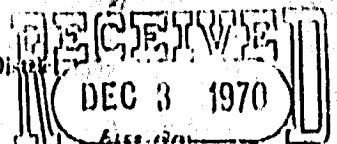


Water Right Number 921-1

1. Considered January 20, 1971
2. Name of Applicant Wendelyn Richter
3. Post Office Address Whitewood, S.D.
4. Amount of Water claimed 1.14
5. Source of Water supply ground water near Whitewood Creek
6. Water to be used for irrigation
- Acres to be irrigated 80.00
7. Water to be diverted and used in Lawrence County
about 15E 5N miles of SPEARFISH
8. Proof of Publication Received 1-13-71
Not Received _____
9. Application Approved Jan 20, 1971
Subject to LF
Not Approved _____
Action Deferred _____

10. Remarks:

No. 921-1Map No. 766-1 Water Division No. 1 Belle Fourche River
(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 Wendelyn Richter
Postoffice address Whitewood, State South Dakota
If a corporation show date and place of Incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Con and direct labor
3. Name of diversion work Richter Irrigation System
4. Amount of water claimed (cubic feet per second) 1 1/4 1.14 MAXIMUM ALLOWABLE
5. Source of water supply Underground water near Whitewood creek
6. Location of point of diversion 80 rods north of the SW corner of Section 25, 7N - 4E

- County Lawrence
7. Annual period or periods during which water is to be used May 1st - October 1st
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 80

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
SW 1/4, SW 1/4 Sec. 25	30		
NW 1/4, SW 1/4 Sec. 25	10		
SE 1/4, SW 1/4 Sec. 25	20		
NE 1/4, SW 1/4 Sec. 25	20		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 years. Additional time required to complete application of water to the proposed beneficial use 3 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Pioneer Times, Deadwood, South Dakota
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Dugout, electric pump

B. Works proposed to transport water to place of use.

Underground pipeline

C. Works proposed to apply water to beneficial use.

Ditch system, gravity flowEstimated Total Cost \$ 4,000.00Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of LawrenceI, Wendelyn Richter, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

ANNA M. MUELLER, Notary Public

My Commission expires Oct. 21, 1973

Subscribed and sworn to before me this 1st day of December, 1970.Signed Wendelyn RichterAnna M. Mueller
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 921-1

WENDELYN RICHTER
(Applicant)

WHITEWOOD
(Post Office Address)

SOUTH DAKOTA
(State)

With the following modifications:

LOW FLOWS OF WHITEWOOD CREEK AS NEEDED FOR
DOWNSTREAM DOMESTIC USE, INCLUDING LIVESTOCK
WATERING, MUST BE BY-PASSED

Date of first receipt of application DECEMBER 3 19 70

Date of return to applicant for correction, amendments or changes required — 19 —

Date of receipt of corrected application — 19 —

Approved JANUARY 20 19 71, Recorded in Book 11 Page 219

WATER RIGHT PERMIT NO. 921-1

The Water Resources Commission hereby grants and issues this Water Right Permit No. 921-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is DECEMBER 3 19 70
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 20 19 71
3. The whole of said work is to be completed on or before JANUARY 20 19 72
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 20 19 75
5. The water appropriated shall be used for the purpose of IRRIGATION

6. 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.

7. The amount of the appropriation herein granted shall not exceed 1.14 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before JANUARY 30 19 75; said water to be used during the following described annual period: MAY 1 TO OCTOBER 1

Witness my hand this 22ND day of JANUARY 19 71

WATER RESOURCES COMMISSION

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued February 9 19 73

Water License Issued June 29 19 73

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 8 inches, Depth 30 ft.
- (2) Casing, Type Steel Diameter 8 inches Thickness $\frac{1}{4}$ inch
(wood, concrete, steel, etc)
- (3) Perforated Screen.
- Type perforated casing, Diameter _____, Length _____
- (4) Gravel Pack, Thickness 30 ft., Length of gravel pack _____

E. Dugout Information or Estimates.

- (1) Surface dimensions 100 ft. by 200 ft., Depth 30 ft.

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials course gravel and sand

Depth to top of water bearing material five ft.

Depth to bottom of water bearing material approximately 50 ft.

Thickness of water bearing material 45 ft

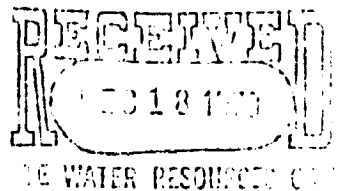
Depth to water (ground surface to water level) 5 ft.

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property 1200 ft. rds. On property owned by others 1 mile rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.



