

928B-1

PAID

DEC 26 2018

Ck# 174116

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 928-1 (928B-1)Date: 12-21-2018I/We request that portions of Water Right No. 928-1

RECEIVED

formerly owned by: Charles Wennberg

DEC 26 2018

WATER RIGHTS
PROGRAM

be transferred to: (name & address)

Ted or Coy Thompson20265 Superior PlaceWhitewood, SD 57793Telephone No 605-641-2000

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

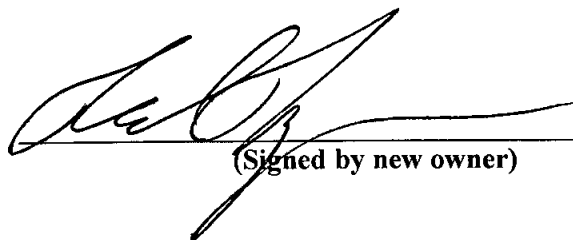
84 acres - E 1/2 NW 1/4, W 1/2 NE 1/4 Section 22, T6N, R4E

I/We understand that the validity of Water Right No. 928-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

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



(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date Dec 26, 20 18

RECEIVED OF Ted Thompson, 20265 Superior Place, 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	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>928B-1</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50.00	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. **08873**

By

Shirley Goodman
Chief Engineer KS



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAR 19 2019

928B-1

Ted or Coy Thompson
20265 Superior Place
Whitewood SD 57793

Dear Sirs:

Enclosed is Reissued Water License No. 928B-1.

Based on the ownership change you filed for a portion of the land described in the water right, Water Right No. 928-1 has been divided and reissued to reflect separate ownership as follows:

- No. 928A-1, (Charles Wennberg) Shirley Wennberg, Wennberg Family Trust
- No. 928B-1, Ted or Coy Thompson

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

Additionally, each year in October you will receive an irrigation questionnaire for reporting water use. The form is due back in our office by December 1st. If you have any questions when completing the annual questionnaire, please contact Genny McMath with our program at (605) 773-3352.

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

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA
REISSUED WATER LICENSE NO. 928B-1
(DIVISION OF WATER LICENSE NO. 928-1 INTO NOS. 928A-1 & 928B-1)

(1) Charles Wennberg was issued Water License No. 928-1, February 26, 1982 for a water right to divert 2.22 cubic feet of water per second from runoff and Whitewood Creek, Lawrence County, South Dakota for irrigation purposes. Water Right No. 928-1 with priority dates of December 18, 1961 (runoff) and January 7, 1971 (Whitewood Creek) authorizes irrigation of 155 acres located in the W ½ Section 15 and the N ½ Section 22, T6N, R4E.

On December 26, 2018, Ted or Coy Thompson filed an ownership change for the land in Section 22, T6N, R4E described on the water right. Based on the ownership change, Water Right No. 928-1 is being divided and reissued to reflect separate ownership.

- **No. 928A-1, (Charles Wennberg) Shirley Wennberg, Wennberg Family Trust, PO Box 729, Belle Fourche SD 57717** authorizing diversion of 1.01 cfs from runoff and Whitewood Creek located in the N ½ Section 22, T6N, R4E to irrigate 71 acres located in portions of the W ½ Section 15, T6N, R4E.
- **No. 928B-1, Ted or Coy Thompson, 20265 Superior Place, Whitewood SD 57793** authorizing diversion of 1.19 cfs from runoff and Whitewood Creek located in the N ½ Section 22, T6N, R4E to irrigate 84 acres located in portions of the N ½ Section 22, T6N, R4E.

(2) It is certified that the water right holders have complied with the provisions of South Dakota State Law and are entitled to divert 1.19 cubic feet of water per second for beneficial use. The location of the diversion points are:

- **Runoff:** S 82°45'E, 145 rods from the NW corner of Section 22, T6N, R4E*
- **Whitewood Creek:** 2,400'S and 600'W of the N ¼ corner of Section 22, T6N, R4E

**Diversion from runoff was originally authorized under Water Right No. 628-1. No. 628-1 was incorporated into No. 928-1 at the time of licensing in 1982. Diversion from runoff carries a December 18, 1961 priority date.*

(3) The water right holders have complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T6N, R4E Section 22	NE ¼ NW ¼	31 acres
	SE ¼ NW ¼	11 acres
	NW ¼ NE ¼	21 acres
	SW ¼ NE ¼	21 acres
	Total	84 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Ted or Coy Thompson, 20265 Superior Place, Whitewood SD 57793 the holders and/or owners of Water Right No. 928B-1 are issued a license to appropriate water, the right to use 1.19 cubic feet of water per second from runoff and Whitewood Creek with priority dates of December 18, 1961 (runoff) and January 7, 1971 (Whitewood Creek) from the locations specified in (2) of this license for irrigation purposes.

continued

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 928-1 and subject to the following qualifications:

- This Water Right is subject to the irrigation water use questionnaire being submitted each year. **(The originating Water Right No. 928-1 was amended March 7, 2018 to include this qualification.)**



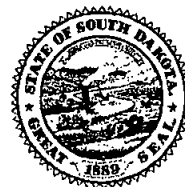
Jeanne Goodman, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

MAR 19 2019

date





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

June 18, 2026

Dear Whitewood Creek Water Right Holder:

I am writing to the water right holders and operators who use water from Whitewood Creek regarding below normal streamflow for this time of year. South Dakota law gives the highest priority to domestic use, including livestock watering. Historically, there has been generally adequate water available to meet both domestic use and other needs at this time of year. However, once water availability reaches critically low levels, water use may begin to interfere with domestic use and senior water rights. If water levels become critically low, the Department may be forced to issue shutoff orders to protect domestic use, including livestock watering, and those water rights that are most senior.

This is not a shutoff order. We are only speculating that shutoff orders may become necessary, if severe drought conditions persist. This letter is intended to give you advanced notice shutoff orders may be necessary this year. If shutoff orders are issued, you will receive another letter from the Department. In the meantime, water right holders can help by closely monitoring water usage to minimize use when possible and avoid any waste of water.

If you are interested, the US Geological Survey has an Internet site showing current flows at stream gauging stations across the state, including several gages on Whitewood Creek. To view the latest real-time stream flow, go to: <https://waterdata.usgs.gov/state/south-dakota/>

There is not a set shutoff based on flow in Whitewood Creek. The last time shutoffs orders were issued for Whitewood Creek was in 2012. Discharges from the Whitewood Creek Near Whitewood, SD - USGS-06436190 gage at that time were ranging from 4.5 to 5.0 cfs. However, that is not a guarantee of when a shutoff may occur since flows needed for domestic use and senior water rights can vary over time.

Thank you for your cooperation. If you have any questions, please contact Nakaila Steen at (605) 394-2229, or Whitney Kilts or myself at (605) 773-3352 with the Water Rights Program.

Sincerely,

Adam Mathiowetz, Acting Chief Engineer
Water Rights Program