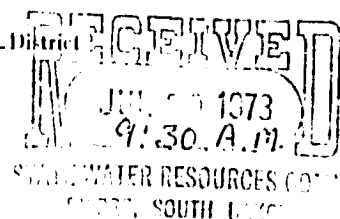


Wa Right Number 991-1

1. Considered SEPT. 12, 1973
2. Name of Applicant CURTISS A. REITZ
3. Post Office Address RALPH, S.D.
4. Amount of water claimed 14.6
5. Source of water supply BIG-LITTLE NASTY & INDIAN CRKS.
6. Water to be used for IRRIGATION
Acres to be irrigated 1,012
7. Water to be diverted and used in HARDING County
about 2 Miles N of RALPH
8. Proof of Publication
Received 9-6-73
Not received _____
Approved _____
Subject to _____
Not approved _____
Action deferred _____
9. Application
10. Remarks:

No. 991-1Map No. 819-1 Water Division No. 1 GRAND 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 Curtiss A. Reitz
 Postoffice address Ralph, State South Dakota
 If a corporation show date and place of incorporation None
2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct labor
3. Name of diversion work Curtiss A. Reitz Irrigation Project
4. Amount of water claimed (cubic feet per second) 14.6
5. Source of water supply Big Nasty and (Indian Creek, Little Nasty) Tributaries
6. Location of point of diversion A point 200' N 90° E of W $\frac{1}{2}$ Cor. Sec. 15, T21N, R8E, BHM; A point 1485' S 26° E of W $\frac{1}{2}$ Cor. Sec. 10, T21N, R8E, BHM; A point 1190' S 0° E of N $\frac{1}{2}$ Cor. Sec. 14, T21N, R8E, BHM; & points between
Sec. 14, T21N, R8E, BHM; A point 1250' N 0° E of SE Cor. Sec. 14, County Harding
7. Annual period or periods during which water is to be used March 15 - October 15
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 1012

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.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Buffalo Times Herald
12. Principal Features of the Proposed Water Supply System.
- A. Works proposed to divert water from its natural source.
- Pump and spreaders
- B. Works proposed to transport water to place of use.
- Ditches
- C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ 5,000.00

Attachments: Attach Form 2A if diversion from a well or channel, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

County of Harding) ss.I, Curtiss A. Reitz, 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.

Signed

Curtiss A. Reitz

Subscribed and sworn to before me this

13th

day of

June1972
Sam M. Gering
 Notary Public (or other qualified officer)

CARL M. CORNELL
 Notary Public for the State of South Dakota
 My Commission Expires April 15, 1974

586 784
781 791 792 - Arthur Reitz
787 793
581 Reitz & Davidson

PLAT OF THE CURTIS A. REITZ IRRIGATION PROJECT

Located in Sections 10, 11, and 15, Township 21 North, Range 8 East of the 2nd M. in Harding County, South Dakota, drawn and prepared as a part of the Application for permit to appropriate water of Curtis A. Reitz, Reitz, South Dakota, to supply water for irrigation of areas as shown on this plat.

SURVEYOR'S CERTIFICATE

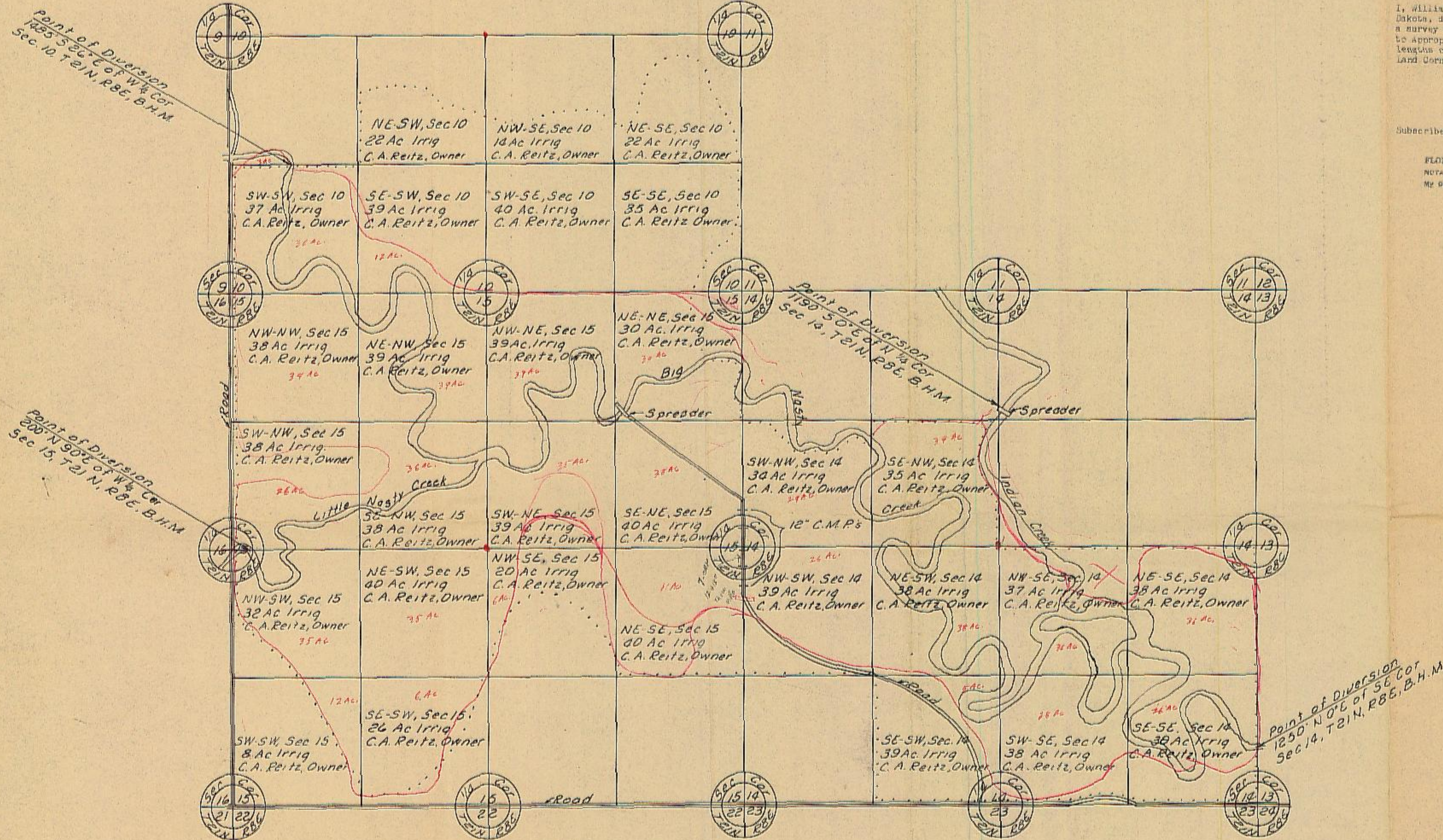
I, William C. Brangle, registered land surveyor in and for the State of South Dakota, do hereby certify that at the request of Curtis A. Reitz, I have made a survey and have prepared this plat as a part of his application for a permit to appropriate water for irrigation. I further certify that the bearings and lengths of all lines shown and their location with reference to the Government Land Corners shown, are correct to the best of my knowledge and belief.