Wendy Richter
Signature of Applicant

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 921-1

(1) WHEREAS, On the 3rd day of December A. D. 19 70
Wendelyn Richter

made Water Right Application No. 921-1 for a permit to use 1.14 cubic feet per second of the waters
of groundwater (dugout near Whitewood Creek)

County of Lawrence, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 20th day of January A. D. 19 71

Permit No. 921-1, with a date of priority of December 3, 1970

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 20th day of January A. D. 19 72 and for the
application to beneficial use of said water on or before the 20th day of January A. D. 19 75

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

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

to irrigate the following land all in Section 25, T7N, R4E

NW 1/4 SW 1/4 2 acres

NE 1/4 SW 1/4 19 "

SW 1/4 SW 1/4 34 "

SE 1/4 SW 1/4 18 "

TOTAL 73 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 Wendelyn Richter

_____ of Whitewood, South Dakota
the holder _____ and owner _____ of said permit No. 921-1 a water right, dating from December 3, 1970
_____ to use of 1.64 cubic feet per second of the waters
of groundwater (dugout near Whitewood Creek)
in the County of Lawrence and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned to be diverted at a point 80 rods north of the SW corner of Section
25, T7N, R4E

and conducted to and upon portions of Section 25, T7N, R4E more fully described on
the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 921-1 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 February A. D.
Nineteen Hundred and Eighty two

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 921-1

Water Diversion No. 1 Belle Fourche River Water District

CERTIFICATE OF CONSTRUCTION

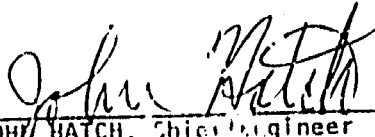
This is to Certify, That Wendelyn Richter

_____ the holder _____ of
Permit No. 921-1, issued upon Application No. 921-1, bearing date of priority of December 3,
1970 authorizing the diversion of 1.14 cu. ft. per second of the waters of _____
(dugout near
groundwater Whitewood Cr.) County of Lawrence, State of South Dakota at _____
a point 80 rods north of SW corner of Section 25, T7N, R4E

_____, 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 February 9, 1982


JOHN HATCH, Chief Engineer
Water Rights Division

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Lawrence) ss.

I, Dorothy A. Moore hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Lead Daily Call/Pioneer Times

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

_____ city _____ of _____ Lead _____

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

December 24, 1970

December 31, 1970

January 6, 1971

January 13, 1971

Dorothy A. Moore
(Signature)

Rookkeeper

(Title)

Jan 13, 1971

(Date)

NOTICE
INTENT TO APPROPRIATE WATER
Pierce, South Dakota 57-01
December 18, 1970
Notice is hereby given that Wendelyn Richter, whose post office address is Whitehead, South Dakota, has made an application to appropriate the water of the well known as the "Pioneer Times" for a term of years, to be used for use 1.14 cubic feet of water per second of time from ground water through the Richter Irrigation System, the point of diversion of which is to be located in the NW1/4 SW1/4 of Section 28, Twp. 1N, Range 4E. Said water to be used for the purpose of providing irrigation on a portion of the following land: SW1/4, Section 28, Twp. 1N, R. 4E. This application is being considered by the Water Resources Commission at their office at Pierre on the 20th day of January, 1971, at 2:00 P.M. All interested persons may appear and be heard.
WATER RESOURCES COMMISSION
By: Burton P. Jones, Water Rights Specialist
cc: Wendelyn Richter, Whitehead, S.D.
Dec. 24-31; Jan. 6 & 13, 1971

RECEIVED
JAN 13 1971

STATE WATER RESOURCES COMMISSION

Publish first publication, on or before December 24, 19 70NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

December 18, 19 70

Notice is hereby given that Wendelyn Richter
whose post office address is Whitewood, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
1.14 cubic feet of water per second of time from the ground water through the
Richter Irrigation System, the point of diversion of which is to be located in the _____

NW 1/4 SW 1/4

of Section 25, Twp. 7N, Range 4E. Said water to be used for the purpose
of providing irrigation on a portion of the following described land:

SW 1/4, Section 25, T7N, R4E

This application No. 921-1 will be considered by the Water Resources Commission at their office at
Pierre upon the 20th day of January, 19 71, at 2:00 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: Wendelyn Richter, Whitewood, S.D.

921-1

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

July 6, 1981

N O T I C E

Wendelyn Richter
Whitewood, SD 57783

Subject: Shut Off Order

Under the rules established by the Water Management Board for the Belle Fourche River Water Use Control Area, Chapter 174:02:08, each water right holder was assessed a fee of ten dollars for each cubic foot per second or portion thereof of the diversion capability of the diversion works plus twenty-five cents for each acre irrigated as shown by the water rights of record in the office of Water Rights. Also it was required that all fees shall be paid to the Division of Water Rights by July 1, 1981.

Any fees not paid by July 1, 1981 are a violation of SDCL 46-10-26 and the water master (or Chief Engineer) shall refuse the water right holder the right to divert water.

According to our records, you have not paid the assessed fee, therefore, it is hereby ordered that you are not to divert water pursuant to your Permit No. 921-1 until the 1982 irrigation season. Any intakes that you may have in the river or creek must be removed by July 9, 1981 and remain out of the river or creek until the 1982 irrigation season.

