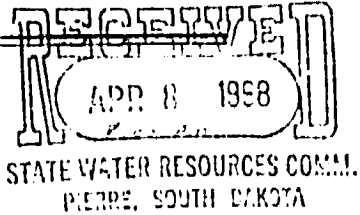


842-1

1. Considered 5-22, 1968
2. Name of Applicant ADOLPH ANDERSON
3. Post Office Address PEDMONT
4. Amount of water claimed 1.00
5. Source of water supply GROUND WATER & MARY'S DRAW
6. Water to be used for IRRIGATION
- Acres to be irrigated 70
7. Water to be diverted and used in MEADE county
about 1/2 miles E of PEDMONT.
8. Proof of Publication Received 1st
Not received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 842-1Water Division No. 1 ELK CREEK District
(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 ADOLPH ANDERSON
Postoffice address PIEDMONT, County HEAD, State SO. DAK.

I. If a corporation

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

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

Employment of others

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

2. Name of diversion work ANDERSON SPRINKLER PROJECT3. Amount of water claimed ONE (1) cubic feet per second

4. Source of water supply ARTESIAN WELL AND SPRINGS, Mary's Draw
From Well N. 20 38' E. 21 79' from SE 1/4 Cor. S. 10 T.3 N., R. 6 E. EHM to a point
5. Location of point of diversion N. 40 48' W. 960' from 1/4 Cor. above Sec. 1
Adolph's Draw N. 31 48' E. 21 30 ft. from SE 1/4 Cor. Sec. 10
Mary's Draw S. 67 10' W. 1182' from End Cor. Sec. 10 Head County.
Both banks

6. Annual period or periods during which water is to be used April 1st thru Nov. 15th

7. To be used for:

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

(a) Number of acres to be irrigated 70 acres.
N 1/2 NW-SE 18 ac., N 1/2 NE-SE 13 ac. SE-NE- 39 ac. S. 10, T.3 N. R. 6 E-EHM 70 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.)

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

Artesian well used for house and other domestic purposes

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

(a) Nature of use Stockwatering and irrigation
Name any of the above uses claimed(b) Amount of power to be generated None horse power.Amount claimed for engine cooling None(c) Location of plant None(d) Method of developing power None(e) Point where water will be returned, stream road or property owned by water user

MAP No 702-1

8. Estimated cost of work:

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

(c) Fluming, \$-----

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

(e) Other structures \$----- Estimate cost of well

(b) Pumping plant, \$-600.00-

Stock, \$-500.00

Total, 1400.00

2500.00

9. Description of diversion works:

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

II. Dimensions of works.

(a) Dam: Height-----feet; length at bottom-----feet; length at top-----feet; thickness at bottom-----feet; thickness at top-----feet; slope at front water face-----; slope at back face-----material used in construction-----

(b) Reservoir: Capacity when filled-----acre feet. Surface area at highwater mark-----acres.

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

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

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

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work 5 years.11. Time required for complete application of water to the proposed beneficial use 5 years.

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

Sturgis Tribune, Sturgis, South Dakota.

STATE OF SOUTH DAKOTA

County of Meade

ss.

I, Adolph Anderson, 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

Adolph AndersonSubscribed and sworn to before me this 29th day of February 1968.

Carl M. Cornell

Notary Public (or other qualified officer)

*Each diversion must have a headgate or measuring device.

CORNELL

DRILLER'S LOG OF WELL

Location of Well: NW 1/4, SE 1/4, Section 10, Township 3 N., Range 6
 Well to be drilled for: Adolph Anderson, Piedmont, Meade Co. S.D.
 (Name) (Address)
 Owner of land (If other than above) Same (Name) (Address)
 Date well drilling started 1958 finished 1958
 Purpose of well Domestic and irrigation
 (domestic, irrigation, municipal, industrial, other)

Diameter 7" inches		
40 Feet	4"	Surface casing
347 Feet	4"	Describe kind of materials drilled through (add layers on back of form if necessary)
Total depth 387 ft		
Feet		Ground Surface Elevation: (If Available)
Feet		
Feet		Kind and thickness of casing to be installed:
Feet		
Feet		All casing set in concrete to size of casing to be installed: total depth of 387 ft.
Feet		
Feet		Type of seal between casing sizes:
Feet		
Feet		Kind of perforated screen to be installed:
Feet		
Feet		Material (steel, wood, concrete, etc.)
Feet		
Feet		Size of screen:
Feet		
Feet		Diameter inches
Feet		Length feet
Feet		Size openings inches
Feet		Depth below ground surface to which water rises Flowing well. 320 GPM in well feet.
Feet		

Operator does not have record of the driller's name, no log.
 Flow was checked at 320 GPM. States the operator.

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 10 in. for 7 in. casing 40 ft
6 in. for 4 in. casing 347 ft Total 387 ft
Type of casing steel (wood, concrete, steel, etc.)

Size of casing 4 in., Thickness of casing _____
Length of casing 387 ft. If collection gallery, length, size and depth of
gallery none

(b) Screens

Type of perforated screen Gravel pack
Size of perforated screen none
(diameter) (length)
Thickness of gravel pack _____, length of gravel pack _____

(c) Water Bearing Materials

Distance to water flowing well Character of water bearing materials _____
Capacity 220 GPM.

Thickness of water bearing material _____

(d) Pump and Motor

Type of pump None Flowing well
(centrifugal, propeller, mixed flow, etc.)
Name of pump _____, size _____
Kind of motor _____
(gasoline, electric, diesel, etc.)
Horsepower _____, Name of Motor _____

(e) Complete well

Capacity _____ at drawdown of _____ Estimated cost \$2500

(f) Owner of land upon which well is located Adolph Anderson
Name
Piedmont, Meade Co., So. Dak.
Address

(g) Distance to nearest existing wells

On same owner's property none rods. On property owned by others 200 ft rods.