William C. Brangle
William C. Brangle
Registered Land Surveyor #1517 (SEAL)

Subscribed and sworn to before me this 16th day of July, 1973.

FLORENCE BRANGLE
NOTARY PUBLIC HARDING CO., S. DAK.
My Commission Expires Aug. 3, 1975

Florence Brangle
Florence Brangle
Notary Public (SEAL)



WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 991-1

CURTISS A REITZ
(Applicant)

RALPH

(Post Office Address)

SOUTH DAKOTA
(State)

With the following modifications:

~~MIN~~ FLOWS AS NEEDED FOR DOWNSTREAM DOMESTIC USE, INCLUDING LIVESTOCK WATERINGS, AND PRIOR WATER RIGHTS, MUST BE BY-PASSED. UNDER THIS PERMIT, ONLY ONE ^{SPREADER} DIVERSION IS TO BE CONSTRUCTED ON BIG NASTY CREEK.

THIS PERMIT DOES NOT AUTHORIZED STORAGE.

Date of first receipt of application JULY 30 1973

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

Date of receipt of corrected application — 19—

Approved SEPTEMBER 12 1973, Recorded in Book 12 Page 241

WATER RIGHT PERMIT NO. 991-1

The Water Resources Commission hereby grants and issues this Water Right Permit No. 991-1 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 JULY 30 1973
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 12 1976
3. The whole of said work is to be completed on or before SEPTEMBER 12 1978
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 12 1980
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 14.6 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 SEPTEMBER 12 1980 and said water to be used during the following described annual period: MARCH 15 TO OCTOBER 15

Witness my hand this 14TH day of SEPTEMBER 1973

WATER RESOURCES COMMISSION

By:

Donald Quirell
Chief Engineer, Executive Officer

Certificate of Construction Issued — 19—

Water License Issued — 19—

Section 10, T 21 N, R 8 E.

NE $\frac{1}{2}$ SW $\frac{1}{2}$	22
SW $\frac{1}{2}$ SW $\frac{1}{2}$	37
SE $\frac{1}{2}$ SW $\frac{1}{2}$	39
NW $\frac{1}{2}$ SE $\frac{1}{2}$	14
NE $\frac{1}{2}$ SE $\frac{1}{2}$	22
SW $\frac{1}{2}$ SE $\frac{1}{2}$	40
SE $\frac{1}{2}$ SE $\frac{1}{2}$	<u>35</u>
Total	209

Section 14, T 21 N, R 8 E.

SW $\frac{1}{2}$ NW $\frac{1}{2}$	34
SE $\frac{1}{2}$ NW $\frac{1}{2}$	35
NW $\frac{1}{2}$ SW $\frac{1}{2}$	39
NE $\frac{1}{2}$ SW $\frac{1}{2}$	38
SE $\frac{1}{2}$ SW $\frac{1}{2}$	39
NW $\frac{1}{2}$ SE $\frac{1}{2}$	37
NE $\frac{1}{2}$ SE $\frac{1}{2}$	38
SW $\frac{1}{2}$ SE $\frac{1}{2}$	38
SE $\frac{1}{2}$ SE $\frac{1}{2}$	<u>38</u>
Total	336

Section 15, T 21 N, R 8 E

NW $\frac{1}{2}$ NW $\frac{1}{2}$	38
NE $\frac{1}{2}$ NW $\frac{1}{2}$	39
SW $\frac{1}{2}$ NW $\frac{1}{2}$	38
SE $\frac{1}{2}$ NW $\frac{1}{2}$	38
NW $\frac{1}{2}$ NE $\frac{1}{2}$	39
NE $\frac{1}{2}$ NE $\frac{1}{2}$	30
SW $\frac{1}{2}$ NE $\frac{1}{2}$	39
SE $\frac{1}{2}$ NE $\frac{1}{2}$	40
NW $\frac{1}{2}$ SW $\frac{1}{2}$	32
NE $\frac{1}{2}$ SW $\frac{1}{2}$	40
SW $\frac{1}{2}$ SW $\frac{1}{2}$	8
SE $\frac{1}{2}$ SW $\frac{1}{2}$	26
NW $\frac{1}{2}$ SE $\frac{1}{2}$	20
NE $\frac{1}{2}$ SE $\frac{1}{2}$	<u>40</u>
Total	467

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Harding) ss.

I, Meade E. Hallock hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Buffalo Times-Herald

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

Town _____ of Buffalo

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

August 10 and August 25, 1973

Meade E. Hallock
(Signature)

Published - owner
(Title)

Aug. 30, 1973
(Date Signed)

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 7, 1973

Notice is hereby given that Curtis A. Reitz whose post office address is, Ralph, 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 14.6 cubic feet of water per second of time from Big Nasty, Little Nasty and Indian Creeks through the Curtis A. Reitz Irrigation Project, the point of diversion of which is to be located from Little Nasty Creek in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15; from Indian Creek in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14; and from Big Nasty Creek, between points in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19 and in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Twp. 21N, Range 4E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 10; NW $\frac{1}{4}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$ and N $\frac{1}{2}$, Section 15; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$, Section 14, all in T21N, R8E.

This application No. 991-1 will be considered by the Water Rights Commission at the Community Room of the Grant County Courthouse at Milbank, S.D., upon the 12th day of September, 1973, at 2:00 P.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By: BURTON F. JONES

Water Rights Specialist

(Aug. 16, 23)

RECEIVED

SEP 6 1973

DEPT. OF NATURAL
RESOURCE DEVELOPMENT

Publish first publication, on or before August 30, 19 73NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 1, 19 73

Notice is hereby given that Curtiss A. Reitz
 whose past office address is Ralph, 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
14.6 cubic feet of water per second of time from the Big Nasty, Little Nasty and Indian Creeks
Curtiss A. Reitz Irrigation Project, the point of diversion of which is to be located between
from Little Nasty Creek in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15; from Indian Creek in the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 14; and from Big Nasty Creek, between points in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10 and
in the SE $\frac{1}{4}$ SE $\frac{1}{4}$
 of Section 14, Twp. 21N, Range 8E. Said water to be used for the purpose
portions of
 of providing irrigation on the following described land:
SW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 10; NW $\frac{1}{4}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 15;
S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$, Section 14, all in T21N, R8E.