Any violation of this order shall be considered to be in violation of State Statutes and subject to penalties provided in SDCL 46-1-11 and SDCL 46-1-12.

Please advise this office if you have any questions.

Very truly yours,

James E. Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

JW/gy
cc: Marlin Lee, Water Master

Equal Opportunity Employer

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

June 10, 1981

Wendelyn Richter
Whitewood, SD 57793

Ms. Richter:

The rules adopted by the Water Management Board for establishing a water use control area on the Belle Fourche River, Whitewood Creek and Owl Creek requires that the water right holder be assessed a fee of ten dollars for each cubic foot per second or portion thereof of the diversion capability of the diversion works plus twenty-five cents for each acre irrigated as shown by the water rights of record in the Division of Water Rights. These fees are required to be paid to the Division of Water Rights by July 1, 1981.

Permits for which fees have not been paid by July 1, 1981 shall be refused the right to divert water for the remainder of the year. The fees paid will be used to defray the costs of providing water master services within the water use control area. The following is a tabulation of your assessment.

<u>Permit No.</u>	<u>Diversion Rate</u>	<u>Acreage</u>	<u>Fee</u>
921-1	1.14 cfs	80.00	\$40.00
TOTAL			\$40.00

Please make check or money order payable to the Dept. of Water and Natural Resources and send to the Division of Water Rights, Joe Foss Building, Pierre. SD 57501.

If you have any questions, do not hesitate to contact this office.

Very truly yours,

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

JH/JW/gy

Equal Opportunity Employer

921-1 Wendlyn Pickett

2000 ft. (28-3' by 6" dia.)

5-28-81

Rev. 3' (Tide) . Oceanic, 1' (Tide)

Relay, 1320' - 3320 ft. (Tide)

Flowed 1st.

Lower Cape - off the side, 1st

11:30 B-1 3 MPM, 1st

1575878 1st Dec 13 1/2

Mis. Cap. 300 gpm.

Est. 600 gpm. pumping

ingest water full. 1st pump, 1st

Flow 1st, 1st put in 1st pump, 1st

put in out. 1st, 1st, 1st, 1st

come up, 1st, 1st, 1st, 1st, 1st

RECEIPT

WATER RIGHTS COMMISSION

No 4 8638

State of South Dakota

January 6

82

PIERRE,

19

Wendelyn Richter, Route 2, Box 198, Whitewood SD 57793

RECEIVED OF

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No. 921-1)	12	00
Fee for inspecting Beneficial Use, and issuing Water License No. 921-1)		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	12	00

WATER RIGHTS COMMISSION

By

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 921-1Water Division 1 Belle Fourche River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by Wendelyn
Richter of Whitewood, S. Dak. holder
of Permit No. 921-1, bearing date of priority of December 3, 1970
authorizing the diversion of 1.14 cu. ft. per second of the waters of Underground Water near
White wood Creek (Ogallala)
for Irrigation purposes, in Laurens 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 B3 JRM BM - C.W., Ser # 7573875.
Imp Dia. 13 1/2" est 600 gpm. pumping rate.
Tractor Power Take-off.
- B. Works used to transport water to place of use,
2000 ft of Aluminum pipe. (84' 6" Alum - Remanufactured
8" Gated)
1320 ft. Roll up plastic pipe.
- C. Works used to apply water to beneficial use.
Gated Pipe for Flood & Furrow Irrigation.

The system is in the following condition. GoodThe point of diversion is located 50 Ads N of the SW Cor Sec. 25 T7N R4E
(CB)The works are capable of diverting and conveying to the place of use 1.33
cu. ft. per second of water which is to be used for Irrigation