ANDERSON SPRINKLER PROJECT.

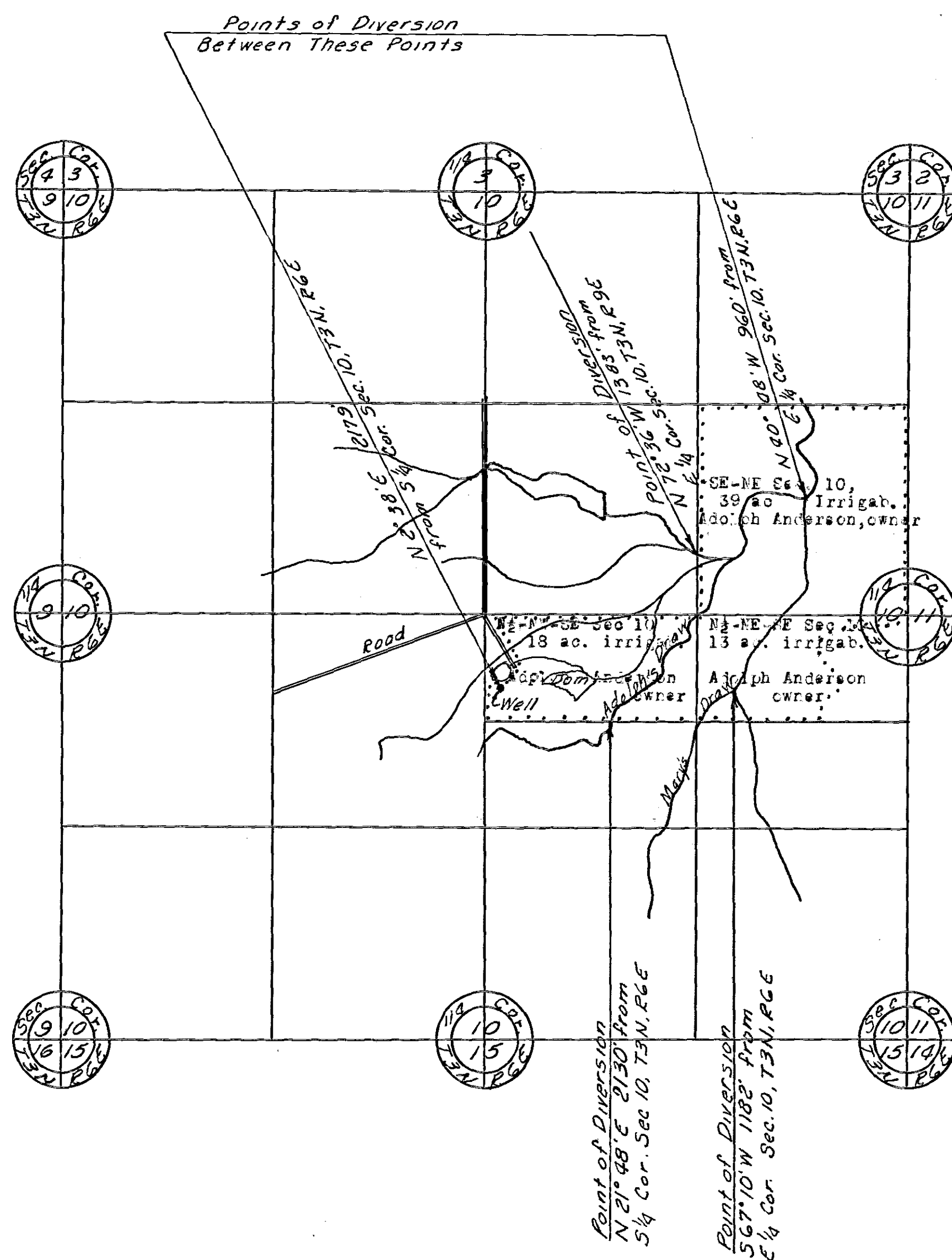
Sec. 10, T.3 N., R.6 E-REM - Meade County, South Dakota.
 Drawn and prepared as a part of the Application to Appropriate water of
 Adolph Anderson, Piedmont, Meade County, South Dakota.

I, Carl M. Cornell, Licensed Surveyor in and for the State of South Dakota do hereby certify that I have made a survey and prepared this plat of the several legal subdivisions to be irrigated and I further certify that the lengths and bearings of the several lines shown and their location with reference to the several Government land Corners show are correct, to the best of my knowledge and belief.

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

Subscribed and sworn to before me at Buffalo, South Dakota April 1, 1968

Eleanor Lindholm
Notary Public (SEAL)



Scale: 1" = 660'

Map 112703-1 (Area 112812-1)

Remarks by State Water Resources Commission:

UNDER THIS PERMIT THOSE PORTIONS OF THE SPRING
FLUIDS AS NEEDED FOR DOWNSTREAM DOMESTIC USE,
INCLUDING LIVESTOCK WATERING, MUST BE BY-PASSED.

STATE OF SOUTH DAKOTA.
County of HUGHES } ss.

Pierre, South Dakota, JUNE 10, 1968

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
9 a.m. upon the 8TH day of APRIL, 1968

State Water Resources Commission
By: [Signature]
for Chief Engineer, Executive Officer

Number of permit 842-1

Date of first receipt of application APRIL 8, 1968

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

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right APRIL 8, 1968

Approved MAY 22, 1968, Recorded in Book 10 Page 211

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 22, 1970
- 2nd. The whole of said work is to be completed on or before MAY 22, 1973
- 3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is MAY 22, 1973
- 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 1.0 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 22, 1973, water to be used during the following described annual period:

APRIL 1 THRU NOVEMBER 15
10TH day of JUNE, 1968

Witness my hand this

State Water Resources Commission

By: [Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 1, 1971

Water License Issued SEPTEMBER 9, 1977

WATER LICENSE NO. 842-1.