This application No. 991-1 will be considered by the Water Rights Commission at the Community
Room of the Grant County Courthouse at Milbank, S.D.,
upon the 12th day of September, 1973, at 2:00 P.M. All interested
 persons may appear and be heard.

~~WATER RESOURCES COMMISSION~~
 WATER RIGHTS COMMISSION

By:

BURTON F. JONES
 Water Rights Specialist

cc: Curtiss A. Reitz, Ralph, S.D. 57650

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

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

Water Rights Division
605 773-3352

January 18, 1985

Curtis Reitz
Box 17
Ralph SD 57650

Dear Mr. Reitz:

On July 31, 1984 I made the final inspection of your Water Permit No. 991-1. At that time I visited with you regarding the cancellations of Water Right Filings No. 027-1, 028-1 and 029-1. You indicated that there had been irrigation from Indian Creek for a number of years and you would like to keep those priority dates for portions of your Permit No. 991-1.

I checked over all of the Water Permits under Arthur Reitz and others on Big Nasty and Indian Creeks. When application No. 781-1 was applied for by Arthur Reitz there were some objections to this application. This office then conducted a study of the active permits on Big Nasty and tributaries. No mention was made of filings No. 027-1, 028-1 and 029-1 that are located on your land. Also when you submitted your Application No. 991-1, no mention was made of any previous irrigation on the land owned by you and no mention was made of them when it was approved by the Water Management Board.

Apparently these filings had not been used for a number of years and were considered abandoned for non-use. Therefore these three filings will be presented to the Water Management Board for cancellation. You will be notified as to the date and place of the Board meeting when these filings are presented for cancellation. Enclosed are copies of Water Right Filings No. 027-1, 028-1 and 029-1.

The inspection of your water use system and inspection of the extend of application of water to beneficial use, as developed under your Water Permit No. 991-1 has been completed. Your final water right document, the Water License can not be issued.

Statutes require that we charge a \$50 filing fee for the inspection and issuance of the water license. Upon receipt of the \$50 fee from you, your Water License can now be issued. South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50 license fee has been paid.

If you have questions, please contact us.

Sincerely,

LEROY MERNAUGH
Water Resources Engineer

State of South Dakota
Water License No. 991-1

(1) Curtiss A. Reltz
of Box 17, Ralph, South Dakota 57650
made Application No. 991-1, July 30, 1973 for a water permit to appropriate
14.6 cubic feet per second of water from Big Nasty (Indian Creek, Little Nasty) Tributaries,
Harding County, South Dakota for Irrigation purposes.
Permit No. 991-1, with a priority date of July 30, 1973
was approved September 12, 1973 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before September 12, 1978 and for the application to beneficial use of said
water on or before September 12, 1980.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 9.87 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is are between points "A" 1100'N of SW Corner
Section 10; Pt "B" 2500'S of NW Corner Section 15; Pt "C" 600'N of SE Corner Section 14
on Big Nasty Creek and Pt "D" 1200'S and 150'W of N $\frac{1}{2}$ Corner Section 14, on Indian
Creek, all in T21N, R6E

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in T21N, R8E

Section 10	NW $\frac{1}{4}$ SW $\frac{1}{4}$	3 Acres	Section 15	SW $\frac{1}{4}$ SW $\frac{1}{4}$	12 Acres	Section 14	SE $\frac{1}{4}$ SE $\frac{1}{4}$	26 Acres
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	36 Acres		SE $\frac{1}{4}$ SW $\frac{1}{4}$	6 Acres	TOTAL 691 ACRES		
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	12 Acres		NW $\frac{1}{4}$ SE $\frac{1}{4}$	6 Acres			
Section 15	NW $\frac{1}{4}$ NW $\frac{1}{4}$	34 Acres		NE $\frac{1}{4}$ SE $\frac{1}{4}$	11 Acres			
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	39 Acres	Section 14	SW $\frac{1}{4}$ NW $\frac{1}{4}$	29 Acres			
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	26 Acres		SE $\frac{1}{4}$ NW $\frac{1}{4}$	34 Acres			
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	36 Acres		NW $\frac{1}{4}$ SW $\frac{1}{4}$	26 Acres			
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	39 Acres		NE $\frac{1}{4}$ SW $\frac{1}{4}$	38 Acres			
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	30 Acres		SE $\frac{1}{4}$ SW $\frac{1}{4}$	5 Acres			
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	35 Acres		NW $\frac{1}{4}$ SE $\frac{1}{4}$	36 Acres			
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	38 Acres		SE $\frac{1}{4}$ SE $\frac{1}{4}$	36 Acres			
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	35 Acres		SW $\frac{1}{4}$ SE $\frac{1}{4}$	28 Acres			
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	35 Acres						

(4) Pursuant to §46-5-30.1 Curtis A. Reitz
of Box 17, Ralph, South Dakota 57650

the holder(s) and/or owner(s) of Water Permit No. 991-1 is issued a license to appropriate water, the right to use 9.87 cubic feet per second of water from Big Nasty (Indian Creek, Little Nasty) / Tributaries with a priority date of July 30, 1973 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (8) of this license for the purpose of Irrigation

This license is subject to any limitations or qualifications listed in Water Permit No. 991-1 and subject to South Dakota State Law.

John Hatch
Chief Engineer, Water Rights Division
Department of Water and Natural Resources
JOHN HATCH
APR 9 1985

Curtis Reitz, Permit # 991-1
Area Irrigated. All in T21N R8E

Section 10.

NW $\frac{1}{4}$ SW $\frac{1}{4}$ = 3 Ac.

SW $\frac{1}{4}$ SW $\frac{1}{4}$ = 36

SE $\frac{1}{4}$ SW $\frac{1}{4}$ = 12

Section 15

NW $\frac{1}{4}$ NW $\frac{1}{4}$ = 34

NE $\frac{1}{4}$ NW $\frac{1}{4}$ = 39

SW $\frac{1}{4}$ NW $\frac{1}{4}$ = 26

SE $\frac{1}{4}$ NW $\frac{1}{4}$ = 36

NW $\frac{1}{4}$ NE $\frac{1}{4}$ = 39

NE $\frac{1}{4}$ NE $\frac{1}{4}$ = 30

SW $\frac{1}{4}$ NE $\frac{1}{4}$ = 35

SE $\frac{1}{4}$ NE $\frac{1}{4}$ = 38

NW $\frac{1}{4}$ SW $\frac{1}{4}$ = 35

NE $\frac{1}{4}$ SW $\frac{1}{4}$ = 35

SW $\frac{1}{4}$ SW $\frac{1}{4}$ = 12

SE $\frac{1}{4}$ SW $\frac{1}{4}$ = 6

NW $\frac{1}{4}$ SE $\frac{1}{4}$ = 6

NE $\frac{1}{4}$ SE $\frac{1}{4}$ = 11

Section 14.