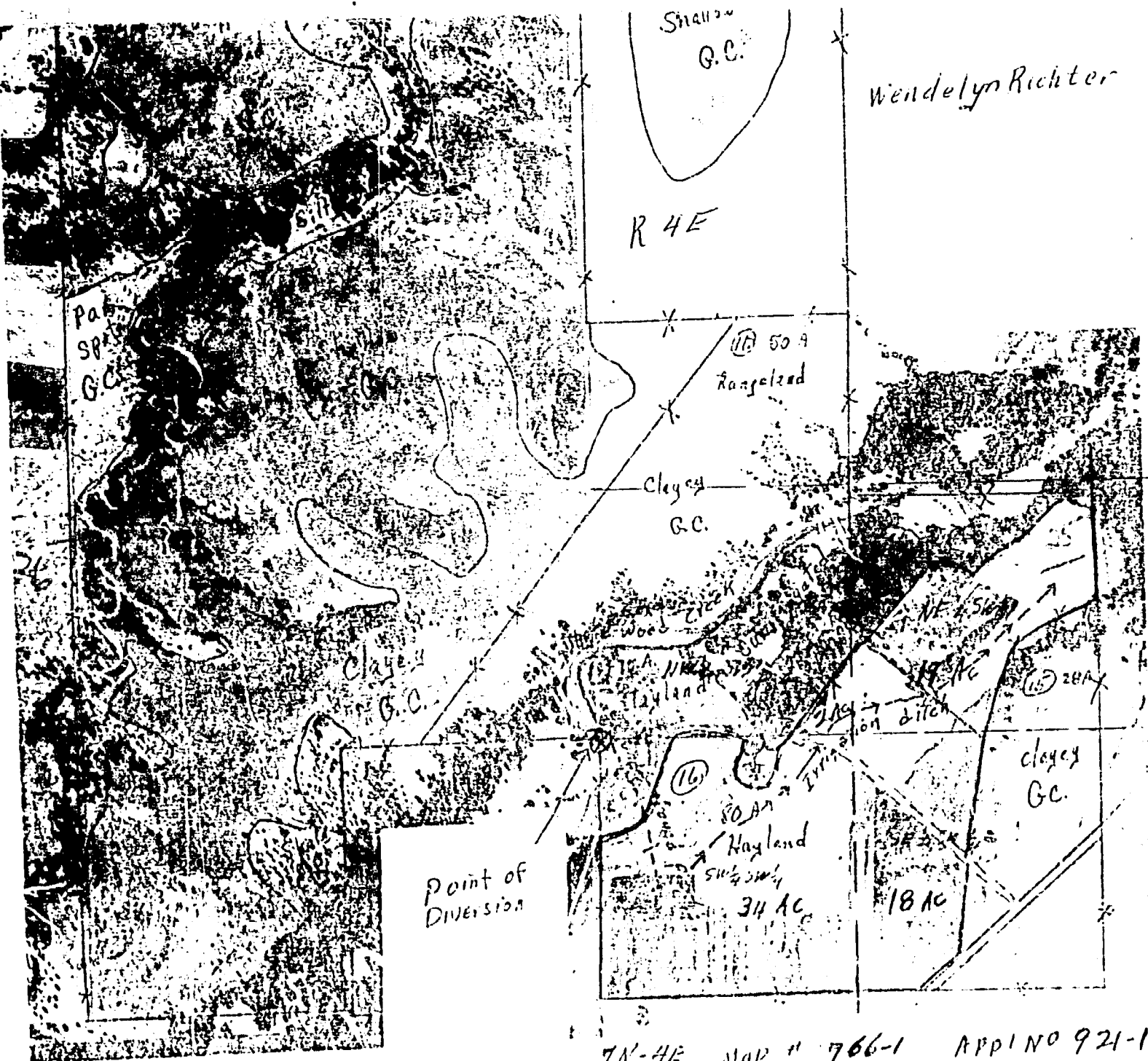
Water has been put to beneficial use to the maximum extent as follows:

All 1st Section 25, T7N R4E. NW 1/4 SW 1/4 - 2 Ac.
NE 1/4 NW 1/4 - 19 Ac, SW 1/4 SW 1/4 - 34 Ac, SE 1/4 SW 1/4 - 18 Ac.

comprising a total of 73 acres of land

73 ÷ 70 = 1.04
license fee 1.04 cts.

Date May 28, 1981
LeRoy J. McNaught
(Signature)



7N-4E Map # 766-1 APPIN 921-1

NENEDELYN RICHTER

R 4E



MAP NO 7106-1 APPL NO 921-1



Department of Water & Natural Resources

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

March 23, 1987

WENDELYN RICHTER
RR 2 BOX 198
WHITEWOOD, SD 57793

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 921-1. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

1. Amend Permit No(s). 921-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

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

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

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

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

April 29, 1987

921-1

Wendelyn Richter
RR #2 Box 198
Whitewood, SD 57793

Dear Ms. Richter:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 921-1 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,



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

South Dakota

921-1

DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

GREAT FACES. GREAT PLACES.

February 1, 1991

WENDELYN RICHTER
RR 2 BOX 198
WHITEWOOD SD 57793

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 921-1. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 70 West Sioux Avenue, Pierre SD.

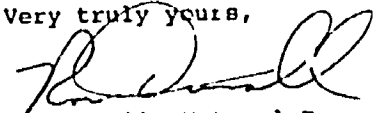
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s) 921-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire(s) is received in this office before the February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,


Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge)

2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

WENDELYN RICHTER
RR 2 BOX 198
WHITEWOOD SD 57793

4. Article Number
P 694 057 474

Type of Service:

☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and **DATE DELIVERED**.

