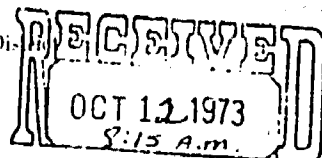


Water Right Number 996-1

1. Considered November 14, 19 73
2. Name of Applicant Leo Weyrich
3. Post Office Address Star Route, Sturgis, S.D.
4. Amount of Water claimed 0.25
5. Source of Water supply Bear Eutte Creek (Dry Draw)
6. Water to be used for Irrigation
- Acres to be irrigated 18
7. Water to be diverted and used in _____ Meade _____ County
about 18E 6N miles _____ of STURGIS
8. Proof of Publication Received ~~11-6-73~~
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Preferred _____

10. Remarks:

No. 9912-1Map No. 824-1 Water Division No. 1 BELLE FOURCHE RIVER Dis.
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE-Draw a line through items not applicable)

1. Name of Applicant Leo WeyrichPostoffice address Star Route 46160, Sturgis, State S. Dak. 57785

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) contract3. Name of diversion work Weyrich Irrigation project4. Amount of water claimed (cubic feet per second) 0.25 cfs5. Source of water supply Bear Butte Creek (Dry Draw)6. Location of point of diversion 700' S 80° W of E½ Cor Sec. 8, T 6 N, R 8 E, 34MCounty Meade7. Annual period or periods during which water is to be used April 1st to Oct 1st8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Total number of acres to be irrigated 18

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.
<u>NE 1/4 Sec. 8, T6N, R8E</u>	<u>18</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 4 years. Additional time required to complete application of water to the proposed beneficial use 4 years.11. Choice of newspaper for Notice of Intent to Appropriate Water publication Sturgis Tribune

12. Principal Features of the Proposed Water Supply System.

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

Pump

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

Pipe and ditch

C. Works proposed to apply water to beneficial use.

Pipe and ditchEstimated Total Cost \$ 2,500Attachments: 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 Meade)I, Leo Weyrich, 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.

Subscribed and sworn to before me this

5th

day of

September1973

Notary Public (or other qualified officer)

4-18-1973

PLAT OF THE WEYRICH IRRIGATION PROJECT

Located in Section 8, Township 6 North, Range 8 East of the B.M. in Meade County, South Dakota, drawn and prepared as a part of the Application for Permit to Appropriate Water of Leo Weyrich, Sturgis, South Dakota, to supply water for irrigation of areas as shown on this plat.