SW $\frac{1}{4}$ NW $\frac{1}{4}$ = 29 Ac.

SE $\frac{1}{4}$ NW $\frac{1}{4}$ = 34

NW $\frac{1}{4}$ SW $\frac{1}{4}$ = 26

NE $\frac{1}{4}$ SW $\frac{1}{4}$ = 38

SE $\frac{1}{4}$ SW $\frac{1}{4}$ = 5

NW $\frac{1}{4}$ SE $\frac{1}{4}$ = 36

SE $\frac{1}{4}$ SE $\frac{1}{4}$ = 36

SW $\frac{1}{4}$ SE $\frac{1}{4}$ = 28

SE $\frac{1}{4}$ SE $\frac{1}{4}$ = 26

Total 691 Ac.

Permit No. 991-1Grand River Water District 10130302**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Curtis Reitz
Box 17 of Ralph, S. Dak. 57650 holder of
 Permit No. 991-1, bearing the priority of July 30 19 73 authorizing
 the diversion of 14.6 cu. ft. per second of the waters of Big Nasty (Indian Creek, Little Nasty)
Tributaries
 for Irrigation purposes, in Harding County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

1 ea 8" Cristofolini Power Take-off pumps 2500 gpm est.
 1 ea 12" " " " " 5000 gpm "
 1 ea 16" " " " " 8000 gpm "

1 ea Berkely Model T1-B3-ZRM, power take off pumps 600 gpm
 B. Works used to transport water to place of use: (see reverse side for diversion dams)
Ditches & Dikes
1000' 8" x 4" Aluminum pipe

C. Works used to apply water to beneficial use:

Benton type system below diversion dam on Big Nasty creek.
Flood irrigation from pumps.
Ditches & dikes to spread water

The system is in the following condition Fair.

The point of diversion is located Between Points "A" 1100' N of SW Cor Sec. 10; Pt "B" 2500' S
of NW Cor Sec. 15; Pt "C" 600' N of SE Cor Sec 14 on Big Nasty and Pt "D" 1200' S
and 150' N of N 1/4 Cor Sec. 14, on Indian Creek. all in T21N R8E

The works are capable of diverting and conveying to the place of use 60+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:

See Attached Sheetcomprising a total of 691 acres of land and the license should be issued for 9.87 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: Date July 13, 1984

Leroy J. Marnough
 (Signature)

RECEIPT

Division of Water Rights

No 4 9933

South Dakota Department of Water and Natural Resources

Pierre, February 11

1985

RECEIVED OF Curtiss A. Reitz, ~~Box 555, Hwy 14, Box 17~~ Box 17, Ralph, SD 57650

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years. _____		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No <u>991-1</u> X123456	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer JOHN HATCH (ms)

No. 991-1

**South Dakota Department of
Water & Natural Resources**
Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501
WATER RIGHTS DIVISION
Phone (605) 773-3222

APR 9 1985

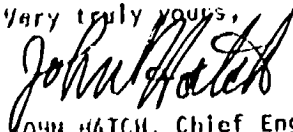
Curtiss A. Reitz
Box 17
Ralph, South Dakota 57650

Dear Mr. Reitz:

Enclosed herewith is, Water License No. 991-1. This is the final water right document completing your process of obtaining a water right.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

Enclosures

WNR-817 3/83
Transmittal of Water License



Department of Water & Natural Resources

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

March 23, 1987

CURTISS A REITZ
BOX 17
RALPH, SD 57650

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). 781-1, 793-1, 991-1, 792-1, 791-1, 784-1. 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). 781-1, 793-1, 991-1, 792-1, 791-1, 784-1 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 HATCH, Chief Engineer
Water Rights Division
605 773-3352

NCTF: If the questionnaires are received in this office before the hearing date, your name will be deleted from the agenda for the hearing.

 **Department of
Water & Natural Resources**

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

May 13, 1987

NOTICE OF AMENDMENT TO WATER PERMIT(s)

TO: CURTISS A REITZ
BOX 17
RALPH, SD 57650

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352



SUBJECT: Amendment to Water Permit No(s). 991-1, 781-1,
793-1, 792-1, 791-1, 784-1

Pursuant to the provisions of the notice dated March 23, 1987, and following the Hearing May 6, 1987, the Water Management Board has amended Water Permit No(s). 991-1, 781-1, 793-1, 792-1, 791-1, 784-1 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 include the enclosed attachment with your permit.

Attachment to Water Permit No. 991-1

Pursuant to the provisions of the notice dated March 23, 1987 and following the Hearing May 6, 1987, the Water Management Board has amended Water Permit No. 991-1 to add the following qualification:

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

SOUTH DAKOTA
Department of
Water & Natural Resources

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

January 29, 1988

CURTISS A REITZ
BOX 17
RAIPH, SD 57650

NOTICE

Re: Violation of Water Permit No(s). 781-1, 991-1, 784-1, 791-1, 792-1, 793-1

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 781-1, 991-1, 784-1, 791-1, 792-1, 793-1. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 781-1, 991-1, 784-1, 791-1, 792-1, 793-1 qualification:

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

The hearing(s) will be at 9:00 am, March 2, 1988, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) 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. Suspend Permit No(s). 781-1, 991-1, 784-1, 791-1, 792-1, 793-1 until either the 1987 Questionnaire is submitted or for a period of up to one 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 HATCH, Chief Engineer
Water Rights Division
605 773 3352

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

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

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

March 11, 1988

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: CURTIS A REITZ
BOX 11
RALPH SD 57650

FROM: John Hatch, Chief Engineer
Water Rights Division
605-773-3352 *John Hatch*

SUBJECT: One Year Suspension Of Water Permit No(s). 991-1,
781-1, 784-1, 791-1, 792-1, 793-1

Pursuant to the provisions of the notice dated January 29, 1988,
and following the hearing of March 2, 1988, the Water Management
Board has ordered:

That Water Permit No(s). 991-1, 781-1, 784-1, 791-1, 792-1,
793-1 be **SUSPENDED** until December 31, 1988.

Suspension of a permit means water may not be pumped during the
1988 irrigation season. Decisions of the Board may be appealed
to the Circuit Court and the Supreme Court as provided by law.

AND IN MICROFILM FORM THE RECORDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT REPRODUCTION
REPRODUCTIONS: REDUCTION 35:1 ROLL NO 44-16 DATE MICROFILMED 9-7-88
CAMERA OPERATOR *Madeline Steiner*

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

February 9, 1990

CURTISS A REITZ
BOX 17
RALPH, SD 57650

NOTICE

RE: Violation of Water Permit No(s). 991-1, 781-1, 784-1, 791-1, 792-1, 793-1

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 991-1, 781-1, 784-1, 791-1, 792-1, 793-1. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 991-1, 781-1, 784-1, 791-1, 792-1, 793-1 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 7, 1990 at the Howard Johnson's, Roosevelt-Jefferson Room, I-90 at LaCrosse, Rapid City SD.