5. Signature - Addressee
Wendelyn Richter

6. Signature - Agent
X

7. Date of Delivery
8-4-91

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

PS Form 3811, Apr. 1989

U.S.G.P.O. 1989-235-817

DOMESTIC RETURN RECEIPT



Department of Water & Natural Resources

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

921-1

March 6, 1991

NOTICE OF AMENDMENT OF WATER PERMIT

TO: WENDELYN RICHTER
RR 2 BOX 198
WHITEWOOD, SD 57793

FROM: Ron Duvall, Natural Resources Engineer IV
Water Rights Division
(605) 773-3352 *Ron Duvall*

SUBJECT: Amendment to Water Permit No(s). 921-1

Pursuant to the provisions of the notice dated February 1, 1991, and following the Hearing February 27, 1991, the Water Management Board has amended Water Permit No(s). 921-1 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water permit and 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.

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check (or fees) for additional service(s) requested. 1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)							
3. Article Addressed to: WENDELYN RICHTER RR 2 BOX 198 WHITEWOOD SD 57793	4. Article Number P 694 059 380 Type of Service: <table border="0"> <tr> <td>☐ Registered</td> <td>☐ Insured</td> </tr> <tr> <td>☒ Certified</td> <td>☐ COD</td> </tr> <tr> <td>☐ Express Mail</td> <td>☐ Return Receipt for Merchandise</td> </tr> </table> Always obtain signature of addressee or agent and DATE DELIVERED.	☐ Registered	☐ Insured	☒ Certified	☐ COD	☐ Express Mail	☐ Return Receipt for Merchandise
☐ Registered	☐ Insured						
☒ Certified	☐ COD						
☐ Express Mail	☐ Return Receipt for Merchandise						
5. Signature — Addressee X <i>Wendelyn Richter</i>	8. Addressee's Address (ONLY if requested and fee paid)						
6. Signature — Agent X							
7. Date of Delivery 5-8-91							



921-1
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 1999

NOTICE

TO: WENDELYN RICHTER, RR 2 BOX 198, WHITEWOOD, SD 57793
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 921-1. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 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) 921-1 qualification:

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

The hearing will be held at 9:45 am, March 3, 1999, 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. 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) 921-1 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 on/or before March 1, 1999, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in 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.

921-1

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.

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:

WENDELYN RICHTER
RR 2 BOX 198
WHITEWOOD SD 57793

4a. Article Number

2119141603

4b. Service Type

- ☐ Registered
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☒ Certified
- ☐ Insured
- ☐ COD

7. Date of Delivery

1/23/98

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

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *Wendelyn Richter*

PS Form 3811, December 1994

102595-07-0-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 1999

921-1

Wendelyn Richter
RR 2 Box 198
Whitewood, SD 57793

Dear Mr. Richter:

I am writing to acknowledge receipt of your 1998 irrigation questionnaire. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right No. 921-1.

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



921-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2004

NOTICE

TO: WENDELYN RICHTER, RR 2 BOX 198, WHITEWOOD, SD 57793

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 921-1. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire(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) 921-1 qualification:

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

The hearing will be held at 8:30 am, March 3, 2004 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 921-1 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 on/or before **February 27, 2004**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in 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.



921-1

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 9524

Your item was delivered at 11:44 am on January 16, 2004 in NISLAND, SD 57762. The item was signed for by C RATHKE.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email

[What is this?](#)

[Go >](#)

▶ Request Proof of Delivery

[What is this?](#)

[Go >](#)



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Preserving the Trust

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

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Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 9524

WENDELYN RICHTER
RR 2 BOX 198
WHITEWOOD SD 57793

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

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

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail®
☐ Package Services

PS Form 153, July 2001

(See Reverse)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 8, 2004

NOTICE OF ONE YEAR SUSPENSION OF WATER RIGHT

TO: Wendelyn Richter, RR 2 Box 198, Whitewood SD 57793

FROM: Garland Erbele Chief Engineer
Water Rights Program *Garland Erbele*

SUBJECT: One Year Suspension of Water Right No. 921-1

On March 3, 2004, the Water Management Board ordered:

That Water Right No. 921-1 be suspended until December 31, 2004, for failure to submit the 2003 irrigation questionnaire.

Suspension of a water permit or right means water may not be pumped during the 2004 irrigation season. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

If you wish to petition the Water Management Board to rescind the suspension, you will need to submit the 2003 irrigation questionnaire and a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 12, 2004 in Pierre, SD. The letter should include your reasons for not completing the 2003 irrigation questionnaire.

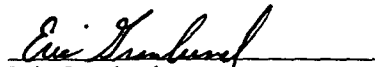
Please contact Genny McMath (605) 773-3352, if you have any questions.