(1) WHEREAS, On the 8th day of April A. D. 19 68
Adolph Anderson

made Water Right Application No. 842-1 for a permit to use 1.0 cubic feet per second of the waters
of artesian ground water and Mary & Adolph draws
County of Meade State of South Dakota, for irrigation
purpose; and

(2) WHEREAS, On the 22nd day of May A. D. 19 68
Permit No. 842-1, with a date of priority of April 8, 1968
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 22nd day of May A. D. 19 73 and for the
application to beneficial use of said water on or before the 22nd day of May A. D. 19 73

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert 1.0 cubic feet
per second of water for beneficial use and,

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

to irrigate the following land in Section 10, T3N, R6E

NW 1/4 SE 1/4 18.0 acres

NE 1/4 SE 1/4 13.0 "

SE 1/4 NE 1/4 39.0 "

TOTAL 70.0 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 Adolph Anderson

_____ of Piedmont
the holder _____ and owner _____ of said permit No. 842-1 a water right, dating from April 2, 1968
to use of 1.0 cubic feet per second of the waters

of artesian ground water and Mary & Adolph draws
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 from well - N2°38'E, 2179 feet from the Sk corner,
from draws between points in the NW¼ SE¼ and SE¼ NE¼, Section 10, T3N, R6E,

and conduct to and upon portions of Section 10, T3N, R6E -
described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 842-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 9th day of September A. D.
Nineteen Hundred and Seventy-seven

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer John Hatch

Form 15.

Permit No. 842-1

Water Diversion No. 1 Elk Creek Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Adolph Anderson

_____ the holder _____ of
Permit No. 842-1, issued upon Application No. 842-1, bearing date of priority of April 10,
1968 authorizing the diversion of 1.0 cu. ft. per second of the waters of _____
artesian ground water & dry draws County of Meade, State of South Dakota at _____
from well - N2°38'12", 2179 feet from the S½ corner, from dr. 1/2 between points in
the NW¼ SE¼ and SE¼ NE¼, Section 10 T6N, R6E
_____, 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 1.33 cu. ft. per second of water.

Date September 9, 1977

WATER RESOURCES COMMISSION

By:

John Hatch
JOHN HATCH, Chief Engineer

342-1 Adolph Anderson

11-8-76 Alum - 1700 ft. 6' dia.

Well - Est. 220 GPM -

Dept. 450 - 4' casing 2' dia.

Pump Boshby

Model B4JRBM CV

Serial # 4316

Imp. diam 10 1/2

Est. 500 gpm

Engine Chrysler 6 cyl. gas

No new plate

overhead sprinkler

Permit No. 842-1Water Division 1 Elk Creek 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 Adolph Anderson of Piedmont, S.Dak holder of Permit No. 842-1, bearing date of priority of April 8, 1968, authorizing the diversion of 1.0 cu. ft. per second of the waters of Artesian well and Spring, Mary's Draw 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:
Pump - Berkeley - Model 134 JRBM c/w, Serial #4316
Imp Trim 10 7/8
Engine - Chrysler, 6 cylinder, gasoline
- B. Works used to transport water to place of use,
Aluminum pipe - 6 inch dia. 1300 ft
- C. Works used to apply water to beneficial use.
Overhead sprinklers

The system is in the following condition: Good

The point of diversion is located from well N 20°38'E 2179 ft from SE 1/4 Cor Sec. 10, T3N, R6E to a point N 40°48'W 960' from E 1/4 Cor above Sec. 10.
 (Cont bottom of page).

The works are capable of diverting and conveying to the place of use 1.33cu. 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 section 10, T3N, R6E.

NW 1/4 SE 1/4 - 18.0 Acres
NE 1/4 SE 1/4 - 13.0 Acres
SE 1/4 NE 1/4 - 39.0 Acres

comprising a total of 70.0 acres of land.

Adolph's draw N 21°48'E, 2130 ft from S 1/4 Cor. Sec. 10,
Mary's draw S 67°10'W, 1182 ft from E 1/4 Cor. Sec. 10,

Date April 9, 1976
LeRoy J. McManis
 (Signature)

Permit No. 842-1Water Division No. 1 E 1K Cree K Water District*Accepted by J. J. J.*
1975**NOTICE OF COMPLETION OF WORKS**

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works.

(P. O.) Piedmont So Dak(Date) 2 Dec 1975TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

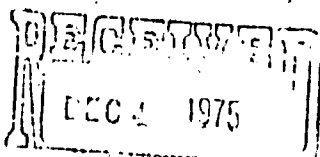
DEAR SIR: Notice is hereby given of the completion of the works for the diversion of Anderson Sprinkler Project 1 cu. ft. per second of the waters of the state from April 1 through the Artesia Well & Springs, Mary's Draw Nov 15 for Stock watering & irrigation purposes

----- In accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota,

1. The name of the person or corporation holding said permit is Adolph Anderson
2. The postoffice address of such person or the place of business of such corporation is Piedmont County of Moode State of So Dak
3. The number of such permit is 842-1 and the date set for the completion of such work is -----
4. Said water to be used for Stock watering & irrigation purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 1 cubic feet per second.
6. The amount of land for which said water is available is 70 acres, particularly described as follows: N 1/2 NW 18 AC, N 1/2 NE SE 13 AC, SE NE 39 AC, Se 10, T 3 N R 6 E - BHM 20 AC

I hereby certify that the facts set forth in the above notice are true.