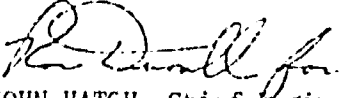
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 991-1, 781-1, 784-1, 791-1, 792-1, 793-1 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
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 before the March 7th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3232

REPRODUCTIONS.

REDUCTION

ROLL NO. 25-1

DATE MICROFILMED

CAMERA OPERATOR

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

March 14, 1990

781-1

784-1

791-1

792-1

793-1

991-1

Curtiss A. Reitz
Box 17
Ralph, SD 57650

Dear Mr. Reitz:

I am writing to acknowledge receipt of your 1989 irrigation questionnaires for Water Permit Nos. 781-1, 784-1, 791-1, 792-1, 793-1 and 991-1. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaires. Your questionnaires were received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

Ron Duvall

RON DUVALL
Natural Resources Engineer
Water Rights Division

South Dakota



GREAT FACES. GREAT PLACES.

February 1, 1991

DEPARTMENT OF WATER & NATURAL RESOURCES

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

CURTISS A REITZ
BOX 17
RALPH SD 57650

NOTICE

Re: Failure to Report Chemical Use under Water Permit No(s). 781-1; 784-1; 791-1; 793-1; & 991-1.

Our records indicate that the 1990 chemigation report(s) has not been received for Permits No(s) 781-1; 784-1; 791-1; 793-1; & 991-1. The request for the chemigation report(s) was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 chemigation report(s) be given notice of violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of South Dakota general rule 74:02:09:02(3) requiring chemigation users to report the dates and hours of chemical application.

The hearing(s) will be held at 9:15 am, on February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

The hearing(s) will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 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. Suspend Permit No(s). 781-1; 784-1; 791-1; 793-1; & 991-1 until either the 1990 chemigation report(s) is submitted or for a period of up to one 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.

Very truly yours,

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

NOTE: If the chemigation report(s) is received in this office before the February 27th hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.



DEPARTMENT OF WATER & NATURAL RESOURCES

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3.81

CURTISS A REITZ
BOX 17
RALPH SD 57650

NOTICE

RE: Violation of Water Permit No(s) 781-1, 784-1, 791-1, 793-1, 991-1

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 781-1, 784-1, 791-1, 793-1, 991-1. 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 permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s) 781-1, 784-1, 791-1, 793-1, 991-1 qualification:

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

The hearing will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 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, the Water Management Board can:

1. Suspend Permit No(s) 781-1, 784-1, 791-1, 793-1, 991-1 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to two years;
2. Postpone any action;
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 before the February 27th hearing date, you will no longer be in violation of your permit and 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



DEPARTMENT OF WATER & NATURAL RESOURCES

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

March 6, 1991

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: CURTISS A REITZ
BOX 17
RALPH, SD 57650

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

SUBJECT: One Year Suspension of Water Permit No(s).
781-1, 784-1, 791-1, 793-1, 991-1

Pursuant to the provisions of the notices dated February 1, 1991, and following the hearing of February 27, 1991, the Water Management Board has ordered:

That Water Permit No(s). 781-1, 784-1, 791-1, 793-1, 991-1 be SUSPENDED until December 31, 1991.

Suspension of the permit(s) does not excuse the permit owner from the requirement to submit the 1990 irrigation questionnaire and the 1990 chemigation report.

Suspension of a permit means water may not be pumped during the 1991 irrigation season. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

991-1



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

January 29, 1993

NOTICE

TO: CORTIS A. REITE
PO BOX 355
NEW ENGLAND ND 586470355

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Violation of Water Permit No(s) 781-1, 784-1, 791-1, 793-1 & 991-1

The records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 781-1, 784-1, 791-1, 793-1 & 991-1. The request for the questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 781-1, 784-1, 791-1, 793-1 & 991-1 qualification:

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

The hearing will be held at 9:30 am, March 3, 1993, 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 SDCL 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) 781-1, 784-1, 791-1, 793-1 & 991-1 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. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.



991-1

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

January 29, 1993

NOTICE

TO: CURTIS A. PEITZ
BOX 17
RALPH, SD 57650

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Failure to Report Chemical Use under Water Permit No(s) 781-1; 784-1; 791-1;
793-1; & 991-1

The first notice to file chemigation report(s) for Permit No(s) 781-1; 784-1; 791-1; 793-1; & 991-1 was dated October 16, 1992. Our records indicate that we have not received the 1992 chemigation report for Permits No(s) 781-1; 784-1; 791-1; 793-1; & 991-1. The Water Management Board has directed that owners of water permits who have not submitted the 1992 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:30 A.M. on March 3, 1993, at the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 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 or up to three years for the 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). 781-1; 784-1; 791-1; 793-1; & 991-1 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. Prior to February 22, 1993, contact the Water Rights Division, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to the March 3, 1993 hearing, you will no longer be in violation and your name will be deleted from the Board agenda.

SENDER'S USE ONLY

1. Please print or type name and address of sender in the space provided on the reverse of this form so that we can return it to you if necessary.
2. Please print or type name and address of addressee in the space provided on the reverse of this form so that we can return it to you if necessary.
3. Please print or type name and address of addressee in the space provided on the reverse of this form so that we can return it to you if necessary.
4. Please print or type name and address of addressee in the space provided on the reverse of this form so that we can return it to you if necessary.

CURTISS A REITZ
PO BOX 355
NEW ENGLAND ND 586470355

Curtis A. Reitz

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

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

Consult postmaster for fee.

4a. Article Number

991-1 0906 560 204

b. Service Type

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

c. Date of Delivery

2-1-93

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

Thank you for using Return Receipt Service.



991-1

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

PIERRE, S.D., 1993

NOTICE OF CANCELLATION OF WATER RIGHTS

TO: Mr. & Mrs. A. Reitz, PO Box 355, New England, ND 58647-0355

FROM: Ben Durrall, Natural Resources Engineer IV
Water Rights Division
(605) 773-3352

SUBJECT: Cancellation of Water Right Nos. 781-1, 784-1, 791-1, 793-1 & 991-1

Pursuant to the provisions of the notice dated January 29, 1993 the Water Management Board has:

CANCELLED Water Right Nos. 781-1, 784-1, 791-1, 793-1 and 991-1 for failure to return the 1992 irrigation questionnaires and chemical reporting forms.

Failure to return the 1992 irrigation questionnaires and chemical reporting forms was the third violation of Water Right Nos. 781-1, 784-1, 791-1, 793-1 and 991-1. SDCL 46-1-12 states that the Board may suspend a permit or license for the first violation, suspend for up to three years for the second violation and may cancel the permit or license for the third violation. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Cancellation of your Water Rights means that if you intend to irrigate in the future, you will either need to apply for new water permits or appear before the Board and request them to rescind the cancellation of your water rights. If you wish to petition the Water Management Board to rescind the cancellations, you will need to submit a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 5-6, 1993, in Pierre. The letter should include your reasons for not completing the irrigation questionnaires prior to the March Board Meeting.

Enclosed, as you requested during our March 4, 1993 telephone conversation, are additional 1992 irrigation questionnaires. You stated you did not apply chemicals through any of your irrigation systems and do not intend to in the future.

Enclosures

CERTIFICATION

I hereby certify that on March 8, 1993, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 8, 1993, regarding NOTICE OF CANCELIATION OF WATER RIGHT NOS. 781-1, 784-1, 791-1, 793-1 & 991-1, along with Irrigation Questionnaire forms for each Water Right addressed as stated below:

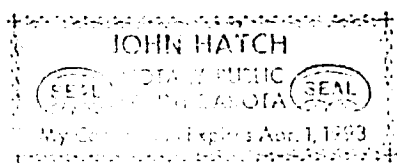
Curtis A. Reitz, P.O. Box 355 New England, ND 58647-0355.

Chas. F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
COUNTY OF HUGHES) ss

Subscribed and sworn to before me, this 6th day of March, 1993.



John H. H. H.
Notary Public



991-1

Curtiss A. Reitz
Box 17
Ralph, SD. 57650

Department of Environment
and Natural Resources
JOE FOSS BUILDING
525 EAST CAPITOL, 57501-3161

1000 11 11 11 11 11

I have acknowledged this request to appear at the early May hearing pertaining to my water permits. At that time I hope to give testimony that may help to recind the decision that was made at the early March hearing concerning my water rights. I am not able to attend that meeting.

Sincerely,

Curtiss A. Reitz



991-1

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

April 20, 1993

NOTICE

TO: Curtiss A Reitz, PO Box 355, New England, ND 58647-0355

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

SUBJECT: Notice of Hearing to Consider Request for
Reconsideration of Cancelled Water Right Nos. 781-1,
784-1, 791-1, 793-1 & 991-1

The hearing on your April 19, 1993, request to the Water Management Board to reconsider cancellation of Water Right Nos. 781-1, 784-1, 791-1, 793-1 & 991-1 has been scheduled for 9:00 AM, May 5, 1993, in the Floyd Matthew Training Center, 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.

After all evidence is taken at the hearing, the Board may issue a decision to rescind their action to cancel your water rights, defer action or take no action. The hearing is an adversary proceeding and any party 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 at the hearing. Any decision rendered by the Board may be appealed to the Circuit Court or to the State Supreme Court as provided by law.

Prior to April 26, 1993, contact the Water Rights Division by writing to 523 E Capitol, Pierre, SD 57501-3181 or calling (605) 773-3352 to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

On March 8, 1993, an additional set of 1992 irrigation questionnaires were mailed to you. To date, we have not received the completed forms. Please complete and return the forms to our office prior to the May 5th, Water Management Board Meeting.

cc: Diane Best, Assistant Attorney General

991-1

CERTIFICATION

I hereby certify that on April 20, 1993, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated April 20, 1993, regarding Notice of Hearing to Consider Request for Reconsideration of Cancelled Water Right Nos. 781-1, 784-1, 791-1, 793-1 & 991-1 addressed as stated below:

Curtiss A. Reitz, P.O. Box 355, New England, ND 58647-0355.

Copy Sent Inter-office To:

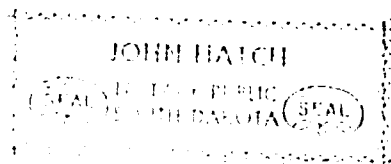
Diane Best, Assistant Attorney General, Capitol Building.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
COUNTY OF HUGHES) SS

Sworn to, before me, this 20th day of April, 1993.



John Hatch

Notary Public

JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001

991-1

Curtiss A Reitz
Water Right Nos. 781-1, 784-1, 791-1, 793-1 & 991-1

GENERAL

Applications submitted by: Arthur Reitz

Transferred September 5, 1986 to: Curtiss A Reitz

Permits Licensed:	781-1	December 26, 1974
	784-1	"
	791-1	"
	793-1	"
	991-1	April 9, 1985

The water rights were AMENDED May 6, 1987, to include the Irrigation Questionnaire Qualification. This action was taken for nonreturn of the 1986 irrigation questionnaire.

FIVE YEAR HISTORY OF IRRIGATION QUESTIONNAIRE RETURNS

<u>Year</u>	<u>Date Request Mailed</u>	<u>Date Irrigation Ques. Returned</u>	<u>Date of any Board Action</u>
1988	no form mailed	SUSPENDED	none
1989	October, 1989	March 7, 1990	none
1990	October, 1990	did not return form	Feb. 27, 1991
1991	no form mailed	SUSPENDED	none
1992	October, 1992	did not return form	March 3, 1993

PAST VIOLATIONS

1. 1987 Irrigation Questionnaire Violation

January 22, 1988, Mr. Reitz was given notice of violation for nonreturn of 1987 irrigation questionnaire and of the hearing scheduled before the Water Management Board to be held March 2, 1988.

March 2, 1988, the Water Management Board SUSPENDED, Water Right Nos. 781-1, 784-1, 791-1, 793-1 & 991-1 until December 31, 1988.

March 14, 1988, Mr. Reitz was notified of the Board action taken to suspend his water rights.

2. 1990 Irrigation Questionnaire Violation

February 1, 1991, Mr. Reitz was given notice of violation for nonreturn of the 1990 irrigation questionnaire and failure to report chemical use and of the hearing scheduled before the Water Management Board to be held February 27, 1991.

991-1

February 27, 1991, the Water Management Board **SUSPENDED** Water Right Nos. 781-1, 784-1, 791-1, 793-1 & 991-1 until December 31, 1991.

March 6, 1991, Mr. Reitz was notified of the Board action taken to suspend his water rights.

3. 1992 Irrigation Questionnaire Qualification

January 29, 1993, Mr. Reitz was given notice of violation for nonreturn of his 1992 irrigation questionnaires and chemical reporting forms and of the hearing scheduled before the Water Management Board to be held on March 3, 1993. The "Notice" was sent Certified Mail, Return-Receipt requested. The Return-Receipt card was signed by Mr. Reitz on February 1, 1993.

March 3, 1993, the Water Management Board **CANCELLED** Water Right Nos. 781-1, 784-1, 791-1, 793-1 & 991-1 for the third violation of failure to return the 1992 irrigation questionnaires and chemical reporting forms.

March 4, 1993, Mr. Reitz contacted the office (spoke with Ron Duvall, NR Resources Engineer) concerning the Board action to cancel his water rights. He requested additional irrigation questionnaires and indicated he did not apply chemicals through any of his irrigation systems and did not intend to in the future.

March 8, 1993, Mr. Reitz was sent a "Notice of Cancellation of Water Rights" informing him of the Board action and what he needed to do in order to bring the matter back before the Board. Additional irrigation questionnaires were sent with the notice.

April 19, 1993, a letter was received (questionnaires were not included) from Mr. Reitz requesting time on the May Water Management Board Meeting agenda for the purpose of presenting testimony.



991-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 19, 1993

NOTICE

TO: Curtiss A Reitz, PO Box 355, New England, ND 58647-0355

FROM: JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

SUBJECT: Reinstatement of Water Right Nos. 781-1, 791-1 & (991-1)

Pursuant to your letter of April 19, 1993, and following a hearing by the Water Management Board May 5, 1993, the Board rescinded the March 3rd motion to cancel Water Right Nos. 781-1, 791-1 and 991-1. This action reinstated Water Right Nos. 781-1, 791-1 and 991-1, effective immediately.

The Water Management Board took into consideration that the Irrigation questionnaires were now on file in the Division office. Your attendance at the hearing, to explain the circumstances involving the delay in returning the questionnaires assisted the Board in making a decision.

The Board's motion to rescind the cancellation of your water rights included a statement that "~~failure to submit future required~~ Irrigation questionnaires will result in a one year suspension or possible cancellation of the right(s) without reinstatement."

Violations of any qualifications on irrigation permits and subsequent Board action become part of the permanent record. This notice will be placed in Water Right Nos. 781-1, 791-1 and 991-1 and failure to submit future irrigation questionnaires will result in past violations being reviewed by the Water Management Board.

During the hearing, you testified that you no longer own the land described in Water Right Nos. 784-1 and 793-1. The Board rescinded the cancellation of these water rights stating cancellation should not have occurred since the present owner of the land had not caused the violations to take place. We will contact the new owner(s) concerning the transfer and status of Water Right Nos. 784-1 and 793-1.

cc: Diane Best, Assistant Attorney General

991-1

CERTIFICATION

I hereby certify that on May 10, 1993, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated May 10, 1993, regarding Reinstatement of Water Right Nos. 781-1, 791-1 & 991-1 addressed as stated below:

Curtiss A. Reiter, P.O. Box 355, New England, ND 58647-0355.

Copy Sent Inter-office to:

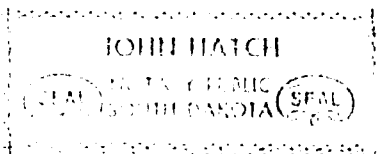
Diane Best, Assistant Attorney General, Capitol Building.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES /

Sworn to, before me, this 11th day of May, 1993.



John Hatch
Notary Public

JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001

991-1



Dear Sirs:

Permit # 991-1 and the descriptions on Sec. 13 are the only acres that I have left with Water Rights. (the former permits in my file) - the land now belongs to David Mollman (my brother-in-law) of Ludlow, S.D.

I will be willing to help with any further questions you may have.

Kind Regards,

Curtis A. Reitz

991-1



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

June 22, 1995

781-1
791-1
991-1

Curtiss A Reitz
PO Box 355
New England, ND 58647

Dear Mr. Reitz:

I am contacting you regarding ownership of land described under Water Right Nos. 781-1, 791-1 and 991-1. You indicated when returning your 1994 irrigation questionnaires that you owned No. 991-1 and legal descriptions in Section 13. My question is whether or not you wish to have the water rights divided and reissued to reflect separate ownership.

Enclosed are copies of the water rights currently listed in your name. Please review them and make any notations necessary concerning ownership status. I also included copies of the inspection reports. If the water rights are to be split, I will need to know which acres, diversion points and portions of the water use systems that should be described for each owner.

If the water rights are to be divided and reissued, the only cost involved will be a transfer fee of \$2.50 for each water right. Thank you for your assistance in this matter and if I can answer any questions for you, please contact me.

Sincerely,

Genny McMath

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

enclosures

DEAR SIRS:

Because of my health I have sold
my land & water rights to my son
DAMON REITZ, 869 28th St N., DICKINSON,
N.D. 58601, — He definitely wants to
continue to water systems. We closed
the deal just lately in December.

Thank You

Curtis C. Best





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 16, 1997

Damon Reitz
869 28th St N
Dickinson ND 58601

Dear Mr. Reitz:

Enclosed are partially completed "Notice of Transfer" forms for use in filing ownership changes on Water Right Nos. 781-1, 791-1 and 991-1. Irrigation questionnaires recently submitted by Curtis Reitz, indicate that you are now the owner of these water rights.

The transfer forms should be checked over for accuracy and signed by you in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 for each transfer (total \$7.50).

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

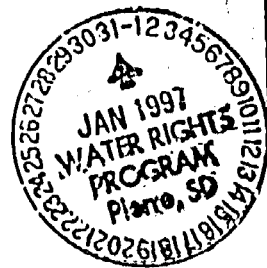
enclosures

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-2181

No. 991-1

Date: 1/28/97



I/We request that Water Right No. 991-1

formerly owned by: Curtis Reitz

be transferred to: (name & address) Damon Reitz, 869 25th St N, Dickinson ND 58601

Telephone No. 701-225-5853

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

691 acres - W 1/2 SW 1/4, SE 1/4 SW 1/4 Section 10; N 1/2, SW 1/4, N 1/2 SE 1/4 Section 15; S 1/2 NW 1/4, N 1/2 SW 1/4, SE 1/4 SW 1/4, SE 1/4 Section 14; all in T21N-R8E

I/We understand that the validity of Water Right No. 991-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

STATE OF ^{NORTH} ~~SOUTH~~ DAKOTA)

County of STARK)

I/We DAMON L. REITZ 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.

Damon L. Reitz
(Signed)

Subscribed and sworn to before me this 28th day of January, 1997.

Pamela R. Pullen
(Notary Public)
PAMELA R. PULLEN
MY Comm. EXPIRES: 4-11-99

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

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

RECEIPT

415237

Division of Water Rights
South Dakota Department of Environment and Natural Resources

Pierre, _____ January 31, 19 97

RECEIVED OF Damon Reitz, 869 28th St., N. Dickinson, ND 58601
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. _____	2 50
Fee for Filing Transfer Form <u>Water Right No. 991-1</u>	
Fee for Filing Extension Request _____	
Fee for _____	

(Any Other Work Provided by Law)

Total

2 50

By *Dale Hatch*
Chief Engineer



991-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 13, 1997

Nos. 781-1

791-1

991-1

Damon Reitz
869 28th St. N.
Dickinson, ND 58601

Dear Mr. Reitz:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 781-1, 791-1 and 991-1.

Our records now show you as the owner of Water Right Nos. 781-1, 791-1 and 991-1.

Sincerely,

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

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3101
www.state.sd.us/denr

October 22, 1998

781-1

791-1

991-1

Damon L Reitz
RR 1 Box 211
Scranton, ND 58653-9761

Dear Mr. Reitz:

Enclosed is a "Notice" dated October 16, 1998 concerning the 1998 irrigation questionnaires. The notice was originally mailed to 869 28th St W, Dickinson, ND. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



991-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 21, 2003

781-1
791-1
991-1

Damon L Reitz
RR 1 Box 211
Scranton ND 58653

Dear Mr. Reitz:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires for Water Right Nos. 781-1, 791-1 and 991-1. In order for the questionnaires to be considered complete, we need to have you include more information..

Please include the pump rate (in gallons per minute) and the hours per day that the systems were running. If you do not have exact pump rates, go ahead and write in an estimate of how many gallons per minute you feel they are running at. We use the information to calculate how much water was used from a specific source.

Please complete the form and return it to us by December 1st. If you have any questions, please contact me.

Sincerely,

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

enclosures

Curtiss Reitz

see
Pintar permit
for rest of map.

R 8 E

10

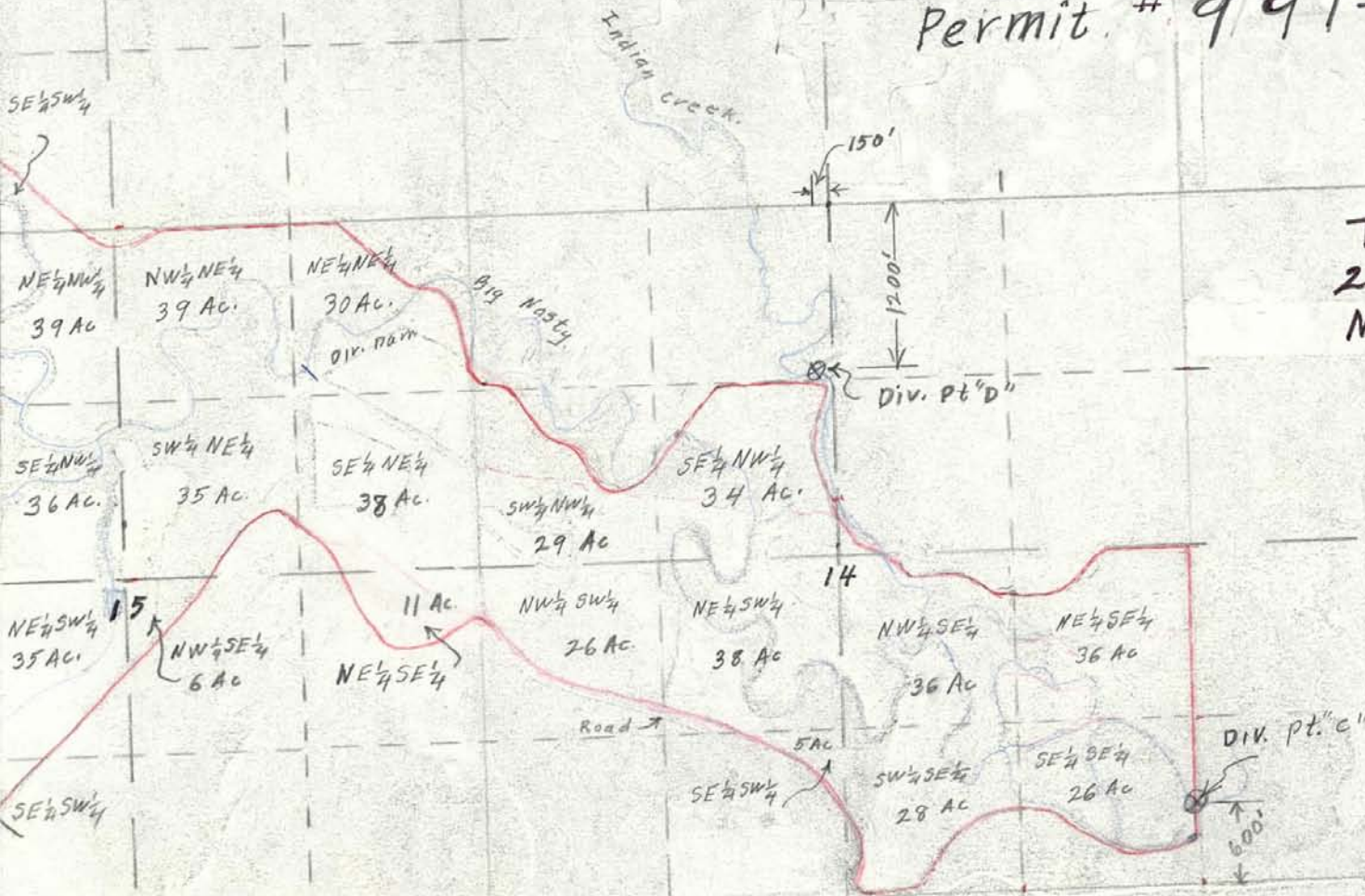
11

12

Curtis Reitz
Permit # 991-1

Office Copy

T
21
N



~~Map 5791~~
991-1

Div. Pt. "B"

NW $\frac{1}{4}$ SW $\frac{1}{4}$
35 AC.

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 12 AC. 6 AC.

991-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 23, 2019

781-1
991-1

Damon L Reitz
3453 Lucke Ln W
Grand Forks ND 58201-9624

Dear Mr. Reitz:

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

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

With regard to the irrigation questionnaire for Water Right No. 781-1, there are notes in the file that you had abandoned irrigation under No. 781-1. If that is still the case, please mark the questionnaire for No. 781-1 confirming your intent. The legal descriptions for each water right are listed on the questionnaires. **If you have not abandoned the use and would irrigate if conditions warrant irrigation, please let us know.**

Sincerely,

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 4, 2024

781-1

991-1

Damon Reitz
1032 David Dr
Grand Forks ND 58201

Dear Mr. Reitz:

Enclosed is a "Notice" dated October 23, 2024, concerning the 2024 Irrigation Questionnaires.

The notice was originally mailed to 3453 Lucke Ln W, Grand Forks ND 58201. The post office notified our office that your address has changed, and your records have been updated accordingly.

This is a time sensitive matter. Please complete and return the enclosed questionnaires or submit your reports online at <https://danr.sd.gov/iq/> using this password *HVFXGJ*.

If this change of address is in-correct, please contact our office immediately to update your contact information.

Sincerely,

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

enclosures

581 NFE 1 A2410010/29/24
RETURN TO SENDER
REITZ DALTON
1032 DAVID DR
GRAND FORKS ND 58201-5754
RETURN TO SENDER
|||