CERTIFICATION

921-1

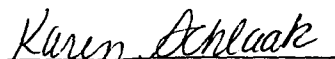
I hereby certify that on March 8, 2004, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 8, 2004 regarding Notice of One Year Suspension Water Right No. 3451-3, 2366-3, 2453-3, 3332-3, 6165-3, 3198A-3, 2480A-3, 1723-2, 921-1, 1080-2, 2696-3A, 4414-3, 4658-3, 6073-3, Amendment of Water Right #470A-1 & one Year Suspension of Water Right #1554-1, Amendment of Water Right #4528-3 & One Year Suspension of Water Right #4535-3 Three Year Suspension of Water Right No. 932-2, One Year Suspension of Water Permit #2464-3, 5353-3, 5552-3, 1362-3, 1363-2 & 1365-2 addressed as stated below:

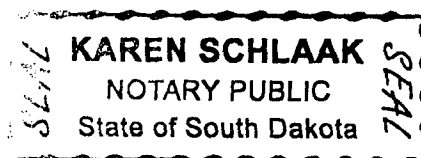
3451-3 Martin Bertrand 48342 W Authier Rd Jefferson SD 57038	2366-3 Wayne W Brown 48113 SD 48 Akron IA 51001	2453-3 Jack & Gale Coleman 41247 SD Hwy 37 Springfield SD 57062-6324
3332-3 John W Collins RFD 148 Aurora SD 57002	6165-3 Alex and Ann Falk 1301 N 4 th St Aberdeen SD 57401	3198A-3 J V Kenneally PO Box 50 Raymond SD 57258-0050
2480A-3 Dennis H & Jackie McDowell 227 W Lakeshore Dr Carrollton GA 30117	1723-2 Tim Palmer HC 2 Box 19A Martin SD 57551	921-1 Wendelyn Richter RR 2 Box 198 Whitewood SD 57793
1080-2 Larry Schell Schell Ranch 22955 Jensen Rd Wall SD 57790	2696-3A, 4414-3, 4658-3 Donald Schmidt HCR 3 Box 16 Willow Lake SD 57278-9515	6073-3 Dirk Byers Six Mile Creek Golf Course PO Box 93 White SD 57267-0093
470A-1 & 1554-1 Stanley Wood 18950 137 th Ave Newell SD 57750	4528-3, 4535-3 Dwight Brenner 28-53 397 th Ave Armour SD 57313	4528-3, 4535-3 Elsie Sanders 3366 Midway Ave Grant Pass OR 97527
4528-3, 4535-3 Jerry Peacock 2032 Central Blvd Rapid City SD 57702	932-2 Wayne Sanderson PO Box 306 Murdo SD 57559-0306	2464-3 John R Talsma 41125 Bottom Rd Springfield SD 57062
5353-3 Michael A Koslowski 13329 443 rd Ave Waubay SD 57273	5552-3 Robert V Kellen Kellen & Streit Inc. 30662 SW Jim River Rd Yankton SD 57078-6018	1362-2, 1363-2 & 1365-2 Oakley Eide RR 2 Box 26 Burke SD 57523


Eric Gronlund
Natural Resource Engineer
Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 9th day of March, 2004.


Karen Schlaak
Notary Public
My Commission expires April 1, 2007



WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Doris Richter, 19779 Country Lane, Whitewood SD 57793

DATE: March 15, 2004

TELEPHONE: 605 269-2457

RE: 2003 irrigation questionnaire

COMMENTS:

Mrs. Richter called in response to the "Notice" she received saying that Water Right No. 921-1 was suspended for one year due to non-return of the 2003 irrigation questionnaire. She contends that she mailed the questionnaire in to us back in December.

I told her that I rechecked and we do not have the form. A notice was mailed to them in January indicating we did not have the form. She said she never received that letter. We discussed the signature confirmation of the letter and that it was signed by "C Rathke". She said that was her husband's second wife. The post office must have given her the letter to sign for and she discarded it.

Mrs. Richter went on to say that the water right should be listed in her name rather than Wendelyn's name. She also gave me the new "911" address to use rather than the rural route address we had.

I told Mrs. Richter that I would send her another irrigation questionnaire and a "Notice of Transfer of Ownership" form to complete. It would seem that she not receive the January notice and was not aware of the hearing held in March.

RECOMMENDED ACTION:

Bring the issue of the suspension before the Water Management Board in May. Discuss with them that the owner of the land received improper notice.



Genny McMath
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 15, 2004

921-1

Doris Richter
19779 Country Lane
Whitewood SD 57793

Dear Ms. Richter:

Thank you for contacting us regarding your 2003 irrigation questionnaire. At the March 3rd hearing, the Water Management Board suspended your water right for one year due to non-return of the form. This action was taken with the understanding that you had received our January 14th notice (sent with signature confirmation) and had neglected to contact us.

In our phone conversation you indicated that you did not receive the January notice and that the person signing for the letter was not the land owner and did not have authority to sign for your mail. Our viewpoint of this would be that you did not receive proper notification of actions that were taking place with your water right.

The Board has taken action to suspend the water right, however we will discuss the matter with them at their May 12th hearing and have them take action to rescind the suspension which will allow you to irrigate in 2004. You do not have to attend the hearing.

