DARRELL or CAROL I WAN 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.

Carol L. Iwan Darrell B. Iwan
(Signed)

Subscribed and sworn to before me this 4th day of March, 1997.

Linda J. Anderson
(Notary Public)

My Commission Expires: 12-5-2000

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.

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ March 6, 1998

RECEIVED OF Dennis or Linda Anderson (Darrell & Carol Iwan), PO 73, Box 2291, Bendwood, SD
the following amount in fees for services rendered as provided for by law: 57732

By John H. Koch



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JUN 2 1997

Dennis or Linda Anderson
HC 73 Box 2291
Deadwood SD 57732

Darrell B or Carol L Iwan
HC 73 Box 2292
Deadwood SD 57732

Enclosed is your reissued water license and receipts for transfer payment. Pursuant to the *Notice of Transfer of Ownership* filed March 5, 1997, Water Right No. 768A-1 was divided and reissued to reflect separate ownership.

Water Right No. 768A-1 was divided and reissued as follows:

No. 768B-1, Dennis or Linda Anderson: irrigation of 40 acres in the NE 1/4 SE 1/4, NE 1/4 SW 1/4, NW 1/4 SW 1/4, Section 30; with diversion of 0.22 cubic feet of water per second from Elk Creek located between the NW 1/4 SW 1/4 Section 30 and the NW 1/4 SW 1/4 Section 29; all in T4N-R4E.

No. 768C-1, Darrell or Carol Iwan: irrigation of 40 acres in the NW 1/4 SE 1/4, NE 1/4 SE 1/4 Section 30 and NW 1/4 NW 1/4 Section 29; with diversion of 0.22 cubic feet of water per second from Elk Creek located between the NW 1/4 SW 1/4 Section 30 and the NW 1/4 SW 1/4 Section 29; all in T4N-R4E.

You should be aware that Water Right No. 768A-1 was amended on March 6, 1996 to include the following qualification: "This water right is subject to the Irrigation Water Use Questionnaire being submitted each year."

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

If you have any questions, please contact us.

Very truly yours,

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

ks

enclosures

STATE OF SOUTH DAKOTA
REISSUED VESTED RIGHT WATER LICENSE NO. 768C-1
DIVISION OF NO. 768A-1 INTO NOS. 768B-1 AND 768C-1

(1) Arlene Cox (Roubiax Ranch), 25 Charles Street, Deadwood SD made Application No. 768A-1, September 26, 1989 for validation of a vested right claim: to appropriate 0.44 cubic feet of water per second from Elk Creek, Lawrence County, South Dakota, for irrigation purposes. Vested Water Right No. 768A-1 was validated December 7, 1989 with a priority date of May 11, 1881. Construction of the described water supply system and application of water to beneficial use has been completed and complies with applicable provisions of South Dakota State Law.

On March 5, 1997, transfers of ownership were received, transferring portions of the water right to Dennis or Linda Anderson and Darrell or Carol Iwan. Water Right No. 768A-1 is being divided and reissued to reflect separate ownership. The reissued water rights will be as follows:

No. 768B-1, Dennis or Linda Anderson: irrigation of 40 acres in the NE 1/4 SE 1/4, NE 1/4 SW 1/4, NW 1/4 SW 1/4, Section 30; with diversion of 0.22 cubic feet of water per second from Elk Creek located between the NW 1/4 SW 1/4 Section 30 and the NW 1/4 SW 1/4 Section 29; all in T4N-R4E.

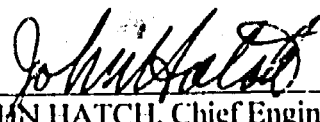
No. 768C-1, Darrell or Carol Iwan: irrigation of 40 acres in the NW 1/4 SE 1/4, NE 1/4 SE 1/4 Section 30 and NW 1/4 NW 1/4 Section 29; with diversion of 0.22 cubic feet of water per second from Elk Creek located between the NW 1/4 SW 1/4 Section 30 and the NW 1/4 SW 1/4 Section 29; all in T4N-R4E.

(2) The vested right owner is entitled to divert 0.22 cubic feet of water per second for beneficial use. The location of the diversion point is between the NW 1/4 SW 1/4 Section 30 and the NW 1/4 SW 1/4 Section 29; all in T4N-R4E.

The location of the irrigated acreage is:

Section 30-T4N-R4E	NW 1/4 SE 1/4	22 acres
	NE 1/4 SE 1/4	6 acres
Section 29-T4N-R4E	NW 1/4 SW 1/4	12 acres
	Total	40 acres

(3) Pursuant to Section 46-5-30.1 Darrell or Carol Iwan, HC 73 Box 2292, Deadwood SD 57732 the holders and/or owners of Vested Water Right No. 768C-1 is issued a license to appropriate 0.22 cubic feet of water per second from Elk Creek with a priority date of May 11, 1881 from the location specified in (2) of this license. The water is to be used for the purpose of irrigation. This license is subject to any limitations, conditions or qualifications listed in Vested Water Right No. 768A-1 and subject to South Dakota State Law.


JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 2 1997

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 1, 1998

768C-1

Darrell Iwan
% KOA
1440 Lindsay Blvd
Idaho Falls, ID 83402

Dear Mr. Iwan:

Thank you for contacting us about your 1998 irrigation questionnaire. Cheryl Frost, secretary with our program, indicated that you had called this morning and said you had not received a questionnaire this year.

The forms were mailed to SD irrigators on October 16th. The post office returned the envelope I mailed you and marked it "temporarily away". I have had the envelope laying on my desk since that time and am glad you called the office with an alternate address. I was under the opinion that the post office forwarded all first class mail, however in this case they did not.

In your conversation with Cheryl you indicated you did not irrigate this year because it was too wet. I will fill out a questionnaire for you based on this information. I am forwarding a copy of the completed form for you to put with your files.

If you have any questions, please contact me.

Sincerely,

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

encl

768C-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

RECEIVED

NOV 07 2019

WATER RIGHTS
PROGRAM

October 28, 2019

768C-1

Darrell or Carol Iwan
2531 Rose Creek Dr
Gillette WY 82718-5781

Dear Mr. & Mrs. Iwan:

Enclosed is a "Notice" dated October 18, 2019 concerning the 2019 irrigation questionnaire.

The notice was originally mailed to 11911 Nemo Rd., Deadwood SD. The post office notified us that your address has changed and I will update our records accordingly.

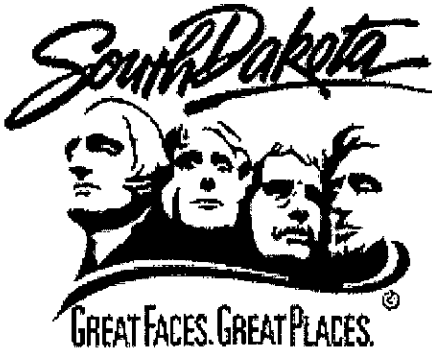
If you have any questions, please contact me.

Sincerely,

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

enclosures

*We sold out to
Reta Christleit
P.O. Box 265
Glen Wyo. 82223
Phone 307-575-1114*



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 7, 2019

768C-1

Peter Christeleit
PO Box 265
Lingle WY 82223

Dear Sir:

The 2019 irrigation questionnaire submitted by Darrel & Carol Iwan indicated they had sold their land to you. In order to update the vested water right, it will need to be transferred to your name.

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.

I have included a copy of the water license and map. I apologize for the poor copy; the documents were old when they were scanned. If you have any questions on the water right or completing the transfer form, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Genny McMath". The signature is fluid and cursive, with the first name "Genny" being more prominent than the last name "McMath".

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

enclosures

RECEIVED

DEC 17 2019

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

PAID

DEC 17 2019

Ck# 2164

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

No. 768C-1

Date: 12-2-19

I/We request that Vested Water Right No. 768C-1

formerly owned by: Darrell or Carol Iwan

be transferred to: (name & address) PETER OR LINDA CRISTELEIT

P.O. Box 265

LINGLE, WY 82223

Telephone No. 307-575-1114 OR
307-532-0220(PETER)

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

40 acres - N ½ SE ¼ Section 30 and NW ¼ SW ¼ Section 29, T4N, R4E

I/We understand that the validity of Vested Water Right No. 768C-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 PETER/LINDA CRISTELEIT, the new owner, certify that the above information is true and correct.


Linda Cristeleit
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date December 17, 2019

RECEIVED OF Peter Christeleit PO Box 265 Lingle WY 82223

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>768C-1</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. **09287**

By Jeanne Goodman
Chief Engineer *vm*

768C-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 17, 2019

768C-1

Peter or Linda Christeleit
PO Box 265
Lingle WY 82223-0265

Dear Mr. & Mrs. Christeleit:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for transferring Vested Water Right No. 768C-1.

The ownership change has been completed. Vested Water Right No. 768C-1, formerly held by Darrell or Carol Iwan is now listed under Peter or Linda Christeleit.

Enclosed for your records is Receipt No. 09287 in the amount of \$50 which you paid for filing the ownership change. If you have any questions, please let me know.

Sincerely,

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

enclosure



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

January 14, 2025

NOTICE

TO: PETER OR LINDA CRISTELEIT, PO BOX 265, LINGLE, WY 82223 0265

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 768C-1. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 768C-1 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 768C-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 5, 2025**, 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 Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: **ZORGUG****

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

January 17, 2025

768C-1

Peter or Linda Christeleit
PO Box 265
Lingle WY 82223

Dear Mr. & Ms. Christeleit:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 768C-1. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

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