(Signature of Owners)

Adolph AndersonSTATE WATER BOARD
PIERRE, SOUTH DAKOTA

on or before

(First Publication April 25, 1968.)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., April 10, 1968

Notice is hereby given that Adolph Anderson whose postoffice address is Piedmont S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.0 cubic feet of water per second of time from the artesian ground water springs and Mary's Draw through the Anderson Sprinkler Project, the point of diversion of which is to be located on the either bank of said stream between points in the NW 1/4 SE 1/4 and SE 1/4 NE 1/4 and from a well in the NW 1/4 of the SE 1/4 of Section 10 portions of Twp. 3N Range 6E. Said water to be used for the purpose of providing irrigation on the following described land:

SE 1/4 NW 1/4, N 1/2 N 1/2 SE 1/4, Section 10, T3N, R6E

and for XXXXX XXXXXX

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 22nd day of May, 1968, 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.

State Water Resources Commission

By:

cc: Adolph Anderson, Piedmont, S.D.

Chief Engineer, Executive Officer
~~XXXXXXXXXXXXXXXXXXXX~~
BURTON F. JONES
 Water Rights Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Meade } ss.

Morris G. Hallock being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____
Sturgis Tribune a newspaper which during the whole itme of publication of said notice herein after stated, has been and is printed and published in the _____
City of Sturgis County of Meade and State of South Dakota; that the said notice was published in said newspaper on the following dates:

April 17

April 24

May 1

May 8

in each and every issue of the full number thereof, the first publication being made on the 17 day of April 1968 and the last publication on the 8 day of May 1968, 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 X of the said newspaper.

Morris Hallock

Subscribed and sworn to before me this 9 day of May A. D. 1968

Notary Public Meade County, S. D.

No. 842-1
 APPROPRIATION OF WATER
 Office of State Water Resources Commission,
 Pierre, S. Dak., April 10, 1968
 Notice is hereby given that Adolph Anderson whose postoffice address is Piedmont, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.0 cubic feet of water per second of time from artesian ground water springs and Mary's Draw through the Anderson Sprinkler Project, the point of diversion of which is to be located on either bank of said stream between points in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ and from a well in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10, Twp. 3N Range 6E. Said water to be used for the purpose of providing irrigation on portions of the following described land:
 SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 10, T3N, R6E
 This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 22nd day of May, 1968, 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.
 State Water Resources Commission
 By: s-Burton F. Jones
 BURTON F. JONES
 Water Rights Specialist
 Trib Apr 17-24 May 1-8

RECEIVED
 JUN 10 1968

STATE WATER RESOURCES COM.
 PIERRE, SOUTH DAKOTA

842-1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 14, 1995

842-1

Robert Phelps
HC 80 Box 621
Piedmont, SD 57769

Dear Mr. Phelps:

Enclosed is the "Notice of Transfer of Ownership" form you submitted for filing an ownership change on Water Right No. 842-1. The form is complete with the exception of the signature area.

Please sign the form in the area titled "new owner" and return it to our office. No additional filing fees are required. Please return the signed form in the envelope provided. If you have any questions, feel free to give me a call.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP



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

No. 842-1

Date: November 27, 1995

I/We request that Water Right/Permit No. 842-1

formerly owned by: Adolph Anderson

be transferred to: (name & address) Robert Phelps, HC 80, Box 621, Piedmont, SD 57769

Telephone No. (605) 787-5458

Title to the following described land(s)/property has been transferred as described above: SE $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 10, Township 3 North, Range 6 East of the Black Hills Meridian, Meade County, South Dakota

I/We understand that the validity of Water Right/Permit No. 842-1 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 Meade)

I/We Adolph Anderson 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.

Robert Phelps
(new owner)

Adolph Anderson
ADOLPH ANDERSON (signed) (former owner)

Subscribed and sworn to before me this 11th day of December, 1995

Edith Phelps
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:
1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

My Commission Expires July 22, 1999

RECEIPT

414712

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ December 13, 1995

RECEIVED OF Robert Phelps, HC 80, Box 621, Piedmont, SD 57769

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. _____

Fee for Filing Transfer Form Water Right No. 842-1

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By

John Hatch (CF)
Chief Engineer



842-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 2, 1996

No. 842-1

Robert Phelps
HC 80, Box 621
Piedmont, SD 57769

Dear Mr. Phelps:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 842-1.
Our records now show you as the owner of Water Right No. 842-1.

Sincerely,

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

enclosure



842-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2005

NOTICE

TO: ROBERT PHELPS, 16220 SPRING VALLEY RD, PIEDMONT, SD 57769

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire(s)

Our records indicate that the 2004 Irrigation Questionnaire has not been submitted for Permit No. 842-1. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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

1. Amend Permit No. 842-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

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



842-1

Track & Confirm

Current Status

You entered 2301 3460 0000 8516 1749

Your item was delivered at 11:06 am on January 21, 2005 in PIEDMONT, SD 57769. The item was signed for by R PHELPS.

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SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8516 1749

ROBERT PHELPS
16220 SPRING VALLEY RD
PIEDMONT SD 57769

Waiver of Signature ☐ YES ☐ NO

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

February 16, 2005

842-1

Robert Phelps
16220 Spring Valley Rd
Piedmont SD 57769

Dear Mr. Phelps:

I am writing to acknowledge receipt of your 2004 irrigation questionnaire. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 842-1.

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

If you have any questions, please contact me.

Sincerely,

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



842-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 21, 2011

NOTICE

TO: ROBERT PHELPS, 16220 SPRING VALLEY RD, PIEDMONT, SD 57769

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

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaire(s)

Our records indicate that the 2010 Irrigation Questionnaire has not been submitted for Permit No(s) 842-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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

1. Amend Permit No(s) 842-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

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

842-1

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Search Results

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Service(s): **Signature Confirmation™**Status: **Delivered**

Your item was delivered at 3:15 pm on January 31, 2011 in PIEDMONT, SD 57769. The item was signed for by R PHELPS.

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Detailed Results:

- Delivered, January 31, 2011, 3:15 pm, PIEDMONT, SD 57769
- Notice Left, January 22, 2011, 10:45 am, PIEDMONT, SD 57769
- Out for Delivery, January 22, 2011, 9:21 am, PIEDMONT, SD 57769
- Sorting Complete, January 22, 2011, 9:11 am, PIEDMONT, SD 57769
- Arrival at Post Office, January 22, 2011, 8:11 am, PIEDMONT, SD 57769

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ROBERT PHELPS
16220 SPRING VALLEY RD
PIEDMONT SD 57769

Waiver of Signature ☐ YES ☐ NO

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www.state.sd.us/denr

February 22, 2011

842-1

Robert Phelps
16220 Spring Valley Rd
Piedmont SD 57769

Dear Mr. Phelps:

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

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right No. 842-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



842-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2014

NOTICE

TO: ROBERT PHELPS, 16220 SPRING VALLEY RD, PIEDMONT, SD 57769

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

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaire(s)

Our records indicate that the 2013 Irrigation Questionnaire has not been submitted for Permit No(s) 842-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 18, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

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

1. Amend Permit No(s) 842-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

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



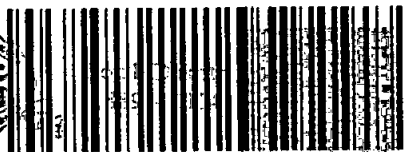
DEPARTMENT of ENVIRONMENT
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RETURN SERVICE REQUESTED

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16220 SPRING VALLEY RD
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842-1



**DEPARTMENT of ENVIRONMENT
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<http://denr.sd.gov>

February 18, 2014

NOTICE

TO: Robert Phelps, 16220 Spring Valley Rd, Piedmont SD 57769

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

SUBJECT: Unclaimed Certified Mail Concerning Violation of Water Right No. 842-1

The attached notice was sent certified mail. The post office has returned the certified mail to our office marked "unclaimed".

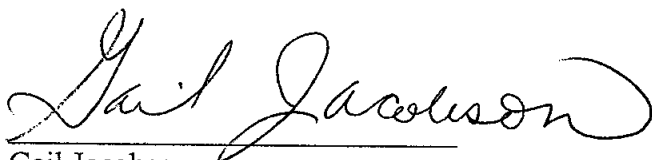
If you have any questions, please contact Genny McMath, (605) 773-3352.

CERTIFICATION

I hereby certify that on February 18, 2014, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated February 18, 2014 regarding unclaimed irrigation questionnaires addressed as stated below:

Rod Marchiando, Days Limited Ranch LLC, 5535 Bitter Root Ct, Rapid City SD 57702
1623-2

Robert Phelps, 16220 Spring Valley Rd, Piedmont SD 57769 # 842-1



Gail Jacobson
Secretary/Water Rights

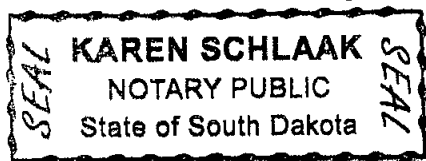
STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 18th day of February, 2014.



Karen Schlaak
Notary Public

My Commission expires April 1, 2019





DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



March 7, 2014

NOTICE OF AMENDMENT OF WATER RIGHT

TO: Robert Phelps, 16220 Spring Valley Rd, Piedmont SD 57769

FROM: Jeanne Goodman, Chief Engineer, Water Rights Program 

SUBJECT: Amendment to Water Right No. 842-1

On March 6, 2014, the Water Management Board amended Water Right No. 842-1 to add the following qualification:

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

This action was taken for failure to return the 2013 irrigation questionnaire. The addition of this qualification to your water right means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water right with no use of water for up to one year for the first violation.

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

English

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Tracking Number: 7013060000197481740

Product & Tracking Information

Postal Product:

Features:

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DATE & TIME	STATUS OF ITEM	LOCATION
March 11, 2014 , 11:10 am	Delivered	PIEDMONT, SD 57769
March 10, 2014 , 12:50 pm	Notice Left (No Authorized Recipient Available)	PIEDMONT, SD 57769
March 10, 2014	Depart USPS Sort Facility	RAPID CITY, SD 57701
March 10, 2014 , 3:44 am	Processed at USPS Origin Sort Facility	RAPID CITY, SD 57701
March 9, 2014 , 4:26 am	Processed at USPS Origin Sort Facility	RAPID CITY, SD 57701
March 8, 2014	Depart USPS Sort Facility	HURON, SD 57399
March 7, 2014 , 10:04 pm	Processed at USPS Origin Sort Facility	HURON, SD 57399
March 7, 2014 , 6:04 pm	Dispatched to Sort Facility	PIERRE, SD 57501
March 7, 2014 , 1:42 pm	Acceptance	PIERRE, SD 57501

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ROBERT PHELPS
16220 SPRING VALLEY RD
PIEDMONT SD 57769

Form 3800, August 2005

See Reverse for Instructions

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842-1

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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PIERRE SD 57501-3182
danr.sd.gov

July 28, 2023

842-1

Jean Wise
16220 Spring Valley Rd
Piedmont SD 57769

To whom it may concern:

I am writing you today in hopes that you would be able to assist me in the matter of ownership for a plot of land within the N $\frac{1}{2}$ SE $\frac{1}{4}$ & SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 3N, Range 6E (I have enclosed a map for reference). After digging into current land ownership in Meade County, I came across your information.

There is a Water Right attached to this property that is subject to cancellation. However, we must know who the current owner is before we can schedule the cancellation. Water Right No. 842-1 was previously held by landowner, Robert Phelps and authorized the irrigation of 70 acres.

If you are not the owner of this property I apologize. If you are, or know who might be, I would appreciate a response.

Sincerely,

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

Dewell, Amanda

From: Duvall, Ron
Sent: Monday, August 7, 2023 8:21 AM
To: Dewell, Amanda
Cc: McMath, Genny
Subject: RE: Irrigation Questionnaire

Here's a riddle, "When is a transfer of ownership not a transfer of ownership?"

Answer: When the son has the same name of the deceased father.

Not to mention the address is also unchanged. Now we also have a contact email address to add to the IQUEST database.

From: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Sent: Saturday, August 5, 2023 7:37 PM
To: Duvall, Ron <Ron.Duvall@state.sd.us>
Cc: McMath, Genny <Genny.McMath@state.sd.us>
Subject: Re: Irrigation Questionnaire

This would have been on the list of Permits/Rights I had Genny do some looking into (ones no longer being sent IQs due to ownership transfers or non-reporting issues). They would have been sent a blanket letter by myself, requesting information on the current owner. I would have pulled the address off of Regrid or from the assessors office. I will see you on Tuesday!

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Duvall, Ron <Ron.Duvall@state.sd.us>
Sent: Friday, August 4, 2023 2:49:11 PM
To: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Cc: McMath, Genny <Genny.McMath@state.sd.us>
Subject: FW: Irrigation Questionnaire

See me about this, apparently a letter was sent about possible cancellation?

From: Duvall, Ron
Sent: Friday, August 4, 2023 3:48 PM
To: jeaniep@rushmore.com
Subject: Irrigation Questionnaire

Jean,

Attached is the last irrigation questionnaire that we have received. Thank you for confirming that the name and address currently listed on Water Right No. 842-1 is still correct even though it is now your brother Roger at that address. A

questionnaire will be mailed this fall most likely in October. Please keep track of your water use so you are able to report it this fall.

Thank you,

Ron Duvall

Dept. of Agriculture & Natural Resources

Office of Water, Water Rights Program

605.773.3352

danr.sd.gov



DANR
SOUTH DAKOTA



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2020

NOTICE

TO: ROBERT PHELPS, 16220 SPRING VALLEY RD, PIEDMONT, SD 57769

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

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 842-1. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 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) 842-1 qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 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) 842-1 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 **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: URLMCO**

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.

McMath, Genny

From: Quissell, Steve (Seasonal)
Sent: Thursday, July 29, 2021 9:24 AM
To: McMath, Genny
Subject: Phelps 842-1

Follow Up Flag: Follow up
Flag Status: Flagged

Genny

I was out yesterday doing an inspection and some "drive-bys" I drove by the Phelps property at 16220 Spring Valley Rd, Piedmont. The owners of this acreage, which has the irrigation water right have a business on the place called "the barn". I don't know if it is open year round, but now around Rally time it looks like it is pretty popular. My guess is the place is still in the Phelps family. The flowing well is not closed-in and discharges into a small pond. I saw no evidence of irrigation, but could not get a decent view of the acres licensed.

Don't know if you were able to get in contact with Lurene Goodwin. A Jordan Dyck is now on the place (706) 830-2405. One of my USDA contacts in Belle thinks Dyck may have bought the place (rather than renting) but he wasn't sure.

Steven Quissell
Water Rights Inspector
Water Rights Program
605-786-6525



DANR
South Dakota



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2020

NOTICE

TO: ROBERT PHELPS, 16220 SPRING VALLEY RD, PIEDMONT, SD 57769

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

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 842-1. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 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) 842-1 qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 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) 842-1 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 **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: URLMCO**

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.

2019 Water Management Board Irrigation Questionnaire

Please fill out and return before **December 2, 2019**

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

Return the completed form(s) to the Water Rights Program at 523 E Capitol, Pierre, SD 57501 3181 ph. (605) 773 3352
or submit your form(s) electronically over the internet at <https://denr.sd.gov/iq> Your temporary password is **URLMCO**

Permit No. 842-1

ROBERT PHELPS
16220 SPRING VALLEY RD
PIEDMONT SD 57769

1. Did you irrigate in 2019? *yes ☐ **no ☐

*If yes, number of acres irrigated? _____

**If no, check reason(s) for not irrigating acres covered by Permit No. 842-1

sufficient moisture ☐ no water available ☐
system not constructed ☐ use abandoned ☐
enrolled in CRP ☐, through what year? _____
other ☐, please explain in the Comment Box:

Comment Box

Any address/ownership corrections?

Email _____

Phone _____

2. If your answer to question No. 1 is "no," you are done!
If you answered "yes," please complete Nos. 3, 4 & 5.

3. Did you apply chemicals or fertilizer through the system in 2019? yes ☐ no ☐

4. If more than one water source is listed below, circle each source used. A. GROUNDWATER

B. ADOLPH DRAW

C. MARYS DRAW

5. Provide your water use on the back of this form.



NWNW	NENW	NWNE	NENE
☐ NW			☐ NE
SWNW	SENW	SWNE	SENE
NWSW	NESW	NWSE	NESE
☐ SW			☐ SE
SWSW	SESW	SWSE	SESE

1 square mile

Office use only

Acreage permitted for irrigation under No. 842-1

(see above section map for help reading legal descriptions)

sec 10-T003N-R06E, NW1/4SE1/4 - 18.00 acres
sec 10-T003N-R06E, NE1/4SE1/4 - 13.00 acres
sec 10-T003N-R06E, SE1/4NE1/4 - 39.00 acres

Please provide your 2019 water use to irrigate the above acreage on the REVERSE side of this form.

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



DEPARTMENT of ENVIRONMENT

site may be a
business now,
called "The Barn"
Deceased
March, 2019



7019 1120 0001 2910 6796



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WATER RIGHTS
PROGRAM

ROBERT PHELPS
16220 SPRING VALLEY RD
PIEDMONT SD 57769

NIXIE 553 DE 1 0002/11/20

RETURN TO SENDER
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ROBERT PHELPS
16220 SPRING VALLEY RD
PIEDMONT SD 57769

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
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DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
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PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: ROBERT PHELPS JR, 16220 SPRING VALLEY RD, PIEDMONT, SD 57769

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) 842-1. 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) 842-1 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) 842-1 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: YQHTDS**

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

March 12, 2025

842-1

Robert Phelps Jr
16220 Spring Valley Rd
Piedmont SD 57769

Dear Mr. Phelps:

I am writing to acknowledge the receipt of your 2024 irrigation information submitted for Water Right No. 842-1 on March 11, 2025.

The Water management Board moved to suspend Water Right No. 842-1 for a period of one year if the questionnaire was not returned prior to April 4, 2025. You may disregard the "Notice of Entry of Order for One Year Suspension" of Water Right No. 842-1, dated March 6, 2025.

Sincerely,

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



842-1

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 6, 2025

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

TO: Robert Phelps Jr, 16220 Spring Valley Rd, Piedmont SD 57769

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

SUBJECT: One Year Suspension of Water Right No. 842-1

On March 5, 2025, the Water Management Board ordered:

Effective April 4, 2025, Water Right No. 842-1 be suspended for the 2025 irrigation season for failure to submit the 2024 irrigation questionnaire.

If the 2024 irrigation questionnaire is received prior to April 4, 2025, the suspension will not take effect.

A one-year suspension of Water Right No. 842-1 means water may not be pumped during the 2025 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2025 unless the 2024 irrigation questionnaire is submitted prior to April 4, 2025.

After April 4, 2025, you may petition the Board to rescind the suspension. You will need to submit, to the Water Rights Program, the 2024 irrigation questionnaire and a letter including your reason for not completing the 2024 irrigation questionnaire within the allotted time and requesting time on the agenda for the next Water Management Board meeting. The next Water Management Board meeting is scheduled for May 7-8, 2025, in Pierre SD.

Decisions made by the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights staff will conduct unscheduled compliance checks of suspended water rights to ensure irrigation is not taking place.

Please contact Amanda Dewell (605) 773-3352 with any questions.

7021 1970 0000 9489 7509

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ROBERT PHELPS JR

16220 SPING VALLEY RD

PIEDMONT SD 57769

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

CERTIFICATION

The undersigned hereby certifies under the penalty of perjury that I have personally mailed a true and correct NOTICE OF AMENDMENT OF WATER RIGHT, NOTICE OF ENTRY OF ORDER (ONE & THREE YEAR SUSPENSION OF WATER RIGHTS) dated March 6, 2025, via certified mail to the following parties.

Walter Heine
PO Box 145
Blunt SD 57522

Larry Ryken
244 Gavins Point Rd
Yankton SD 57078

Albert Hattum
21862 West Bend Rd
Harrold SD 57536

James & Joan McElhany
45840 SD Hwy 22
Castlewood SD 57223

Layna Saathoff
46044 199th St
Bruce SD 57220

Makens Oak Tree LLP
c/o Michael Makens
PO Box 274
Clark SD 57552

John or Byran Uecker
PO Box 573
Wagner SD 57380

Selby Community Golf Course
201 S Railway St
Selby SD 57472

Lane Tekrony
47840 180th St
Clear Lake SD 57226

Charlotte Nichols
c/o Philip Nichols
7497 Rolling Meadow Dr
West Chester OH 45069

Saddle Butte Angus
c/o Larry May
20545 May Rd
Interior SD 57750

Robert Novotny
10035 County Rd 19
Lidgerwood ND 58503

Stop Drop Lock Inc
c/o Karl Schenk
44352 308th St
Mission Hills SD 57046

Todd Block
PO Box 114
Roslyn SD 57261

Ryan Edwards
25331 Yellow Eagle Rd
White River SD 57579

Robert Phelps Jr
16220 Spring Valley Rd
Piedmont SD 57769


Shannon Konst
Senior Secretary-Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 6th day of March, 2025.


Rachel Rodriguez Notary Public
My Commission expires May 16, 2029



842-1

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

ROBERT PHELPS JR
16220 SPING VALLEY RD
PIEDMONT SD 57769



9590 9402 6392 0303 3255 01

2. Article Number (Transfer from service label)

7021 1970 0000 9489 7509

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent
X *Robert Phelps* ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery
Robert Phelps *3/12/25*

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
- | | |
|--|---|
| ☐ Adult Signature | ☐ Priority Mail Express® |
| ☐ Adult Signature Restricted Delivery | ☐ Registered Mail™ |
| ☒ Certified Mail® | ☐ Registered Mail Restricted Delivery |
| ☐ Certified Mail Restricted Delivery | ☐ Signature Confirmation™ |
| ☐ Collect on Delivery | ☐ Signature Confirmation Restricted Delivery |
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| ☐ Insured Mail Restricted Delivery (over \$500) | |

Domestic Return Receipt

842-1

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FAQs >

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Your item was picked up at a postal facility at 1:03 pm on March 12, 2025 in PIEDMONT, SD 57769.

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PIEDMONT, SD 57769

March 12, 2025, 1:03 pm

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842-1

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2026

NOTICE

TO: ROBERT PHELPS JR, 16220 SPRING VALLEY RD, PIEDMONT, SD 57769

FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaire(s)

Our records indicate your 2025 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 842-1. The request for the Questionnaire was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 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) 842-1 qualification:

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

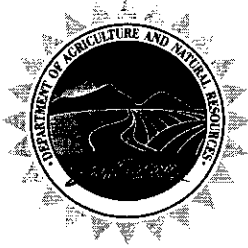
The hearing will be held on **Wednesday, March 4, 2026 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant 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) 842-1 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 4, 2026** 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 Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: SFFGJU**

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

March 6, 2026

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

TO: Robert Phelps Jr, 16220 Spring Valley Rd, Piedmont SD 57769

FROM: Adam Mathiowetz, PE, Acting Chief Engineer
DANR - Water Rights Program

SUBJECT: One Year Suspension of Water Right No. 842-1

On March 4, 2026, the South Dakota Water Management Board ordered:

- Effective April 3, 2026, Water Right No. 842-1 be suspended for the 2026 irrigation season.

This action was taken by the Board for failure to return the 2025 irrigation questionnaire. If the 2025 irrigation questionnaire is received prior to April 3, 2026, the suspension will not take effect.

A one-year suspension of Water Right No. 842-1 means water may not be pumped during the 2026 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2026 unless the 2025 irrigation questionnaire is submitted prior to April 3, 2026.

After April 3, 2026, you may petition the Board to rescind the suspension. You will need to submit, to the Water Rights Program, the 2025 irrigation questionnaire and a letter including your reason for not completing the 2025 irrigation questionnaire within the allotted time and requesting time on the agenda for the next Water Management Board meeting. The next Water Management Board meeting is scheduled for May 6, 2026, in Pierre SD.

Decisions made by the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Please contact Amanda Dewell, Water Rights Permitting Administrator (605) 773-3352 with any questions.

NOTE: Water Rights staff will conduct unscheduled compliance checks of suspended water rights to ensure irrigation is not taking place.

7019 1120 0001 2910 4143

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| ☐ Certified Mail Restricted Delivery | \$ | |
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| ☐ Adult Signature Restricted Delivery | \$ | |

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Robert Phelps Jr
16220 Spring Valley Rd
Piedmont, SD 57769

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

CERTIFICATION

The undersigned hereby certifies under the penalty of perjury that I have personally mailed a true and correct NOTICE OF ONE- AND THREE-YEAR SUSPENSION OF WATER RIGHT dated March 6, 2026, via certified mail to the following parties.

Chance & Michelle Wientjes
PO Box 96
Mobridge, SD 57601

Vernon & Marlys Walkling
29832 267th Ave
Crookston, NE 69212

Vasgaard Properties
28746 462nd Ave
Centerville, SD 57014

Doug & Darla Van Gerpen
40930 305th St
Avon, SD 57315

John & Bryan Uecker
PO Box 573
Wagner, SD 57380

Twisted Land & Cattle Co.
C/O Brad Peterson
19030 391st Ave
Hitchcock, SD 57348

Tilton Ranch Inc.
C/O Janet Burback
2199 Skinner Rd
Belgrade, MT 59714

Dale Sprague
16221 Twilight Rd
Mud Butte, SD 57758

Greg & Evette Rihanek
814 E State St
Plankinton, SD 57368

Wayne Reiersen
30048 Reiersen Pl
Pollock, SD 57648

Charlotte or Phillip Nichols
7497 Rolling Meadow Dr
West Chester, OH 45069

Wilma Heien (Walter Heien)
PO Box 145
Blunt, SD 57522

David & Jerry Wieber
PO Box 238
Lidgerwood, ND 58053

Vintage Square Estates
PO Box 594
Ft Pierre, SD 57532

Valley View Farms Inc.
17716 458th Ave
Watertown, SD 57201

Kash & Trish Van Dyke
48549 219th St
Elkton, SD 57026

Oscar Inc.
C/O Floyd Peterson
209 27th St NW
Huron, SD 57350

Dan & David Trudeau
33927 478th Ave
Jefferson, SD 57038

Terrill Farms Inc.
C/O Tony Terrill
42099 176th St
Clark, SD 57225

Swan Creek Land Co. Inc
PO Box 435
Akaska, SD 57420

Six Mile Creek Golf Course
20307 483rd Ave
White, SD 57276

Robert Phelps Jr
16220 Spring Valley Rd
Piedmont, SD 57769

GW Evridge
20151 Saddle Ct
Whitewood, SD 57793

Mark & Melvin Morlock
33820 112th St
Eureka, SD 57437

Laverne Neuharth
33567 109th St
Eureka, SD 57437

Central Valley Golf Club
700 E Hwy 38
Hartford, SD 57033

Dale & Mary Helen Bisson
PO Box 844
Ft Pierre, SD 57532

Ryan Edwards
25331 Yellow Eagle Rd
White River, SD 57579



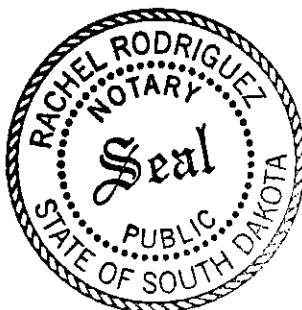
Alyce McGhee
Senior Secretary-Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 6 day of March, 2026.



Rachel Rodriguez Notary Public
My Commission expires May 16, 2029



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PIERRE, SD 57501
April 13, 2026, 9:40 am

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

Robert Phelps Jr
16220 Spring Valley Rd
Piedmont, SD 57769



9590 9402 6392 0303 3259 69

2. Article Number (Transfer from service label)

7019 1120 0001 2910 4143

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below:

☐ No

APR 13 2026

PIERRE SD 57501

3. Service Type

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- ☐ Adult Signature Restricted Delivery
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- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
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USPS
Permit No. G-10

9590 9402 6392 0303 3259 69

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DANR WATER RIGHTS PROGRAM
523 E CAPITOL AVE
PIERRE SD 57501

RECEIVED

APR 15 2026

OFFICE OF
WATER