I am enclosing another irrigation questionnaire for you to complete. Also enclosed is a partially completed "Notice of Transfer of Ownership" form for use in changing the water right over to your name. Please review the transfer form and complete as needed. Once complete, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

Thank you in advance for your help. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures

WATER RIGHT NO 921-1
Doris Richter

BRIEF DESCRIPTION:

Water Right No. 921-1 – Doris Richter, Whitewood, SD. The Water Right authorizes irrigation of the SW ¼ Section 25, T7N, R4E with water from a dugout near Whitewood Creek.

SUBMISSION OF PAST IRRIGATION QUESTIONNAIRES:

DATE MAILED	DATE DUE IN OFFICE	DATE RECEIVED	BOARD ACTION
October 1999	December 1, 1999	November 17, 1999	none
October 2000	December 1, 2000	December 6, 2000	none
October 2001	December 1, 2001	October 18, 2001	none
October, 2002	December 2, 2002	November 14, 2002	none
October, 2003	December 1, 2003	March 18, 2004	March 3, 2004

****** The water right was amended to include the mandatory irrigation questionnaire qualification in March, 1991. This action was taken for failure to return the 1990 irrigation questionnaire.

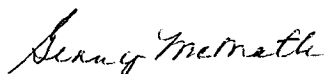
January 14, 2004: A notice was sent (with signature confirmation) to Wendelyn Richter requesting the 2003 irrigation questionnaire be returned prior to the March 3, 2004, hearing date. The notice outlined what action the Board could take concerning the past due questionnaire. The signature confirmation card indicated the mail was signed for by C. Rathke on January 16, 2004.

March 3, 2004: The Board suspended Water Right No. 921-1 one year for failure to submit the 2003 irrigation questionnaire.

March 15, 2004: Doris Richter called to advise the staff that she was sure she had mailed in the questionnaire back in December. She also indicated she did not receive the January, 2004 notice. The signature confirmation receipt was signed by someone not authorized to pick up her mail. Mrs. Richter said the water right should be listed in her name rather than Wendelyn Richter.

March 15, 2004: An additional 2003 irrigation questionnaire and a "Notice of Transfer of Ownership" form were sent to Doris Richter.

March 18, 2004: The water right was transferred to Doris Richter. The 2003 irrigation questionnaire was received.



Genny McMath
Water Rights Program
March 18, 2004

**NOTICE OF TRANSFER OF OWNERSHIP
RECEIVED**

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

MAR 18 2004
WATER RIGHTS
PROGRAM

No. 921-1

Date: _____

I/We request that Water Right No. 921-1

formerly owned by: Wendelyn Richter

be transferred to: (name & address) Doris Richter, 19779 Country Lane, Whitewood SD 57793

Telephone No. 605 269-2457

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

73 acres – SW ¼ Section 25, T7N, R4E

I/We understand that the validity of Water Right No. 921-1 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 required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

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

Doris Richter
(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.

3-18-04

Enclosed is the Filing fee that I neglected to enclose with the Transfer of Ownership form that I returned to you 3-17-04.

921-1

Sincerely,
Doris Richter



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 18, 2004

921-1

Doris Richter
19779 Country Lane
Whitewood SD 57793

Dear Ms. Richter:

I am writing to acknowledge receipt of your irrigation questionnaire and the "Notice of Transfer of Ownership" form for changing Water Right No. 921-1 into your name.

Prior to transferring the water right, a \$2.50 filing fee is required. My first letter may not have been clear with respect to the fee. The check or money order for the fee can be made payable to the Water Rights Program.

Thank you in advance for your help. If I can answer any questions for you, please contact me.

Sincerely,

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2 March 19, 2004

RECEIVED OF Doris Richter, 19779 Country Lane, Whitewood SD 57793

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	2	50
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>921-1</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. _____	2.50	
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

001242

By

Darland White

Chief Engineer

gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 22, 2004

921-1

Doris Richter
19779 Country Lane
Whitewood SD 57793

Dear Ms. Richter:

The transfer of ownership for Water Right No. 921-1 has been completed. The water right, formerly held in the name of Wendelyn Richter is now listed in your name.

Enclosed is your Receipt No. 001242 in the amount of \$2.50 which you paid for filing the ownership change. You may keep this for your records.

The Water Management Board meets on May 12th here in Pierre. I will bring the issue of your suspended water right to the attention of the Board and let them know that you did not receive proper notice of the last hearing and ask them to remove the suspension and reinstate your water right. I will send you a letter to that affect after the hearing is held.

If I can answer any questions for you, please contact me.

Sincerely,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 17, 2004

NOTICE

TO: Doris Richter, 19779 Country Lane, Whitewood SD 57793

FROM: Garland Erbele, Chief Engineer
Water Rights Program *Garland Erbele*

SUBJECT: Reinstatement of Water Right No. 921-1

On May 12, 2004, the Water Management Board passed a motion to reinstate Water Right No. 921-1, effective immediately.

The staff presented information to the board explaining that improper notice was given. Due to incorrect ownership and address records, we were unable to notify you of the requirement to submit the questionnaire or of any pending action by the Board.