SURVEYOR'S CERTIFICATE

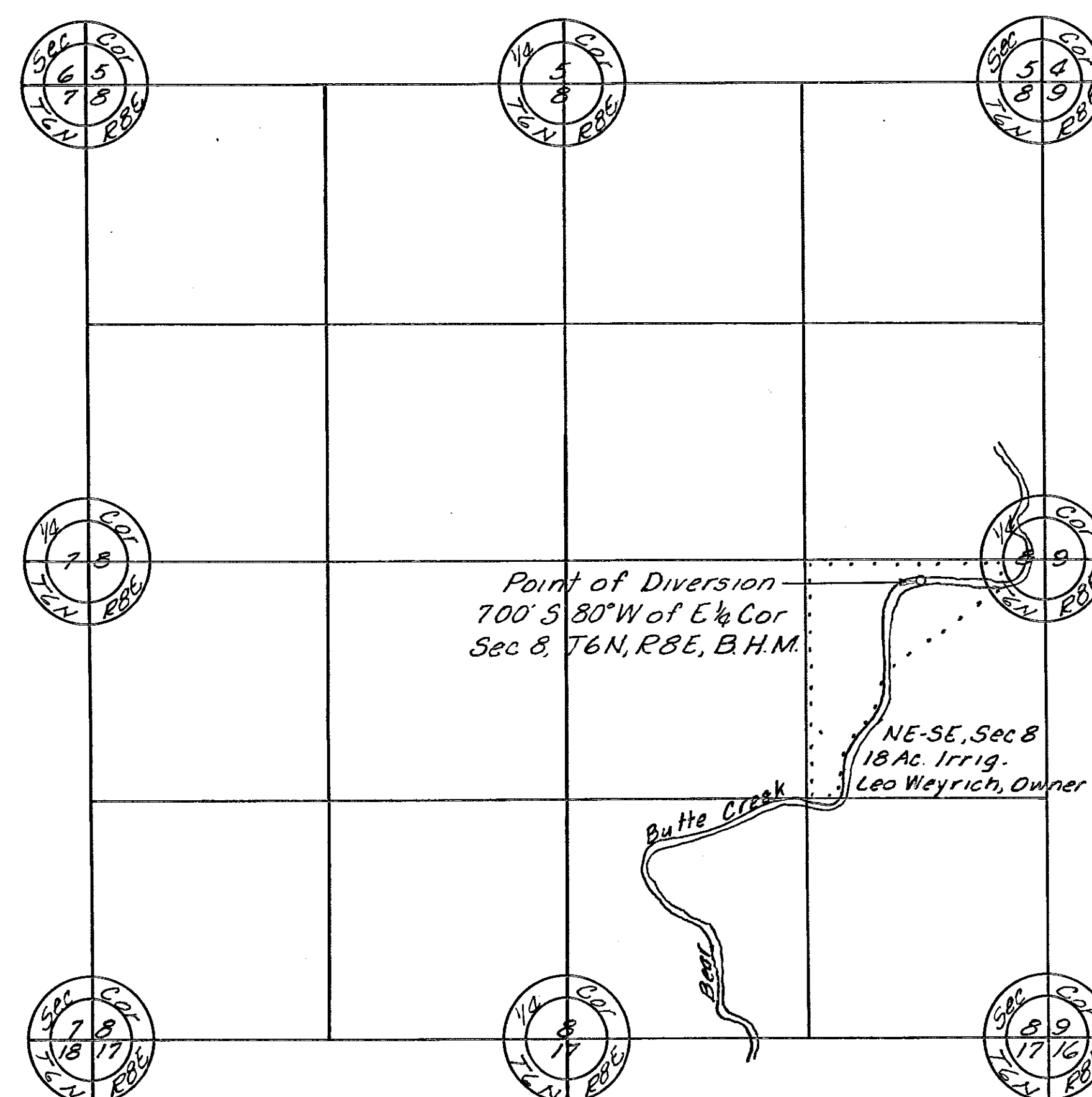
I, William C. Brengle, Registered Land Surveyor in and for the State of South Dakota, do hereby certify that at the request of Leo Weyrich, I have made a survey and have prepared this plat as a part of his Application for a Permit to Appropriate Water for irrigation. I further certify that the bearings 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. Brengle
William C. Brengle
Registered Land Surveyor #1517 (SEAL)

Subscribed and sworn to before me this 18th day of September, 1973.

Florence Brengle
Notary Public (SEAL)

FLORENCE BRENGLE
NOTARY PUBLIC HARDING CO., S. DAK.
My Commission Expires Aug. 1, 1978



N
Scale: 1" = 660'

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 996-1 James P. T. 2-14-84
LEO WEYRICH STURGIS
 (Applicant) (Post Office Address)
SOUTH DAKOTA With the following modifications:
 (State)

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

Date of first receipt of application OCTOBER 12 19 73
 Date of return to applicant for correction, amendments or changes required -- 19 --
 Date of receipt of corrected application -- 19 --
 Approved NOVEMBER 14 19 73 Recorded in Book 12 Page 263

WATER RIGHT PERMIT NO. 996-1

The Water Resources Commission hereby grants and issues this Water Right Permit No. 996-1 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 OCTOBER 12 19 73
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 14 19 75
3. The whole of said work is to be completed on or before NOVEMBER 14 19 77
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 14 19 81
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 .25 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 NOVEMBER 14 19 81; said water to be used during the following described annual period: APRIL 1 TO OCTOBER 1

Witness my hand this 15TH day of NOVEMBER 19 73

WATER RESOURCES COMMISSION

By: Donald D. Murrell
 Chief Engineer, Executive Officer

Certificate of Construction Issued JANUARY 16 19 81

Water License Issued JANUARY 16 19 81

Permit No. 996-1

Water Diversion No. 1 Belle Fourche River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Leo Weyrich

_____ the holder _____ of
Permit No. 996-1, issued upon Application No. 996-1, bearing date of priority of October 10,
1973 authorizing the diversion of .25 cu. ft. per second of the waters of Bear
Butte Creek (dry draw) County of Meade, State of South Dakota at a
point 700' south 80° west of E½ Corner, Section 8-T6N-R8E

_____ for irrigation

proposes, has s 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 .31 cu. ft. per second of water.

Date January 16, 1981

John Hatch

JOHN HATCH, Chief Engineer
Water Rights Division

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 996-1.

(1) WHEREAS, On the 12th day of October A. D. 19 73
Leo Keyrich

made Water Right Application No. 996-1 for a permit to use .25 cubic feet per second of the waters
of Bear Butte Creek (dry draw)
County of Hoodo, State of South Dakota, for irrigation

purposes; and
(2) WHEREAS, On the 14th day of November A. D. 19 73
Permit No. 996-1, with a date of priority of October 12, 1973

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 14th day of November A. D. 19 77 and for the
application to beneficial use of said water on or before the 14th day of November A. D. 19 81

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 .25 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 18 acres in the NE 1/4 SE 1/4, Section 8-T6N-R8E

(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 Leo Weyrich of Sturgis, SD the holder and owner of said permit No. 006-1 a water right, dating from October 12, 1973 to use of 25 cubic feet per second of the waters of Bear Butte Creek (Dry Draw) in the County of Meads and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 700' south 80° west of N. Corner, Section 8-T6N-R8E and conducted to and upon 12 acres of land in NE 1/4, Section 8-T6N-R8E for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 006-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 16th day of January A. D.
Nineteen Hundred and eighty-one

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)

COUNTY OF MEADE) ss

Teresa Shoun

, of said County and State, being

duly sworn on oath says: THE Sturgis Tribune

is a weekly newspaper of general circulation, printed and published in STURGIS in

said County and State and has been such newspaper during the time hereinafter

mentioned; that the said Sturgis Tribune

is a legal newspaper and has been in existence for more than one year

immediately preceding the first publication herein mentioned; and has more than

200 bona fide subscribers; that I, the undersigned, am bookkeeper

of said newspaper, and in charge of the advertising department thereof, and have

personal knowledge of all facts stated in this affidavit; and that the advertisement

headed Notice Intent to Appropriate Water-Weyrich

, a printed copy of which is hereto attached, was printed,

and published in said newspaper for two successive issues, the first

publication being on the 17 day of October, 1973; and the last

publication on the 24 day of October, 1973; that \$ 9.70 being

the full amount of the fee for publication of the annexed notice insures solely to

the benefit of the publishers of the said newspaper; that no arrangement or under-

standing for a division thereof has been made with any person, and that no part

thereof has been agreed to be paid to any other person whomsoever.

Teresa Shoun

Subscribed and sworn to before me this 25 day of October

19 73

Bob Lee

Bob Lee Notary Public, Meade County

My Commission Expires April 12, 1976

No. 996-1
NOTICE, INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
October 13, 1973

Notice is hereby given that Leo Weyrich, whose post office address is Sturgis, 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 2.25 cubic feet of water per second of time from Bear Butte Creek through the Weyrich Irrigation Project, the point of diversion of which is to be located in the NE 1/4 SE 1/4 of Section 8, Twp. 6N, Range 9E, Sd. water to be used for the purpose of providing irrigation on a portion of the following described land: NE 1/4 SE 1/4, Section 8, T6N, R9E, S4. This application (No. 996-1) will be considered by the Water Rights Commission at their office at Pierre upon the 14th day of November, 1973, at 2:30 p.m. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION
By: s/Burton F. Jones
BURTON F. JONES
Water Rights Specialist
Trib. Oct. 17-24

RECEIVED
NOV 6 1973

STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

Form 6 - Notice of Intent to Appropriate Water

996-1

Publish first publication, on or before October 25, 1973

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 15, 1973

Notice is hereby given that Leo Keyrich

whose post office address is Sturgis, 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

.25 cubic feet of water per second of time from the Nez Perce Creek through the Keyrich Irrigation Project, the point of diversion of which is to be located in the

NE 1/4 Sec 8

of Section 8, Twp. 6N, Range 8E. Said water to be used for the purpose of providing irrigation of a portion of the following described land:

NE 1/4 Sec 8, Section 8, T6N, 8E

This application No. 996-1 will be considered by the Water Rights Commission at their office at

Pierre upon the 14th day of November, 1973, at 2:30 P. M. All interested persons may appear and be heard.

~~WATER RESOURCES COMMISSION~~
WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

RWJ/bw

cc: Leo Keyrich, Sturgis, S.D. 57705

Permit No. 996-1Water Division 1 Belle Fourche River Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

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

I have this day made a thorough examination of the water use system constructed by Leo Weyrich
Howes Rt Box 24
of Star Route, Sturgis, S. Dak. 57785 holder
 of Permit No. 996-1, hearing date of priority of October 12, 1973
 authorizing the diversion of .25 cu. ft. per second of the waters of Bear Butte Creek (dry Draw)
 for Irrigation purposes, in Meade County.

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

The Water Use System consists of,

A. Works used to divert the water:

Pump - Homelite, Model AP-220-1, Ser # 80320926
Engine 4 H.P. Briggs & Stratton

B. Works used to transport water to place of use,

2" Aluminum Pipes with Sprinklers
200ft Vynal Flexible Hose

C. Works used to apply water to beneficial use.

Sprinkler & Flood

The system is in the following condition: Good

The point of diversion is located 700ft S80°W of E 1/4 Cor. Sec. 8,
T6N R8E

The works are capable of diverting and conveying to the place of use .31cu. 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:

NE 1/4 SE 1/4 Sec. 8, T6N R8E - 18 Acres

comprising a total of 18 acres of land.License for .25 cfsDate September 8, 1980

Leroy J. McManugh
 (Signature)

RECEIPT

WATER RIGHTS COMMISSION

No 4 7929

State of South Dakota

PIERRE, January 16, 1981

RECEIVED OF Leo Weyrich, Howes Rt. Box 24, Sturgis, SD 57785

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)	996-1	50.00
Fee for inspecting Construction, and issuing Cert. of Construction No.	996-1	
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filling		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL		50.00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH / *JD*

OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE

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

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



May 26, 1988

Leo Weyrich
HC 77, Box 236
Sturgis, SD 57785

Dear Mr. Weyrich:

I am writing in regard of our review of irrigation questionnaire records. No irrigation has been reported for the last five irrigation seasons under Permit No(s). 996-1.

South Dakota Codified Laws state that when any person fails to use water for the purpose for which it was appropriated for a period of three years, or abandons the use of the water, such unused water shall revert to the public. An exception to the law is when there is legal excuse for nonuse of water. Examples of legal excuse for nonuse of water are when water is not available or legal proceedings which prevent the use of water.

Since your permit(s) has (have) not been used for five years, the permit(s) may be subject to cancellation by the Water Management Board unless there is a legal reason for not using water. Please advise by June 17, 1988 if you still want to keep your water right and if there is a reason why water has not been used. Let us know, if you have any questions.

Very truly yours,

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

*John Hatch
Water Rights Division
Dear Sir*

*I still want to keep my water right permit.
No's 996-1.
(The reason for not pumping there was no
water available, at the time I want to use
it. Some times there is only the natural flow not
allowing me to pump. Thank you)
Sincerely,
Leo Weyrich*

996-1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 5, 2007

996-1
1252-1

Leo Weyrich
722 N Huron Ave
Pierre SD 57501

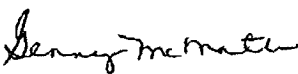
Dear Mr. Weyrich:

Enclosed is a "Notice" dated October 19, 2007 concerning your 2007 irrigation questionnaires. The notice was originally mailed to 20082 145th Ave, Sturgis SD 57785. The post office notified us that your address has changed and I will update our records accordingly.

If you have sold your land, please get in touch with us regarding the new owner so we may direct correspondence to them.

If you have any questions, please contact me.

Sincerely,


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

enclosures

996-1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 30, 2009

996-1
1252-1

Leo Weyrich
722 N Huron Ave
Pierre SD 57501

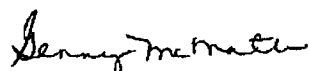
Dear Mr. Weyrich:

Thank you for the prompt return of the 2009 irrigation questionnaires for Water Right No. 996-1 and Water Permit No. 1252-1.

Also, thank you for the note concerning the upcoming ownership changes. I am sending you two "Notice of Transfer of Ownership" forms to give to your sons after ownership of the land changes hands. Please have them complete the forms and return them to our office with a required filing fee of \$50.00 each.

If you have any questions, please contact me.

Sincerely,


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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

August 15, 2011

996-1
1252-1

Robert Weyrich
722 N Huron
Pierre SD 57501

Dear Mr. Weyrich:

I am contacting you in regard to ownership of land described in Water Right No. 996-1 and Water Permit No. 1252-1. These are still listed in Leo's name. A year ago, I visited with you about transferring the water rights. I believe you stopped in the office and picked up transfer forms last fall sometime.

In another month or so we will be mailing out the 2011 irrigation questionnaires. We need to get ownership straightened out so correspondence can get to the correct owner. I have enclosed another set of transfer forms for your use in updating the ownership. A \$50.00 fee is required for each transfer.

I recall from our last conversation that some of the land would be owned by your brother. Let me know if I need to send him a form or if you are going to send it on to him for signature. Thanks in advance for your help.

Sincerely,

A handwritten signature in black ink that reads 'Genny McMath'.

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

enclosures

RECEIVED

NOV 10 2011

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 996-1

Date: 11-08-2011

I/We request that Water Right No. 996-1

formerly owned by: Leo Weyrich

be transferred to: (name & address) Bruce Weyrich, 20080 145th Ave, Sturgis SD 57785

Telephone No. 605-347-2469

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

18 acres - NE 1/4 SE 1/4 Section 8, T6N, R8E

I/We understand that the validity of Water Right No. 996-1 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 Bruce Weyrich, the new owner, certify that the above information is true and correct.

Bruce Weyrich
(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.

LIFE ON THE FARM
© DEBBIE MUMM

BRUCE WEYRICH
DARCI WEYRICH
605-347-2469
20080 - 145TH AVE.
STURGIS, SD 57785

784914

5070

11-8 2011



PAY TO

the order of

Walter Right Program

\$ 50.00

DOLLARS

WELLS FARGO BANK N.A.
SOUTH DAKOTA
WELLSFARGO.COM

for

Walter Right

Be Wey

⑆091400046⑆0150081330⑆05070

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 11/10, 20 11

RECEIVED OF Bruce Weyrich 20080 145th Ave Sturgis SD 57785

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>996-1</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	50 00

No. **05063**

By

Paul Erbe
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

November 17, 2011

996-1

Bruce Weyrich
20080 145th Ave
Sturgis SD 57785

Dear Mr. Weyrich:

I am writing to acknowledge receipt of the transfer of ownership and filing fee for Water Right No. 996-1.

The ownership change has been completed. The water right formerly listed in the name of Leo Weyrich is now listed in your name. Enclosed for your records is Receipt No. 05063 in the amount of \$50.00.

Just a reminder, the 2011 irrigation questionnaire for this permit is still required and needs to be submitted prior to **December 2nd**. The form was mailed to Robert in mid October. I am assuming you did not get a copy of it so I am enclosing an additional form.

If you have any questions, please contact me.

Sincerely,

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

enclosure



996-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2013

NOTICE

TO: BRUCE WEYRICH, 20080 145TH AVE, STURGIS, SD 57785

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire has not been submitted for Permit No(s) 996-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **8:30 am, March 7, 2013**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 996-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

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YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
23032160000008022182		Delivered	January 22, 2013, 10:47 am	STURGIS, SD 57785	Signature Confirmation™ Proof of Delivery
		Notice Left	January 19, 2013, 4:26 pm	STURGIS, SD 57785	
		Notice Left	January 19, 2013, 9:01 am	STURGIS, SD 57785	
		Out for Delivery	January 19, 2013, 7:23 am	STURGIS, SD 57785	
		Sorting Complete	January 19, 2013, 7:13 am	STURGIS, SD 57785	
		Arrival at Post Office	January 19, 2013, 6:47 am	STURGIS, SD 57785	
		Processed through USPS Sort Facility	January 19, 2013, 1:44 am	RAPID CITY, SD 57701	

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Postal Service® Signature Confirmation® Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 2182BRUCE WEYRICH
20080 145TH AVE
STURGIS SD 57785Waiver of Signature ☐ YES ☐ NOPostmark
Here*Delivered**1-22-13***POSTAL CUSTOMER:**Keep this receipt. For Inquiries:
Access internet web site at
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PS Form 3800, May 2002

(See Reverse)



996-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

March 8, 2013

NOTICE OF AMENDMENT OF WATER RIGHT

TO: BRUCE WEYRICH, 20080 145TH AVE, STURGIS, SD 57785

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

SUBJECT: Amendment to Water Right No. 996-1

On March 7, 2013, the Water Management Board amended Water Right No. 996-1 to add the following qualification:

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

This action was taken for failure to return the 2012 irrigation questionnaire. The addition of this qualification to your water right means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water right with no use of water for up to one year for the first violation.

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

CERTIFICATION

I hereby certify that on March 8, 2013, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated March 8, 2013 regarding cancellations addressed as stated below:

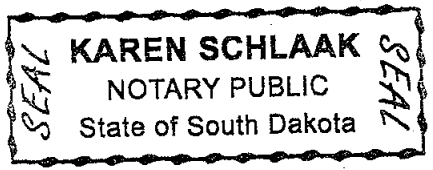
Edward Patrick Henry, PO Box 11, White Clay NE 69365 #672-2
Richard Will, 1104 Vista Dr, Milbank SD 57252 #4084A-3
Lane Tekrony, 47840 180th St, Clear Lake SD 57226 #2954-3
Jeff & Jeril Kessel, 2114 Mustang Lane, Spearfish SD 57783 # 508A-1
Robert Hattum, 21744 W Bend Rd, Harrold SD 57536 #6168-3
Cabbage Patch Ranch, Pete Reinert, 19153 Vista Pl, Howes SD 57748 #'s 1921-1 & 1922-1
Wendell Schubloom, 20608 Hwy 25, DeSmet SD 57231 # 3937-3
Duane Rogers, 13575 383rd Ave, Aberdeen SD 57401 #2943-3
Donald Schmidt, 19053 427th Ave, Willow Lake SD 57278 #'s 2696-3A & 4414-3
Bruce Weyrich, 20080 145th Ave, Sturgis SD 57785 #996-1
Burnell & Helen Gaskins, 821 Fox Run Rd, #124, Rapid City SD 57701 #953-1
Samuel & Angela Fousek, 29972 396th Ave, Wagner SD 57380 #2323A-3Brink Bros, Todd
Brink, 5825 7th Ave SW, Watertown SD 57201 #2717-3A


Gail Jacobson
Secretary/Water Rights

[illegible]

Sworn to, before me, this 8th day of March, 2013.

Karen Schlaak
Karen Schlaak
Notary Public
My Commission expires April 1, 2013





996-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2014

NOTICE

TO: BRUCE WEYRICH, 20080 145TH AVE, STURGIS, SD 57785

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

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaire(s)

Our records indicate that the 2013 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 996-1. The request for the Questionnaire was dated October 18, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 Irrigation Questionnaire(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) 996-1 qualification:

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

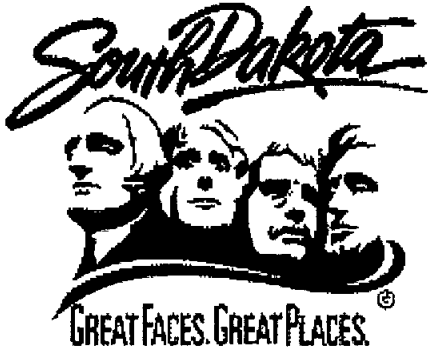
The hearing will be held at **9:00 am, March 6, 2014** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According 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) 996-1 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 3, 2014**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

February 4, 2014

996-1

Bruce Weyrich
20080 145th Ave
Sturgis SD 57785

Dear Mr. Weyrich:

I am writing to acknowledge receipt of your 2013 irrigation questionnaire.

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Right No. 996-1. 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,

A handwritten signature in cursive script that reads "Genny McMath".

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



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

January 19, 2024

NOTICE

TO: BRUCE WEYRICH, 20080 145TH AVE, STURGIS, SD 57785

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaire(s)

Our records indicate your 2023 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 996-1. The request for the Questionnaire was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 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) 996-1 qualification:

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

The hearing will be held at **Wednesday, March 6, 2024 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 996-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 6, 2024** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: ZALDLZ**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 31, 2024

996-1

Bruce Weyrich
20080 145th Ave
Sturgis SD 57785

Dear Mr. Weyrich:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 996-1. The information was received prior to the March 6, 2024, Water Management Board meeting and this permit number has been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

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



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

January 14, 2025

NOTICE

TO: BRUCE WEYRICH, 20080 145TH AVE, STURGIS, SD 57785

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 996-1. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 996-1 qualification:

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

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

1. Suspend or cancel Permit No(s) 996-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: EJUOOH**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 6, 2025

996-1

Bruce Weyrich
20080 145th Ave
Sturgis SD 57785

Dear Mr. Weyrich:

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

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 996-1. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

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

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 14, 2025

996-1

Bruce Weyrich
20080 145th Ave
Sturgis SD 57785

Dear Mr. Weyrich:

I write to you today in response to the 2025 Irrigation Questionnaire information submitted for Water Right No. 996-1.

Water Right No. 996-1 authorizes diversion of 0.25 cubic feet of water per second (approx. 110 gpm) from Bear Butte Creek for irrigation of 18 acres located in the NE ¼ SE ¼ Section 8-T6N-R8E, Meade County.

On this year's report the selection of "System Not Constructed" has been made, with irrigation last reported in 1994. Pursuant to SDCL 46-5-37, water appropriated under a permit/right that is not placed to beneficial use for a period of three (3) or more years, is subject to cancellation for abandonment, or forfeiture, or both. However, AR 74:02:01:37.1 allows for certain legal excuses for non-use.

Please contact me via email or telephone to discuss the possible cancellation of Water Right No. 996-1.

Sincerely,

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