The water right has been updated to reflect the change in ownership and the address change. The 2003 questionnaire is now on file and the 2004 irrigation questionnaire will be sent to your attention in mid-October.

If you have any questions concerning your water right or the Board's action, please contact Genny McMath at (605) 773-3352.

c: Diane Best, Assistant Attorney General

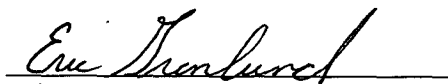
CERTIFICATION

I hereby certify that on May 17, 2004, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated May 17, 2004 regarding Notice of Reinstatement of Water Right No. 921-1 addressed as stated below:

Doris Richter
19779 Country Lane
Whitewood SD 57793

A copy of the above described Notice was sent Inter-office to:

Diane Best, Assistant Attorney General, Capitol Building



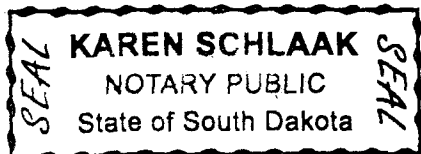
Eric Gronlund
Natural Resource Engineer
Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

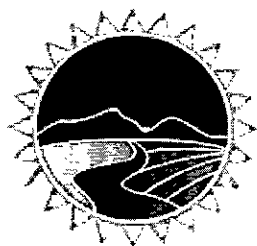
Sworn to, before me, this 18th day of May, 2004.



Karen Schlaak
Notary Public
My Commission expires April 1, 2007



921-1



DENR
SOUTH DAKOTA

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

October 29, 2020

921-1

Doris Richter
3320 Canyon View Ct
Sturgis SD 57785

Dear Ms. Richter:

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

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

If you have any questions, please contact me.

Sincerely,

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

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

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 6, 2024

921-1

Mike Richter
19779 Country Ln
Whitewood SD 57793

Dear Mr. Richter:

This letter is intended to follow up on your telephone call to the Water Rights Program regarding the need to transfer ownership of Water Right No. 921-1 from Doris Richter to yourself.

For your convenience I have enclosed a partially completed "Notice of Transfer of Ownership" form. Please complete the highlighted portions of the form and return it in the prepaid envelope with a check in the amount of \$50.00 to cover the transfer fee. The check should be made payable to "SD Water Rights".

If you would like to submit payment over the phone, you may call our Fiscal Office at 605.773.5559. If you submit payment over the phone, the form still needs to be returned.

I have also enclosed a copy of the original water right for your records.

Please feel free to contact me with any questions or concerns.

Sincerely,

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

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 14, 2024

921-1

Mike Richter
3320 Canyon View Ct
Sturgis SD 57785

Dear Mr. Richter:

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

On the questionnaire submitted for Water Right No. 921-1, it was indicated that ownership of the water right needed to be transferred from Doris Richter to yourself. For your convenience I have enclosed a partially completed "Transfer of Ownership" form for you to complete and return in the pre-paid envelope.

Please return the form with a check for \$50.00 made payable to "SD Water Rights Program" to cover the transfer fee. If you would prefer to pay by card, you may call our Fiscal Office at 605.773.5559. This form will still need to be returned even if you are submitting payment over the phone.

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

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

Sincerely,

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

enclosure

921-1
PAID

NOV 15 2024

Ck# 9191

Rec't# _____

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

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

Water Right/Permit No. 921-1

Date: 11-10-24

I/We request that Water Right/Permit No. 921-1 formerly owned by:
Doris Richter - Sturgis SD

be transferred to:

New Owner Name: Mike Richter
Address: 19779 Country LN. mobile: 605-569-0377
City, State, Zip Whitewood S.D. 57793 email: _____

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

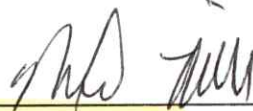
73 acres - SW 1/4 Section 25, T7N, R4E, Lawrence Co.

☒ I understand that the validity of Water Right/Permit No. 921-1 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Mike Richter, the new owner, certify that the above information is true and correct.



(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five-year construction period has expired. Once a water permit is developed, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following reasons:

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

RECEIVED

NOV 18 2024

OFFICE OF
WATER

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date November 20TH, 2024

RECEIVED OF Mike Richter 19779 County Lane Whitewood SD 57793

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 #921-1 _____	\$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

Erie Gronlund

Chief Engineer

SK



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 21, 2024

921-1

Mike Richter
19779 Country Lane
Whitewood SD 57793

Dear Mr. Richter:

I have received your "Notice of Transfer of Ownership" form and the required fees for Water Right No. 921-1. Enclosed is a receipt of payment and copy of the original license for your records.

Water Right No. 921-1 previously owned by Doris Richter is now listed under yourself. I have also updated your contact information in our system.

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

If you have any questions, please contact me.

Sincerely,

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

NOTE: The validity of Water Right No. 921-1 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosures