

" Considered: _____

WATER PERMIT NO. 2106-2

HAP No. same 341-1798

Name of Applicant Paul & Lana Wright

Post Office Address HCR 41, Box 7016, Rapid City SD 57702

Amount of Water Claimed 0.089 cfs Total Acres ~~4.4~~ 2.8 acres

Source of Water Supply ground water - 1 well

Water to be used for irrigation → Domestic County _____

About _____ miles S edge of Rapid City

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received 10/10/89 Fee \$50⁰⁰ Remarks 20gpm - domestic
20gpm - irrigation

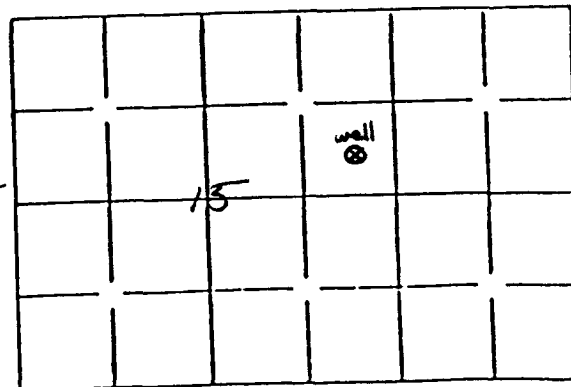
Corrected Application Received 4/10/90 10/21/89 Period of Annual Use Jan 1 - Dec 31

WATER QUALITY APPROVAL RECEIVED MA 6/6/90 APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point well: NW¹/₄ SE¹/₄ NE¹/₄
section 15 - T1N - R7E

Land to be Irrigated ~~same as~~ same as diversion point



Well Log: Driller Dennis V. Johnson No test hole Licensed YES ☒ NO ☐

Depth of Well plat REMARKS _____

Type of Map plat PREPARED BY Robert Moreau Reviewed and the Number

assigned on December 5, 1989 By Eric Gronlund

April 11, 1990

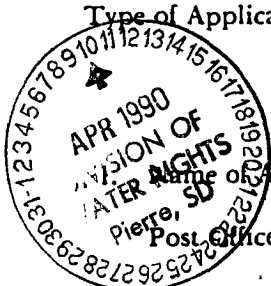
Eric Gronlund

(See instructions)

No. 2106-2 Hydrologic Unit 10120110
Basin Upper Cheyenne
Newspaper Rapid City Journal Box 450 Rapid City
SD 57709

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☒ Other Domestic use



Name of Applicant Paul & Lana Wright Phone No. _____
Post Office Address HCR 41, Box 7016 Rapid City State SD Zip Code 57702
(Street, RR or Box) (City)

2. Amount of water claimed (c.f.s) 0.089 Total acres irrigated 2.8
3. Source of Water supply ground water - 1 Madison well
4. Location of point of diversion well: SE $\frac{1}{4}$ NE $\frac{1}{4}$ section 15-T1N-R7E
County Pennington
5. Counties where water will be used Pennington
6. Annual period during which water is to be used Jan 1 - Dec 31 (domestic), Apr 1 - Sept 30, (Irr)
7. 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.
SE $\frac{1}{4}$ NE $\frac{1}{4}$ sec 15-T1N-R7E	2.8

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____ Other: sprink
9. Crops to be Irrigated: lawn, garden & shrubs
10. Give a description of proposed project. (Attach sheet if more-space is needed)

Well water to serve two residences for domestic use of approximately 20 gpm and for automatic irrigation system use of approximately 20-25 gpm. Water from a 2nd Madison well.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Pennington) ss

I, Lana Wright, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Lana J. Wright

Subscribed and sworn to before me this 2 day of February 19 90

Doris J. Schultz
Notary Public

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- Drill Hole Diameter 8 3/4" & 6 1/4" Depth 800' & 2200'
- Casing Type Steel Diameter 7" Thickness 1/4"
- Screen Type open hole Diameter _____ Thickness _____
- Gravel Pack Thickness _____ Length of Gravel Pack _____
- Depth to Top of Water Bearing Material 2000' Madison
- Depth to Water (ground surface to water level) 400' est.
- Distance to nearest existing domestic well: 600'

On applicants property _____ On property owned by others X 600' deep
To well

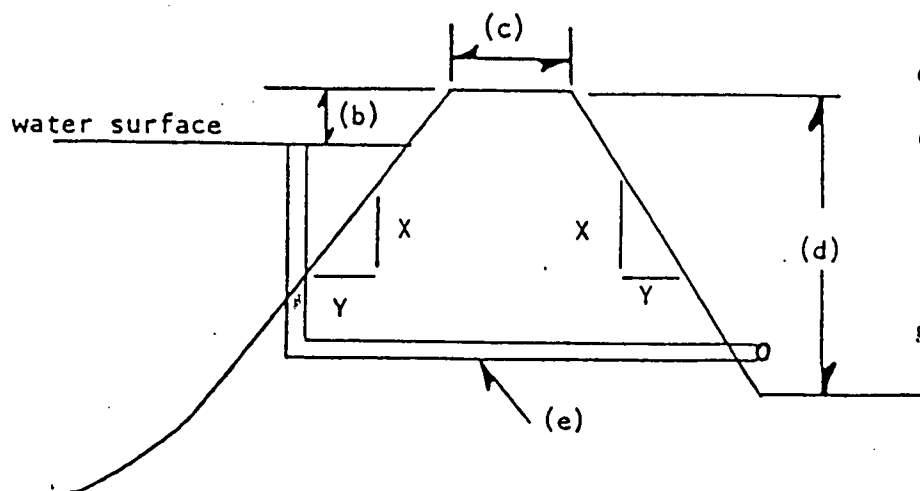
2. Dugout Information Estimates

- Surface Dimensions _____ Depth _____
- Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- If a private engineering firm or government agency was involved in the design of this dam please give their name and address



- Freeboard _____
- Crest Width _____
Crest Length _____
- Height _____
- Primary Outlet Capacity _____
If Pipe, diameter _____
- Secondary Spillway Capacity _____
Spillway width _____
- X & Y Slope
Upstream _____
Downstream _____
- Surface Area of Impoundment _____
- Storage _____ acre feet
- Drainage area above dam _____

Signature of Applicant _____

SOUTH DAKOTA
WATER PERMIT No. 2106-2 FOR IRRIGATION

Date of first receipt of application October 10, 1989.

Date Soil/Water Compatibility Permit received June 6, 1990.

Date of return to applicant for corrections, amendments or changes
October 12, 1989.

Date of receipt of corrected application April 10, 1990.

The Water Management Board approved Water Permit Application No. 2106-2 on October 3, 1990 for Paul & Lana Wright, HCR 41, Box 7016, Rapid City, SD 57702 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2106-2 appropriates 0.089 cubic feet of water per second for one well (Madison Formation) 2100 feet deep for domestic use and irrigation of 2.8 acres. The well and irrigated acreage are to be located in the SE1/4 NE1/4 Section 15 T1N-R7E. This permit authorizes use of approximately 20 gallons per minute (gpm) for domestic use and 20 gpm for irrigation.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: January 1 - December 31 for domestic use and April 1 - September 30 for irrigation use.
3. The date from which applicant may claim right is June 6, 1990.
4. One-fifth of the construction is to be completed on or before April 3, 1993.
5. All construction is to be completed on or before October 3, 1995.
6. Water is to be put to beneficial use on or before October 3, 1999.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

(continued)

Water Permit No. 2106-2
Page 2

2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: _____

John H. Hartsch
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

DEC 19 1990

(date)

SOUTH Dakota Department of
Water & Natural Resources

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

RECEIVED OCT 19 1989



October 12, 1989

Paul & Lana Wright
HCR 41, Box 7016
Rapid City SD 57702

Dear Mr. & Mrs. Wright:

This letter is in response to your water permit application received on October 10, 1989. The following information is needed to complete the application:

- 1) The application indicates water is to be used for irrigation of a landscape area. Please state the size of the area and exactly what is being irrigated, lawn, garden, etc.
- 2) The application fee to divert 40 gpm is \$50.00. Enclosed is your check for \$150.00, please remit the correct application fee.

The application can not be considered by the Water Management Board until the application is complete. Please respond to the above questions to begin processing of your application.

If you have any questions, please contact me.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enc.



SOUTH Dakota Department of
Water & Natural Resources

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



January 3, 1990

Paul & Lana Wright
HCR 41, Box 7016
Rapid City SD 57702

Dear Mr. and Ms. Wright:

I am writing in response to your water permit application for 40 gpm for domestic and irrigation purposes from one Madison well. The following is needed to complete your application:

- 1) Jim Stukel with the Department of Agriculture needs to receive your application on the correct type of form when applying for a soil/water compatibility (SWC) permit. The SWC permit is needed due to the proposed irrigation of approximately 2.8 acres. The information supplied on your original application has been transferred to the enclosed application with some modifications. Please review the partially completed applications, sign the applications in the presence of a notary public and return the applications to me.
- 2) A soils map will also be needed of the 2.8 acres that are to be irrigated and a water sample will also need to be analyzed. The enclosed instruction sheet explains the procedure to be followed.

The water permit application can not be considered by the Water Management Board until an approved SWC permit is received from the Department of Agriculture.

If you have any questions regarding the above items, please contact Jim Stukel (605 773-3259).

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enc.



HCR 41, Box 7016
Rapid City, SD 57702

March 31, 1990

Ron Duvall
Natural Resources Engineer
South Dakota Department of Water and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Dear Mr. Duvall:

Enclosed, I think, are all items necessary to complete the application process for water permit usage for a well completed last December, 1989, on my home property.

I have included a revised "Application for Permit to Appropriate Water Within the State of South Dakota," an "Application for Soil/Water Compatibility Permit and Permit to Appropriate Water," a soils map of the area to be irrigated, and a water sample was sent previously to the Water Quality Laboratory, Brookings, South Dakota. I have also enclosed the well driller's log.

Please let me know if there is any further information or revision of information necessary to complete the application process.

I look forward to hearing from you.

Sincerely,

Lana J. Wright

Lana J. Wright

Enclosures

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411950

Pierre, October 27, 19 82

RECEIVED OF Paul J. Wright, HC 41, Box 7016, Rapid City, SD 57702

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

Fee for Application for Permit No. <u>2106-2</u> to Appropriate Water, to construct works 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 _____		
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/mra
Chief Engineer John Hatch/mra

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4502

WR#

OWNERS NAME: PAUL & LANA WRIGHT

OWNERS ADDRESS: ACR 41, BOX 7016

RAPID CITY, SD 57702

COUNTY LAND LOCATED IN: PENNINGTON PHONE: 341-1793

LEGAL DESCRIPTION:

1. LOCATION SE 1/4 NE 1/4 15-T1N-R7E

☒ Well

☐ Surface

Depth _____

Legal Description	Acres	Legal Description	Acres
SE 1/4 NE 1/4 15-T1N-R7E	2.8		

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: Sprinkler
(Specify)

3. CROPS TO BE IRRIGATED: Lawn, Garden & Shrubs

WATER QUALITY:

4. WATER SAMPLE NUMBER: 90-0053

7. ADJUSTED (SAR): 1.09

5. SALINITY (EC X 10⁶): 1550

8. PERCENT SODIUM 7.77

6. SODIUM (SAR): 0.47

Requirements:

The soil, Hilger Cobbly loam contains cobble size rock throughout the soil profile. The cobbles present both a headache and make the area questionable for irrigation. In landscaping the area, the removal of these cobbles will be necessary and the addition of top soil may be required.



[Signature]
Director, Division of Conservation

☒ APPROVED
☐ DISAPPROVED
☐ WAIVER

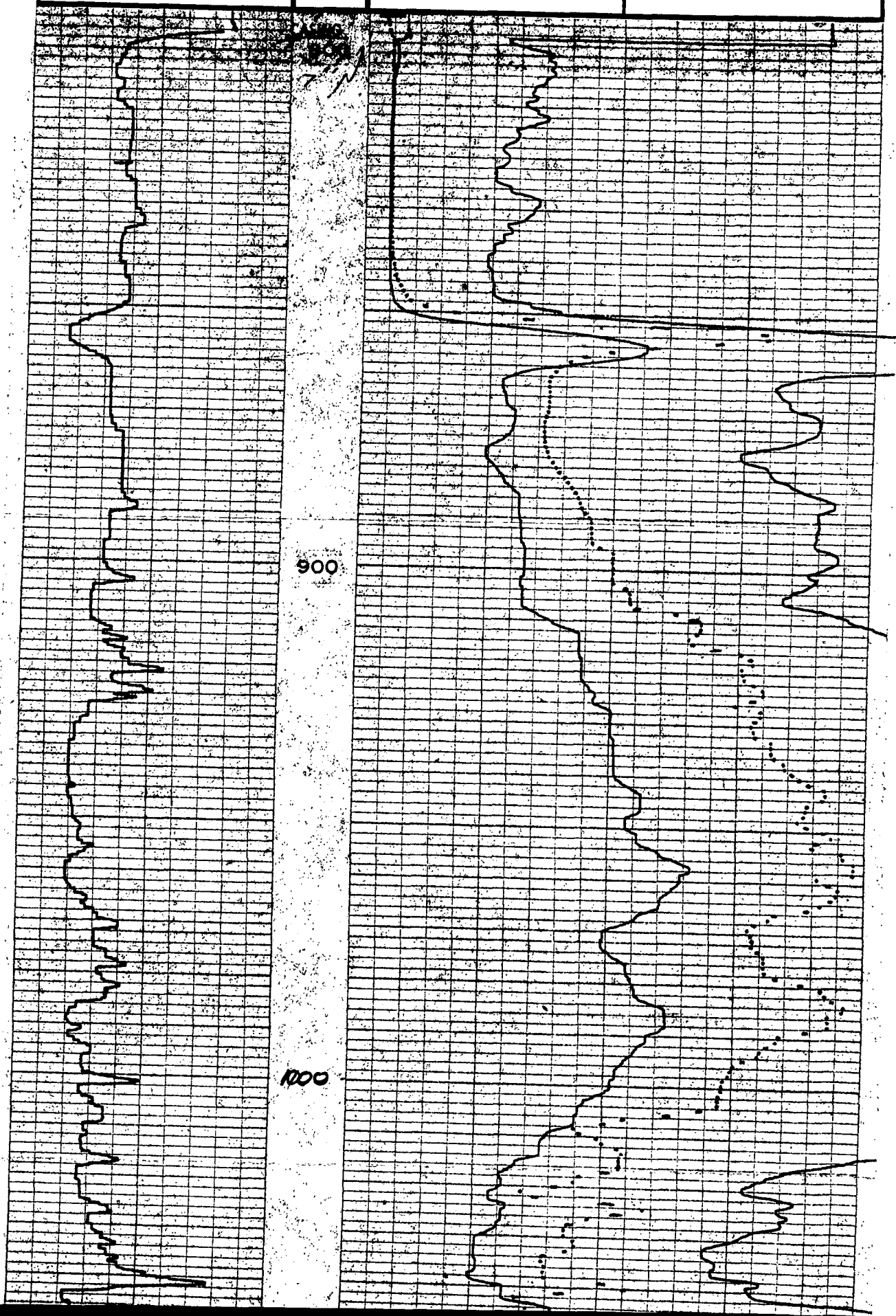
☒ REQUIREMENTS

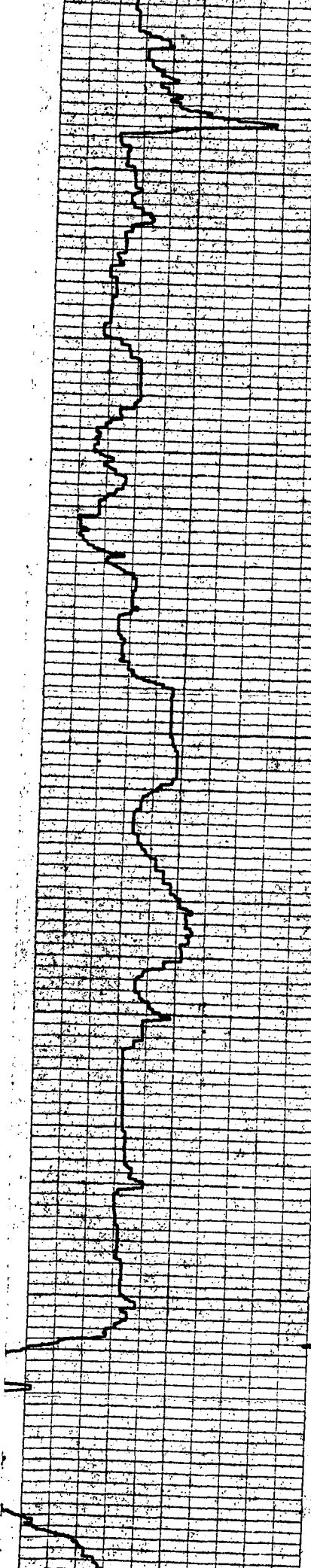
June 4, 1990
Date

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

0	- LONG NORMAL
0	250

RESISTIVITY

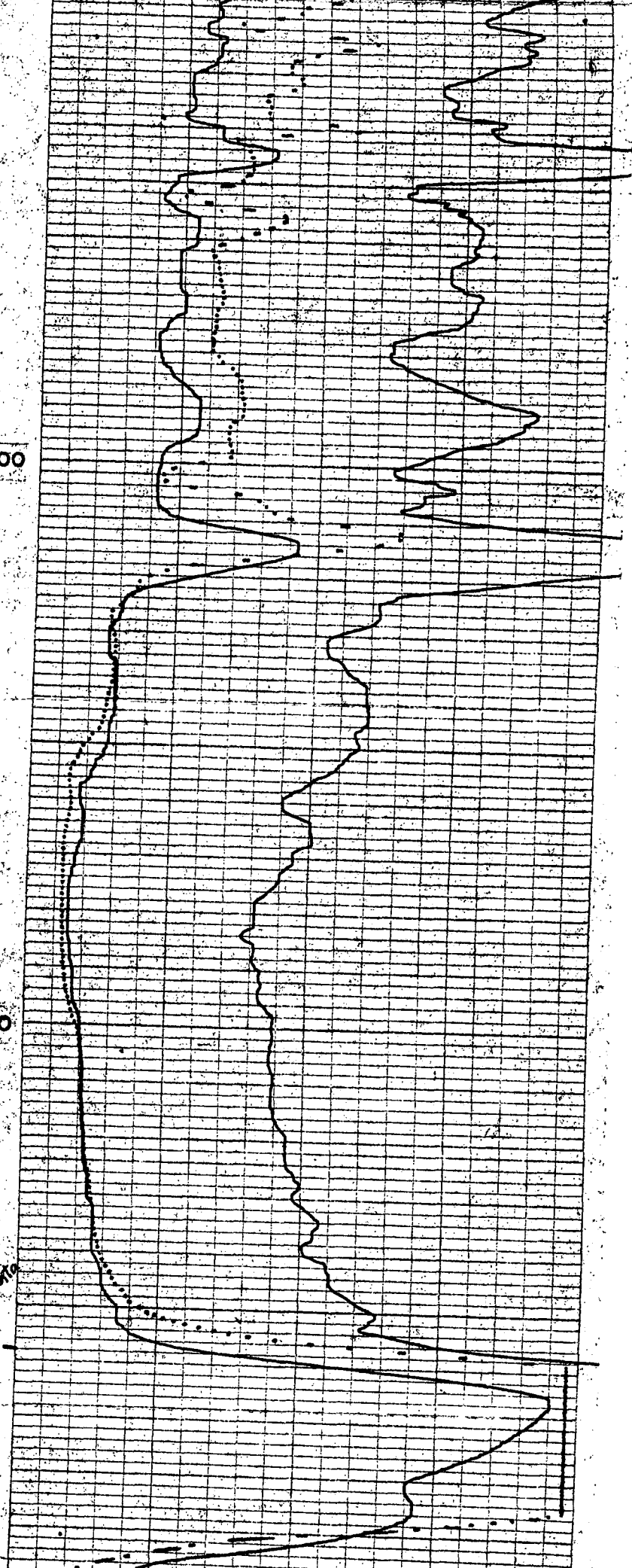


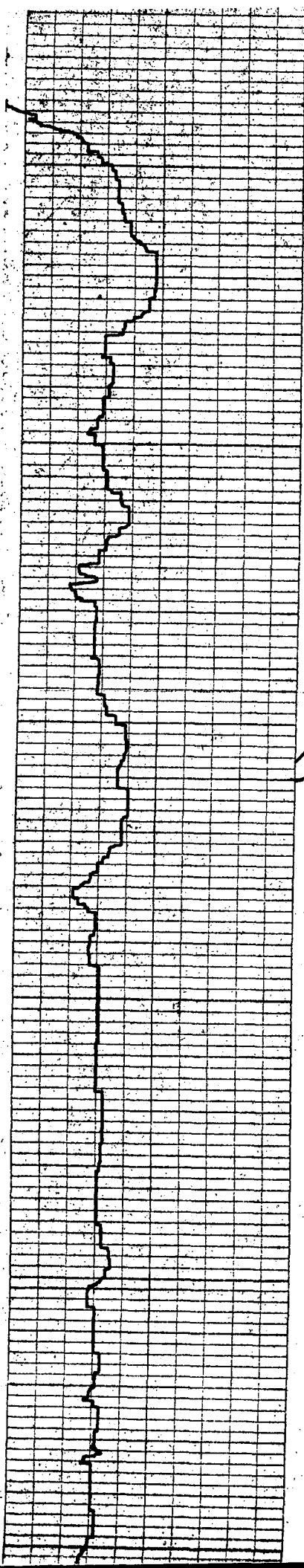


1100

1200

Minneapolis





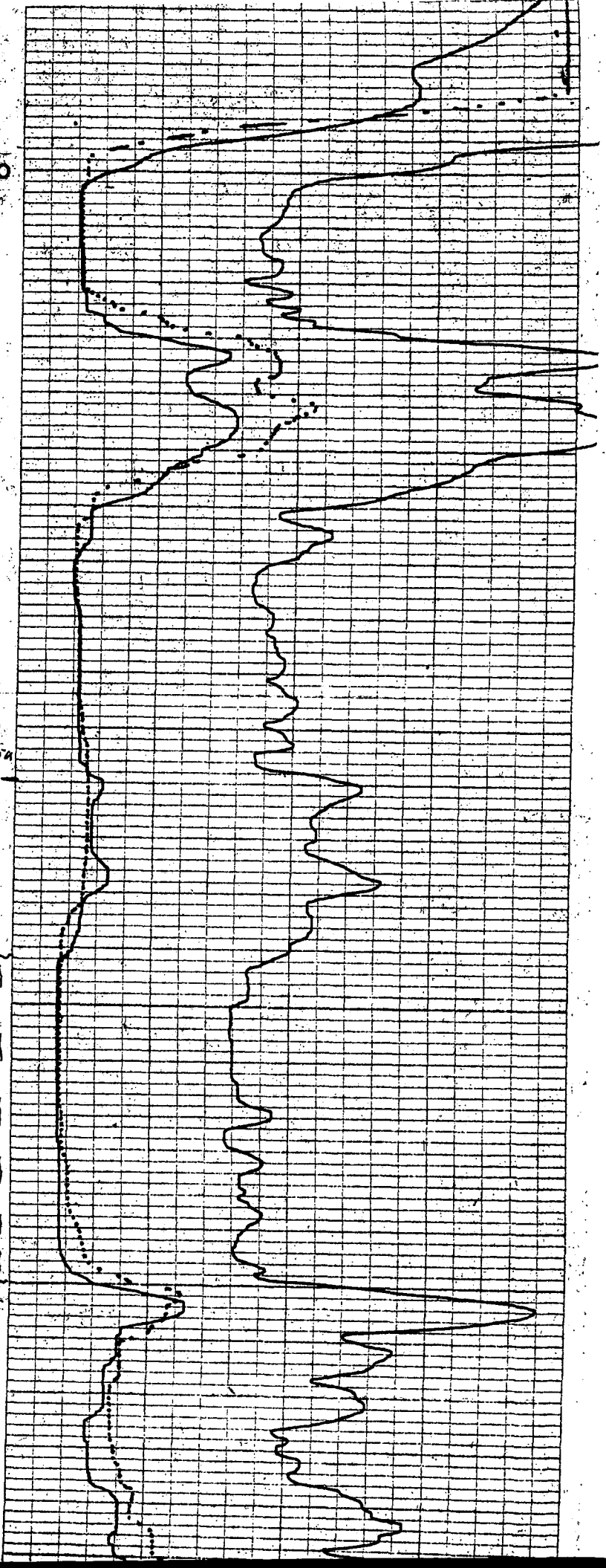
1300

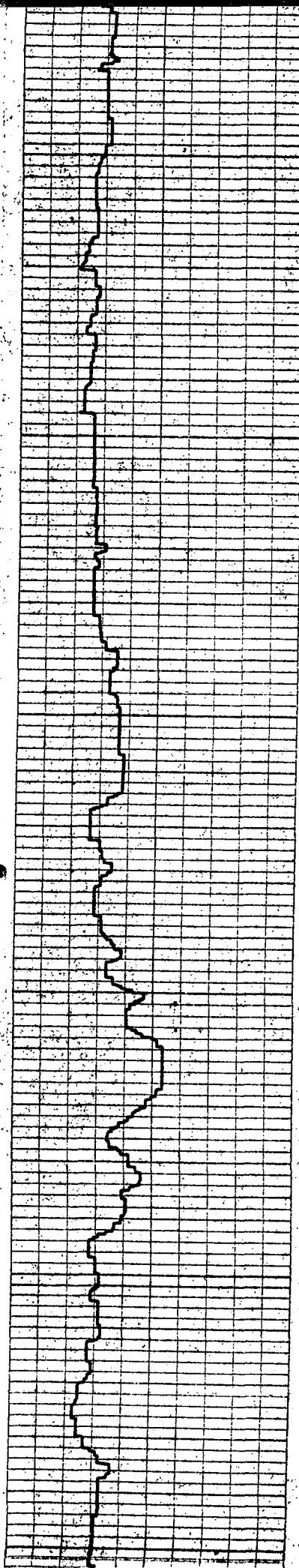
1400

Minelusa

Minelusa
No
zone

1500

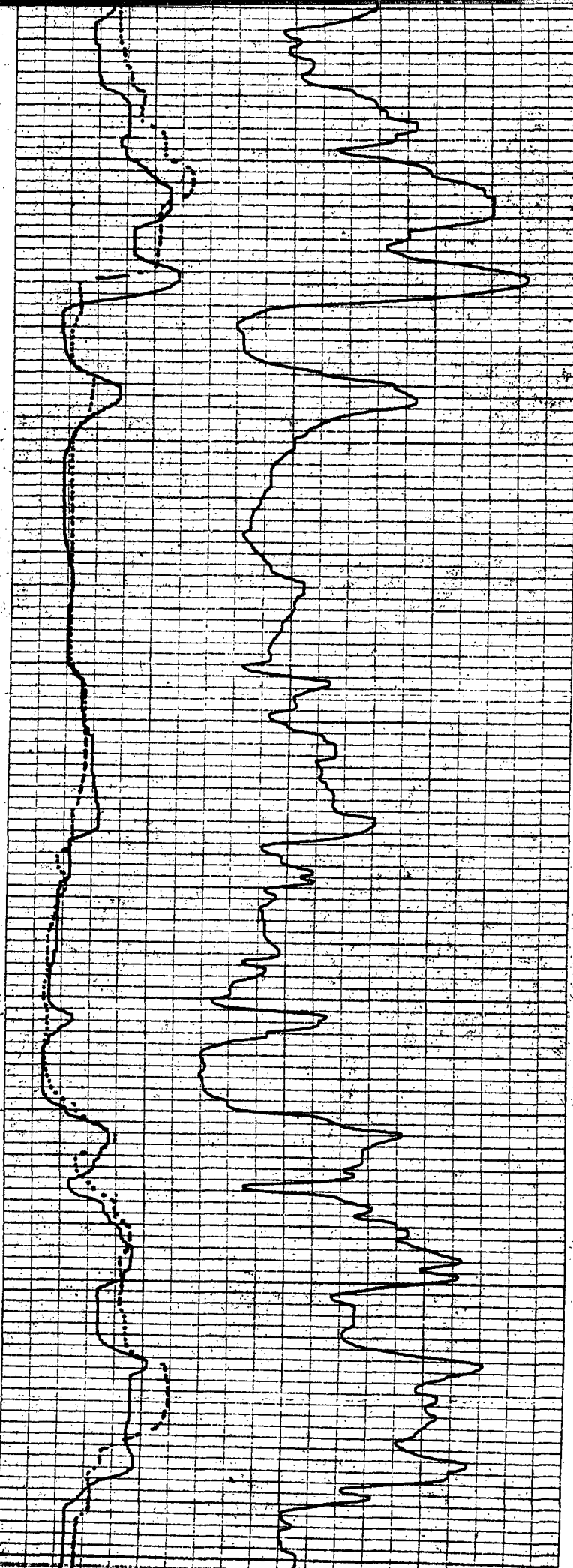


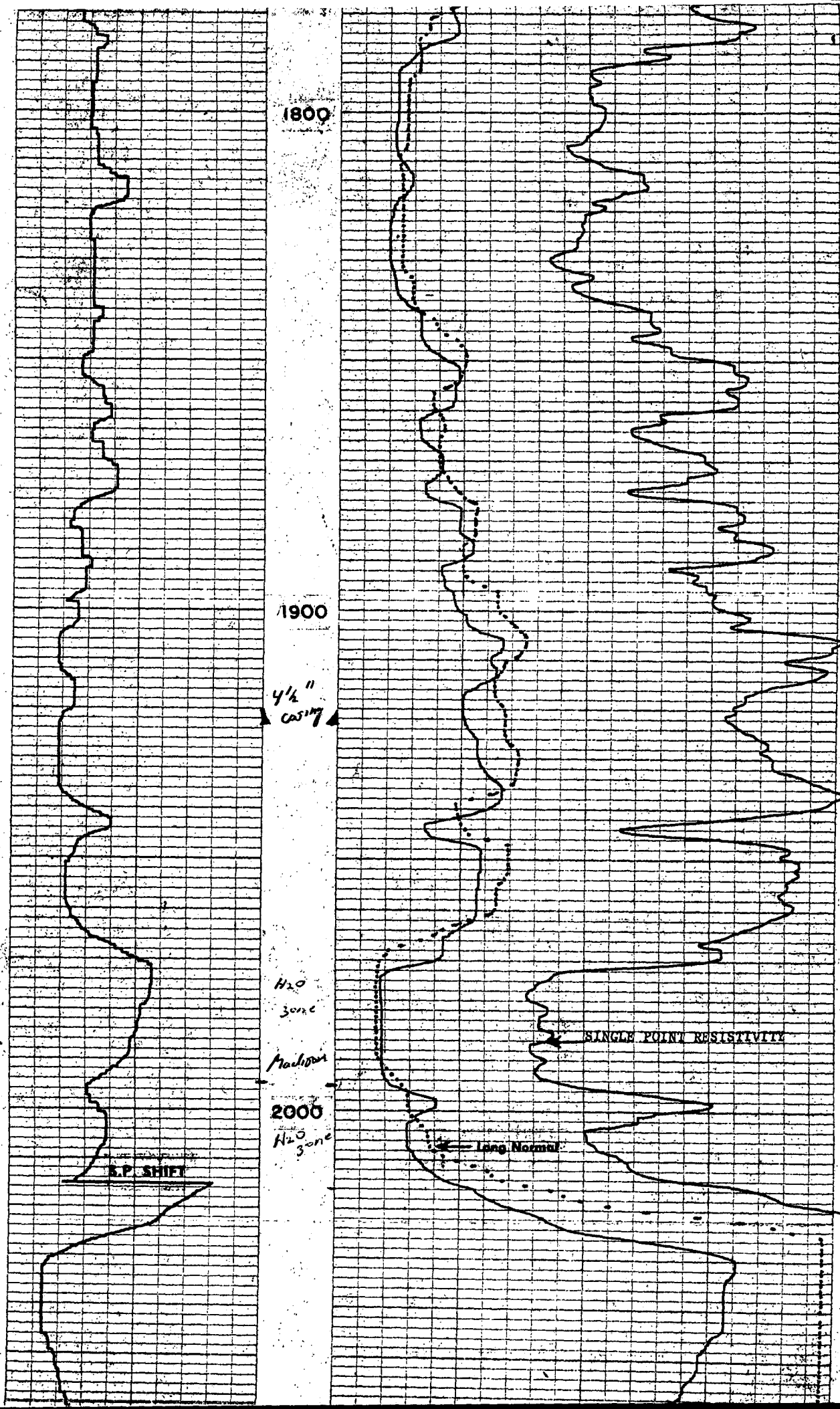


1600

1700

1800





1800

1900

4 1/2" casing

H2O zone

Madison

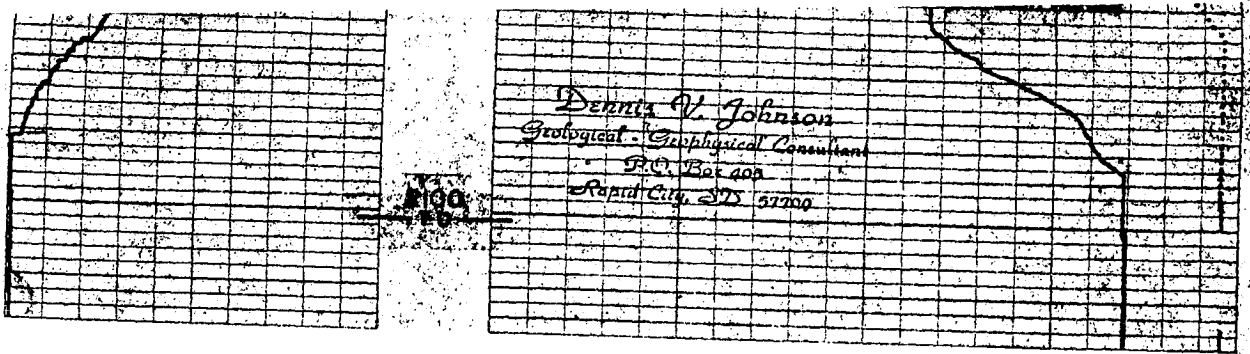
2000

H2O zone

S.P. SHIFT

SINGLE POINT RESISTIVITY

Long Normal



*file:
well log*



PROJECT: Wright Site Development
Rapid City, South Dakota

PROJECT #: TSP #0288146

RE: Irrigation System Design Analysis

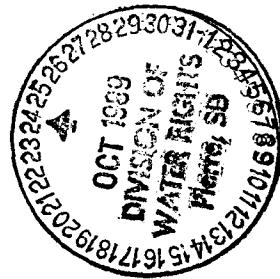
DATE: September 11, 1989

PREPARED BY: Randy Fisher, ASLA

	EAST TURF AREAS		WEST TURF AREAS		SHRUB AREAS	GARDEN AREAS
Number of Zones	10 zones		7 zones		18 zones	5 zones
Number of Heads	72 heads		68 heads		206 heads	34 heads
Average Area/Head	368 SF		1,225 SF		49.5 SF	70 SF
Total Irrigated Area	26,500 SF		83,300 SF		10,200 SF	2,400 SF
Average Discharge	12.2 gpm		24 gpm		17.2 gpm	8.2 gpm
Maximum Discharge	17 gpm		25 gpm		21 gpm	12 gpm
Head Discharge	1.7 gpm		2.5 gpm		1.5 gpm	1.20 gpm
Operating Pressure	30-40 psi		30-40 psi		20-30 psi	20-30 psi
Precipitation Rate	0.45 inch/hour		0.20 inch/hour		2.92 inch/hour	1.65 inch/hour
Moisture Requirements	1.0 inch/week		1.0 inch/week		1.0 inch/week	1.0 inch/week
Duration/Zone	45 min/day		100 min/day		20 min/day	12 min/day
Duration/Cycle	7.5 hours/cycle		11.7 hours/cycle		6.0 hours/cycle	1.0 hours/cycle
Frequency	3 days/week		3 days/week		1 day/week	3 days/week
Days of Week	M / W / F		T / TH / SAT		SU	M / W / F
Operating Time	10:00pm to 5:30am		8:00pm to 7:40am		12:00pm to 6:00am	6:00am to 7:00am
Water Consumption/Day	5,508 gal/day		17,000 gal/day		6,180 gal/day	490 gal/day
Water Consumption/Week	16,524 gal/week		51,000 gal/week		6,180 gal/week	1,468 gal/week

Irrigation System Summary

Total Irrigated Area.....122,400 SF
Maximum Discharge.....25 GPM
Operating Pressure.....35 PSI
Moisture Requirements.....1.0 inch/week
Frequency.....7 days/week
Operating Time.....8:00pm to 8:00am
Water Consumption/Day.....17,000 gal/day
Water Consumption/Week.....75,172 gal/week



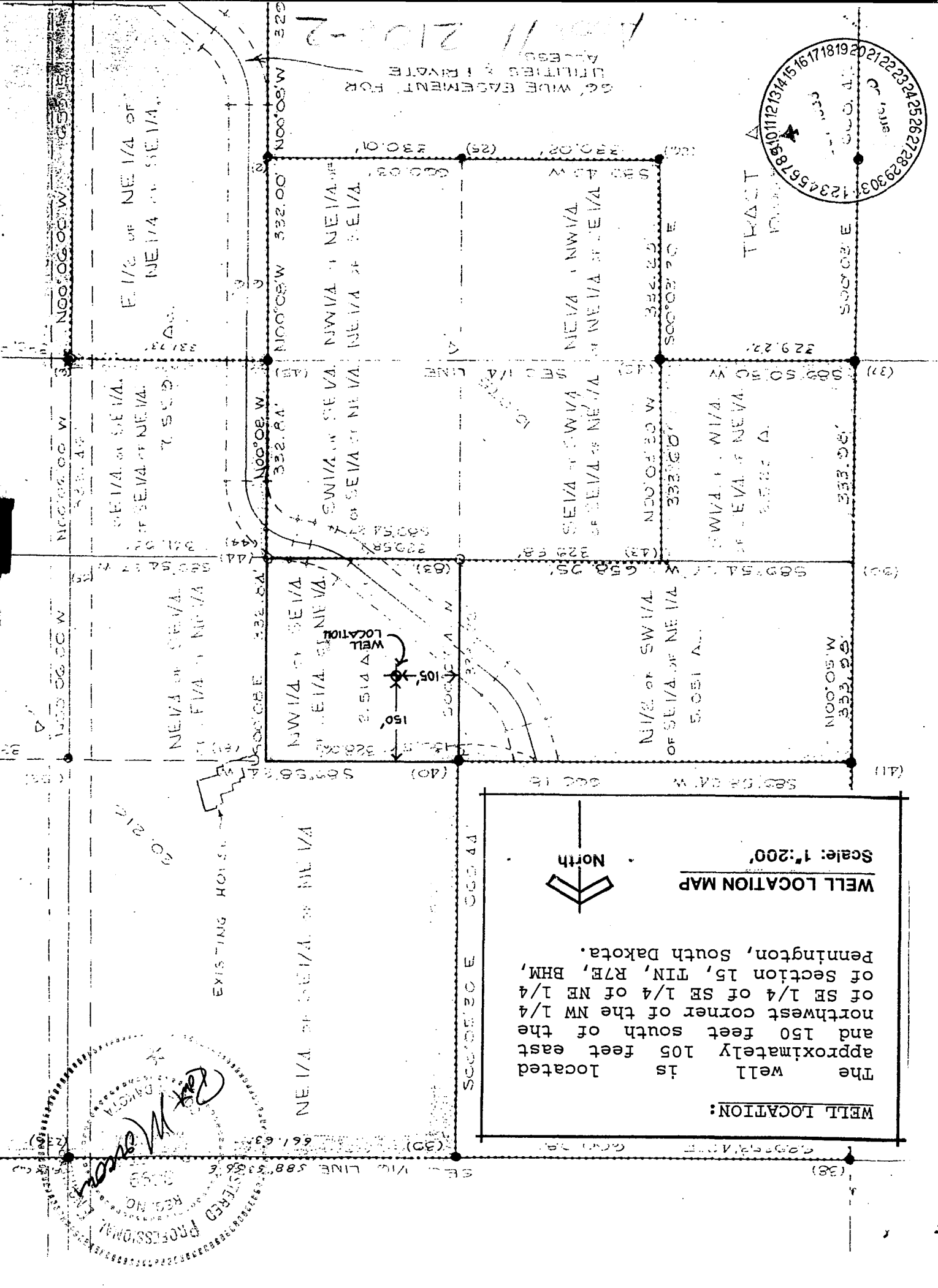
WELL LOCATION:

The well is located approximately 105 feet east and 150 feet south of the northwest corner of the NW 1/4 of SE 1/4 of NE 1/4 of Section 15, T1N, R7E, B1M, Pennington, South Dakota.



Scale: 1"=200'

WELL LOCATION MAP



2100-2

66' WIDE BASEMENT FOR UTILITIES & PRIVATE ACCESS

E 1/2 OF NE 1/4 OF NE 1/4 OF SE 1/4

NE 1/4 OF SE 1/4 OF SE 1/4 OF NE 1/4

NE 1/4 OF SE 1/4 OF SE 1/4 OF NE 1/4

NE 1/4 OF SE 1/4 OF NE 1/4

NW 1/4 OF NE 1/4 OF NE 1/4 OF SE 1/4

SW 1/4 OF SE 1/4 OF NE 1/4 OF SE 1/4

NE 1/4 OF SE 1/4 OF NE 1/4

NE 1/4 OF NW 1/4 OF NE 1/4 OF SE 1/4

SE 1/4 OF SW 1/4 OF SE 1/4 OF NE 1/4

N 1/2 OF SW 1/4 OF SE 1/4 OF NE 1/4

SW 1/4 OF NW 1/4 OF NE 1/4 OF SE 1/4

TRACT A

SECTION 15

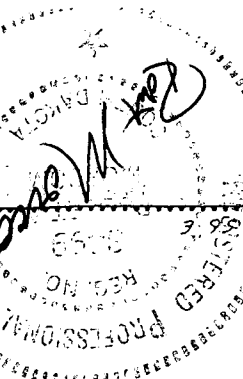
SECTION 16

SECTION 17

SECTION 18

SECTION 19

SECTION 20



EXISTING HOUSE

REPORT ON APPLICATION NO. 2106-2
FOR PAUL AND LANA WRIGHT
June 26, 1990

This application proposes to appropriate 0.089 cfs from one well approximately 2100 feet deep for domestic use and for irrigation of 2.8 acres. The well and the irrigated acreage are located in the SE 1/4 NE 1/4 of section 15, T1N R7E BHM in Pennington County. The application proposes 1/2 of the diversion for domestic use and 1/2 for irrigation purposes.

AQUIFER - MADISON LIMESTONE (MDSN)

The Madison Limestone (locally called Pahasapa) is a crystalline dolomitic limestone which is cavernous in the upper 1/2 and locally is 300 to 400 feet thick (Cattermole, 1969). The Madison underlies 1.48 million acres and contains approximately 29.8 million acre feet of recoverable water in Pennington County alone (Allen, 1984). The Madison is areally extensive and completely encircles the Black Hills. Recharge to the Madison occurs through streamflow losses in the sinkhole zones along major drainages and by infiltration of precipitation on the outcrop. Regionally ground water moves from north to south and from west to east. Locally in the Rapid City area ground water appears to move primarily from west to east (Peter, 1985). The Madison is confined over most of this area and is under artesian conditions at this site.

The driller's log submitted with the application indicates the well is completed into the basal Minnelusa Formation and the upper Madison. The ground water is essentially Madison water. The reported specific capacity of 1.3 gpm/ft of drawdown for this well falls within the expected range of values for the Madison.

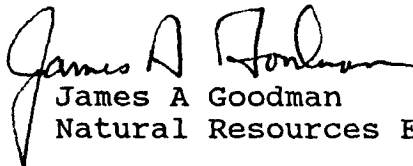
The Division of Water Rights monitors four Madison observation wells which are within four miles of this application. Water levels in these wells show response to climatic conditions, that is rising during wet conditions and declining during drought. Records for all but one of these wells are only short term because the wells were recently installed to monitor the effects of the proposed development by the City of Rapid City. Records for PE-65A (Sioux Park #2) indicate historical fluctuations, but no significant impact by present water use (Water Rights, 1990). Water use is expected to increase significantly as Rapid City begins to use more ground water. This will undoubtedly affect regional water levels for the Madison.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

This well is located near the southern edge of Rapid City and is basically surrounded by the future use area specified by Permit No. 2086-2 for Rapid City. The nearest existing or proposed Madison well is over 2 miles from this location. Interference due to pumping this well is not expected to affect any existing or proposed diversion.

CONCLUSIONS

1. Water is available from the Madison Limestone.
2. The Madison is under artesian conditions and fluctuations due to pumping are expected. Drawdowns due to withdrawals from this well will not be significant. Interference should not be a problem.
3. This is a completed well and is constructed in accordance with SD Well Construction Standards.
4. Annual water use data must be submitted.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Allen, J.C., 1984, ANALYSIS OF GROUND WATER AND STREAMFLOW DATA WESTERN DAKOTAS REGION OF SD, for US Army Corps of Engineers, SD DWR, SDGS, Vermillion, SD, 57069.
- Cattermole, M.J., 1969, GEOLOGIC MAP OF THE RAPID CITY WEST QUADRANGLE, Map GQ-828, USGS, Washington DC.
- Peter, K.D., 1985, AVAILABILITY AND QUALITY OF WATER FROM BEDROCK AQUIFERS IN THE RAPID CITY AREA, SD, WRI 85-4022, USGS, Rapid City, SD, 57709.
- Water Rights, 1990, RECORDS OF MADISON LIMESTONE OBSERVATION WELLS IN PENNINGTON COUNTY, SD DWR, Div. of Water Rights, Pierre, SD, 57501.

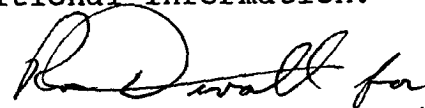
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2106-2, Paul & Lana Wright

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 2106-2, Paul & Lana Wright, HCR 41, Box 7016, Rapid City SD.

The Chief Engineer is recommending APPROVAL of Application No. 2106-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
July 30, 1990



Department of Water & Natural Resources

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

August 6, 1990

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

Paul & Lana Wright
HCR 41 Box 7016
Rapid City, SD 57709

Dear Mr. & Mrs. Wright:

Water Permit Application No. 2106-2 for irrigation and domestic use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Rapid City Journal printed at Rapid City SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Intent to Appropriate Water and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

A handwritten signature in cursive script that reads "Eric Gronlund".

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



Department of Water & Natural Resources

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

August 6, 1990

Rapid City Journal
Box 450
Rapid City SD 57709-0450

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 2106-2 to be published twice. Please publish the first notice on or before August 16, 1990 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Paul & Lana Wright, HCR 41 Box 7016, Rapid City, SD 57702.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to
Appropriate Water by Application No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper _____

Instruction to Newspaper - Publish first Notice on or before August 16, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2106-2 to Appropriate Water

Notice is given that Paul & Lana Wright, HCR 41 Box 7016, Rapid City, SD 57702 has filed an application for a water permit to appropriate 0.089 cubic feet of water per second from one well (Madison Formation) 2100 feet deep for domestic use and irrigation of 2.8 acres. The well and irrigated acreage are to be located in the SE1/4 NE1/4 Section 15-T1N-R7E. This application proposes to use approximately 20 gallons per minute (gpm) for domestic use and 20 gpm for irrigation.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 2106-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board in Room 216, Joe Foss Bldg., 523 E Capitol, Pierre SD on October 3, 1990 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by September 21, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by September 21, 1990.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Pennington) ss.

I, Mary K. Garness

certify that the attached printed Notice was taken
 from the Rapid City Journal

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

City of Rapid City

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

August 15, 1990

August 22, 1990

Mary K. Garness
 (Signature)

Bookkeeper
 (Title)

August 22, 1990
 (Date Signed)

Cost of Printing: Ran 8 5/16 inches legal advertising
in the Rapid City Journal on August 15 and 22 @
\$4.20 per inch = \$69.82
Ran public notice of hearing L969



Aug. 15, 22 L969

**NOTICE OF HEARING
 ON APPLICATION NO. 2184-2
 TO APPROPRIATE WATER**

Notice is given that Paul & Lana Wright, HCR 41 Box 7016, Rapid City, SD 57702 has filed an application for a water permit to appropriate 0.089 cubic feet of water per second from one well (Madison Formation) 2100 feet deep for domestic use and irrigation of 2.8 acres. The well and irrigated acreage are to be located in the SE1/4 NE1/4 Section 15-T1N-R7E. This application proposes to use approximately 20 gallons per minute (gpm) for domestic use and 20 gpm for irrigation.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 2184-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board in Room 216, Joe Foss Bldg., 523 E. Capitol, Pierre, S.D., on October 3, 1990 at 10:00 a.m. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by September 21, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, S.D. 57501 (605-773-3352)." The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decision of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by September 21, 1990.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3-1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

August 23, 1990

NOTICE

TO: Paul & Lana Wright
HCR 41, Box 7016
Rapid City, SD 57702

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



SUBJECT: Change in Location of the Hearing by the Water Management Board
on Water Permit Application No. 2106-2

The location of the hearing by the Water Management Board to consider Water Permit Application No. 2106-2 has been changed. This application will now be considered by the Water Management Board in the Brule County Courthouse, Community Room, 300 South Courtland, Chamberlain, SD on October 3, 1990 at 10:00 am. Any parties filing a petition regarding this application will also be notified of this change in location.

The agenda time is an estimate. The actual time of hearing may be later than 10:00 am due to prior agenda items. Applicable provisions of the published Notice of Hearing will still apply at this hearing.

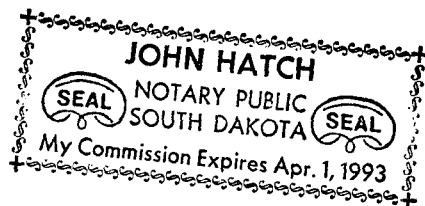
CERTIFICATION

I hereby certify that on August 23, 1990 I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice on Change in Location of Hearing on Water Permit Application No. 2106-2 addressed as stated on the notice.

Karen Schlaak
KAREN SCHLAAK
Senior Secretary

STATE OF SOUTH DAKOTA)
COUNTY OF HUGHES) SS
)

Sworn to, before me, this 27th day of August, 1990.



John Hatch
Notary Public

SOUTH DAKOTA
Department of
Water & Natural Resources

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

DEC 19 1990

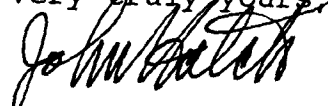
Paul and Lana Wright
HCR 41 Box 7016
Rapid City, South Dakota 57702

Dear Mr & Mrs. Wright:

Enclosed is Water Permit No. 2106-2 as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,



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

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

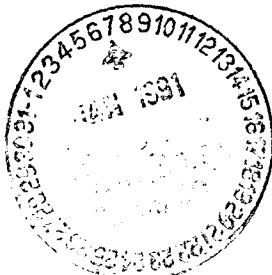
NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 12-31-90TO: Water Rights Division, DWNR
Joe Foss Building
Pierre SD 57501-3181FROM: Paul L. Wright HC41 Box 7016; Rapid City, S.D.
name address city

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 2106-2.

Water Permit No. 2106-2 states that the diversion system is to be constructed by October 3, 1995, and that the water it put to beneficial use by October 3, 1995.

The diversion system was completed on Jan. 1990.
Applying the water to beneficial use was completed on April, 1990.

You may schedule an inspection so that the Water License may be issued.



x Paul L. Wright
signature



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

January 8, 1991

Paul & Lana Wright
HCR 41 Box 7016
Rapid City, SD 57702

2106-2

Dear Mr. & Mrs. Wright:

The "Notice of Completion of Works" you submitted has been received and placed on file with your Water Permit No. 2106-2. Submission of the completion of works form allows us to schedule an inspection of your water use system.

Inspections are done on a "county-by-county" basis. You will be notified prior to the time the inspection is conducted in order for us to arrange access to the property and water use system. You are welcome to accompany the staff member during the inspection.

Enclosed is your copy of Water Permit No. 2106-2. You may keep this for your records. If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosure

South Dakota

GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 3, 1992

2106-2

Paul and Lana Wright
HCR 41, Box 7016
Rapid City, SD 57702

Dear Mr. and Ms. Wright:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 2106-2, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Cheryl F. Frost

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

NOTE: On check or money order, please specify your permit number.
This will insure proper handling of the fee.

RECEIPT

Division of Water Rights

413417

South Dakota Department of Environment and Natural Resources

Pierre, _____ September 14, 19 92

RECEIVED OF Lana Wright, HC 41 Box 7016, Rapid City, SD 57702

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. <u>2106-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By *John Hatch*
Chief Engineer

Permit No. 2106-2

Water District: Upper Cheyenne

Report Of Examination Of Works And/Or Application of Water To Beneficial Use:

I have this day made a thorough examination of the water use system constructed by Paul and Lana Wright of HCR 41, Box 7016, Rapid City, SD 57702 holder of Permit No. 2106-2, bearing the priority of June 6, 1990 authorizing the diversion of 0.089 cu.ft. per second the waters of groundwater-Madison for domestic use purposes, in Pennington County.

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

A. Works used to divert the water:

A submersible pump, 35 gallon per minute capacity.

A submersible motor, 3 horse power.

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

400 feet of 2 inch Polyvinyl Chloride (PVC) pipe.

C. Works used to apply water to beneficial use:

Water is used for irrigation of lawn and also for domestic uses.

The system is in the following conditions: Very good. The point of diversion is located: Approximately 552 feet west, 2170 feet south from the Northeast corner of Section 15, T1N-R7E (SE1/4 NE1/4). Water is used to irrigate about 2.8 acres of land located in the SE1/4 SE1/4 NE1/4 Section 15, T1N-R7E.

The works are capable of diverting and conveying to the place of use 0.08 cu.ft. per second of groundwater-Madison which is used for domestic and lawn irrigation purposes.

The license should be issued for 0.08 cfs. Application permit qualifications have been complied with ☒ Yes No

Exceptions to compliance are: None

Date: 20 May, 1992



M. RASSOOL AHADI

Natural Resources Engineer III

DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NUMBER 2106-2

DATE 5/20/92

DIVERSION POINT LEGAL LOCATION: SE1/4 NE1/4 Section 15, T1N-R7E

WELL INFORMATION: Well Drilling Firm Dennis Johnson

- a) Pump 1) make Submersible No. of Wells 1 Depth(s) 2101 feet
2) model c) Casing: 1) diameter 7-4-1/2 inches
3) size inches 2) length 1924 feet
4) capacity 35 GPM 3) type Steel
5) turbine pump - No. of stages d) Screen: 1) type None
6) operating pressure PSI 2) length feet
- b) Motor: 1) make Submersible e) Static Water Level 530 feet
2) model No.
3) horsepower rating 3 HP

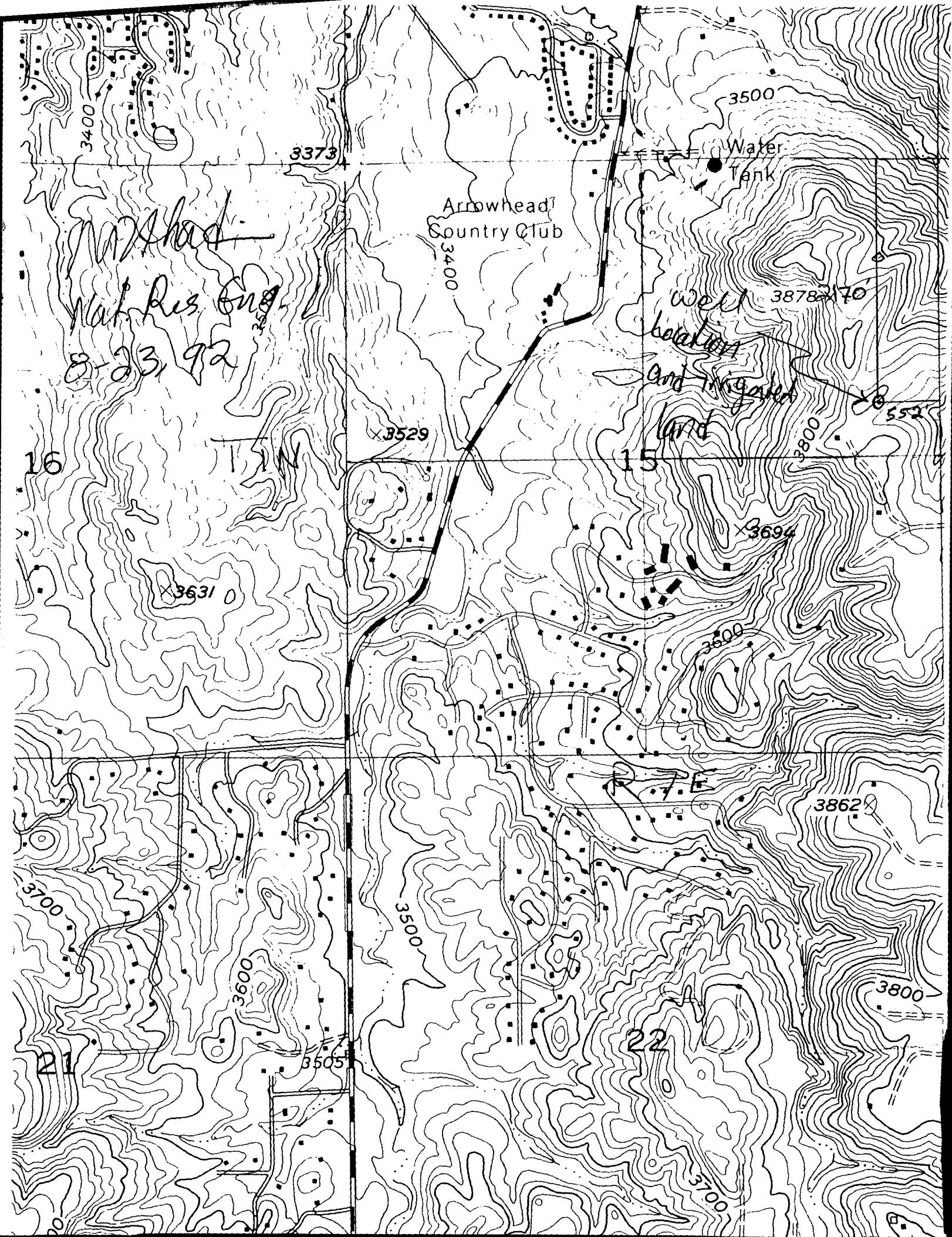
DISTRIBUTION LINES OR CANALS:

- a) type Polyvinyl Chloride (PVC) b) size 2 inches c) length 400 feet

Water is pumped into two pressure tanks, 80 gallons each. A 5000 gallon tank is used to store water.

PERMIT QUALIFICATIONS AND REGULATIONS:

- a) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y (Y/N)
b) Special qualifications to permit being abided by Y (Y/N)
c) All structures, wells and lands on map Y (Y/N)
d) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period NA (Y/N)



M. Shad
Nat. Res. Eng.
8-23, 92

Arrowhead
Country Club

Water
Tank

well
location
and irrigated
land

R. 7. E

16

T. 1 N

15

21

22

3373

3500

3878 3170

3529

3694

3631

3862

3800

3505

3700

3500

3600

3600

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2106-2

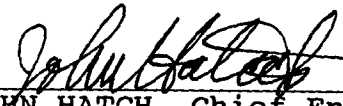
(1) Paul and Lana Wright of HCR 41, Box 7016, Rapid City, SD 57702 made Application No. 2106-2, October 10, 1989 for a water permit to appropriate 0.089 cubic feet of water per second from groundwater (one well), Pennington County, South Dakota for domestic and irrigation purposes. Permit No. 2106-2 with a priority date of June 6, 1990 was approved October 3, 1990 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before October 3, 1995 and for the application to beneficial use of said water on or before October 3, 1999.

(2) It is certified that the applicant 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 0.08 cubic feet of water per second for beneficial use. The location of the diversion point is: approximately 552'W and 2170'S of the NE corner of Section 15, T1N, R7E (SE 1/4 NE 1/4).

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

T1N, R7E Section 15 SE 1/4 SE 1/4 NE 1/4 2.8 Acres

(4) Pursuant to Section 46-5-30.1 Paul and Lana Wright of HCR 41, Box 7016, Rapid City, SD 57702 the holder(s) and/or owner(s) of Water Permit No. 2106-2 is issued a license to appropriate water, the right to use 0.08 cubic feet of water per second from groundwater (one well) with a priority date of June 6, 1990 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation and domestic use. This license is subject to any limitations or qualifications listed in Water Permit No. 2106-2 and subject to South Dakota State Law.

 NOV 24 1992
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 24 1992

2106-2

Paul and Lana Wright
HCR 41, Box 7016
Rapid City, SD 57702

Dear Mr. and Ms. Wright:

Enclosed is Water License No. 2106-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413417 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 2106-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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. If you have any questions, please contact our office.

Very truly yours,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2001

2106-2

Stuart & Pam Rice
2300 Skyline Ranch
Rapid City, SD 57701

Dear Mr. & Mrs. Rice:

Thank you for contacting me with regard to ownership of Water Right No. 2106-2. Enclosed is a copy of the water right.

Also enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing the ownership change. Please review the form for accuracy and complete as needed. Upon completion, please sign the form in the presence of a notary and return it to our office with a required filing fee of \$2.50. The check or money order for the filing fee should be made payable to the "Water Rights Program".

You may keep the enclosed copy of the water right for your records. If you have any questions concerning the water right or completion of the transfer form, please get in touch with me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2106-2

Date: 1/23/01

I/We request that Water Right No. 2106-2

formerly owned by: Paul and Lana Wright

be transferred to: (name & address) Stuart and Pamela Rice,
2300 Skyline Ranch Rd., Rapid City, Telephone No. 605-737-0762
SD 57701

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

2.8 acres - SE 1/4 SE 1/4 NE 1/4 Section 15, T1N, R7E

I/We understand that the validity of Water Right No. 2106-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

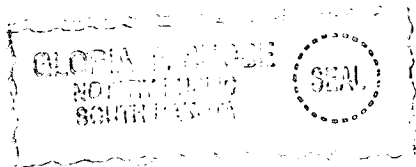
STATE OF SOUTH DAKOTA)

County of Pennington)

I/We Pamela Rice and Stuart Rice 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.

Stuart Rice Pamela A. Rice
(Signature of new owner)

Subscribed and sworn to before me this 24 day of January, ~~2000~~ 2001



Gloria J. Moberg
(Notary Public)

My Commission Expires: 9/30/2002



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

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 416742

Pierre, January 29, , 2001

RECEIVED OF Stuart & Pamela Rice, 2300 Skyline Ranch Rd, Rapid City SD 57701
the following amount in fees for services rendered as provided for by law: (Paul & Lana Wright)

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

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

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

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

Fee for Filing Transfer Form 2106-2

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By _____
Chief Engineer

Darland Erbe
gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 30, 2001

2106-2

Stuart & Pamela Rice
2300 Skyline Ranch
Rapid City, SD 57701

Dear Mr. & Mrs. Rice:

Thank you for following up on the ownership change for Water Right No. 2106-2. The transfer has been completed and the water right is now listed in your names.

Pamela, when we last spoke I mentioned that we had not yet received the "2000 irrigation questionnaire" from Paul & Lana Wright. Mrs. Wright returned the form to us on January 29th. I am enclosing a copy of the form she sent to us so you will have some idea of what type of records to keep track of for next season.

Also enclosed is your Receipt No. 416742 in the amount of \$2.50. You may keep this for your records. If you have any questions concerning the water right, please get in touch with me.

Sincerely,

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

enclosures



2106-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2004

NOTICE

TO: STUART & PAMELA RICE, 2300 SKYLINE RANCH ROAD, RAPID CITY, SD 57701

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2106-2. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2106-2 qualification:

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

The hearing will be held at 8:30 am, March 3, 2004 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2106-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 27, 2004, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



2106-2

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2301 3460 0000 8515 9517

STUART & PAMELA RICE
2300 SKYLINE RANCH ROAD
RAPID CITY SD 57701

Waiver of Signature ☐ YES ☐ NO

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February 18, 2004

2106-2

Stuart & Pamela Rice
2300 Skyline Ranch Rd
Rapid City SD 57701

Dear Mr. & Mrs. Rice:

I am writing to acknowledge receipt of your 2003 irrigation questionnaire. I completed a questionnaire for you based on my February 18th telephone conversation with Pam.

You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right No. 2106-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

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



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January 24, 2006

NOTICE

TO: STUART & PAMELA RICE, 2300 SKYLINE RANCH ROAD, RAPID CITY, SD 57701
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2106-2. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 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) 2106-2 qualification:

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

The hearing will be held at 10:30 am, March 2, 2006 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) 2106-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **February 24, 2006**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

c: PAMELA RICE, 101 WEST END AVE - 15J, NEW YORK, NY 10023

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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- Undeliverable as Addressed, February 06, 2006, 9:17 am, RAPID CITY, SD 57701
- Forwarded, February 02, 2006, 10:50 am, NEW YORK, NY
- Arrival at Unit, February 01, 2006, 8:31 am, NEW YORK, NY 10023
- Acceptance, January 24, 2006, 11:38 am, PIERRE, SD 57501

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SIGNATURE CONFIRMATION NUMBER:
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NEW YORK NY 10023Waiver of Signature ☐ YES ☐ NOPostmark
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SIGNATURE CONFIRMATION NUMBER:
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STUART & PAMELA RICE
2300 SKYLINE RANCH ROAD
RAPID CITY SD 57701

ig.

Waiver of Signature ☐ YES ☐ NO

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PS Form 153, May 2002

(See Reverse)

CERTIFICATION

I hereby certify that on March 6, 2006, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 6, 2006 addressed as stated below:

Notice of Amendment:

Rick Lantgen, Prairie Winds Golf Club, PO Box 681, Watertown SD 57201 (1612-3 & 1997-3)
Don Hight Partnership, 14116 N Hwy 79, Piedmont SD 57769 (1040-1)
Edward Patrick Henry, PO Box 11, Whiteclay NE 69365-0011(672-2)

Notice of Three Year Suspension:

J V Kenneally, PO Box 50, Raymond SD 57258-0050 (3198A-3)
James Jenkins, HCR 1 Box 20, Raymond SD 57258-9530 (4957-3)
Gordon Flesner, HCR Box 45, Milesville SD 57553 (2197-2)
Michael A Koslowski, 13329 443rd Ave., Waubay SD 57273 (5353-3)
Dennis & Jackie McDowell, 227 W Lakeshore Dr, Carrollton GA 30117 (2480A-3)

Notice of One Year Suspension:

Jesse Wright, 10 Bittersweet Ln, Atkinson NH 03811 **(1172-3)**
 Stuart & Pamela Rice, 2300 Skyline Ranch Rd, Rapid City SD 57701 **(2106-2)**
 Susan Porter, Manager, 28271 370th Ave, Geddes SD 57342 **(962A-1)**
 Richard T Peterson, 29B Ranch Oak Place, Sioux Falls SD 57110 **(686-3)**
 Calvin & Jana Meyers, 1409 Willow Creek Estates, Belle Fourche SD 57717 **(402-1)**
 John Larabee, LSW of South Dakota LLC, 42557 295th St, Scotland SD 57059 **(375-2)**
 Robert Hattum, 21744 West Bend Rd, Harrold SD 57536 **(6168-3)**
 Bret, Gary & Kristine Flihs, 39865 137th St, Groton SD 57445 **(5640-3)**
 Harlan Eisenbraun, 21362 Creighton Rd., Wall SD 57790 **(495-2)**

Notice of One Year Suspension of Water Permit and Amendment of Water Right

Percy Tjeerdsma, 41175 309th St, Springfield SD 57062 (6413-3 – suspend; 3581-3 – amend)

Eve. Threlkeld

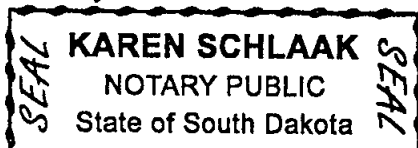
Eric Gronlund
Natural Resources Engineer
Water Right Program

[illegible]

Sworn to, before me, this 7th day of March, 2000.

Karen Schlaak

Notary Public



**My Commission Expires
April 1, 2007**



**DEPARTMENT of ENVIRONMENT
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March 6, 2006

NOTICE OF ONE YEAR SUSPENSION OF WATER RIGHT

TO: Stuart & Pamela Rice, 2300 Skyline Ranch Rd, Rapid City SD 57701

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

SUBJECT: One Year Suspension of Water Right No. 2106-2

On March 2, 2006, the Water Management Board ordered:

That effective April 3, 2006, Water Right No. 2106-2 be suspended for the 2006 irrigation season for failure to submit the 2005 irrigation questionnaire.

If the 2005 irrigation questionnaire is received prior to April 3, 2006 the suspension will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2006 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2006 unless the irrigation questionnaire is submitted by April 3rd.

After April 3rd, you may petition the Water Management Board to rescind the suspension. You will need to submit the 2005 irrigation questionnaire and a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 3, 2006 in Pierre, SD. The letter should include your reasons for not completing the 2005 irrigation questionnaire. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

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



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March 20, 2006

2106-2

Stuart Rice
2300 Skyline Ranch Road
Rapid City SD 57701

Dear Mr. Rice:

On March 2nd, the Water Management Board ordered Water Right No. 2106-2 be suspended if the 2005 irrigation questionnaire was not received prior to April 3, 2006. The questionnaire information has been received.

Since the irrigation questionnaire is on file, no violation has occurred and no suspension will take place. You are hereby authorized to irrigate during the 2006 irrigation season.

Based on your telephone conversation with Genny McMath, it is our understanding that the water right should be listed solely in your name. Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

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

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program



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June 27, 2006

2106-2

Stuart Rice
2300 Skyline Ranch Rd
Rapid City SD 57701

Dear Mr. Rice:

In March, 2006 we spoke about transferring Water Right No. 2106-2 into your name. Currently, the water right which authorizes diversion of 2.8 acres in the SE ¼ SE ¼ NE ¼ Section 15, T1N, R7E, is listed in both you and Pamela Rice's name. To date, we have not received the ownership change from you for the water right.

You indicated during our phone conversation that you now have sole ownership of the land. If I remember correctly, your concern over filing the transfer of ownership was whether or not Pamela had to be part of the process. The transfer of ownership form only requires the signature of the "owner" of the land. If Pamela no longer has partial ownership of the land, it is not necessary to obtain her signature.

In the event you no longer have the original, I am enclosing an additional transfer form. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

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



2106-2

DEPARTMENT of ENVIRONMENT
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January 18, 2008

NOTICE

TO: STUART RICE, 2300 SKYLINE RANCH ROAD, RAPID CITY, SD 57701

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2106-2. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 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) 2106-2 qualification:

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

The hearing will be held at **10:00 am, March 11, 2008** 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) 2106-2 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, 2008**, you will no longer be in violation of your permit and your name will be deleted 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. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

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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STUART RICE
2300 SKYLINE RANCH ROAD
RAPID CITY SD 57701

Waiver of Signature ☐ YES ☐ NO

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March 12, 2008

NOTICE OF ONE YEAR SUSPENSION OF WATER RIGHT

TO: Stuart Rice, 2300 Skyline Ranch Rd, Rapid City SD 57701

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

SUBJECT: One Year Suspension of Water Right No. 2106-2

On March 11, 2008, the Water Management Board ordered:

That effective April 11, 2008, Water Right No. 2106-2 be suspended for the 2008 irrigation season for failure to submit the 2007 irrigation questionnaire.

If the 2007 irrigation questionnaire is received prior to April 11, 2008 the suspension will not take effect.

Suspension of the water right means water may not be pumped during the 2008 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2008 unless the irrigation questionnaire is submitted by April 11th.

After April 11th, you may petition the Water Management Board to rescind the suspension. You will need to submit the 2007 irrigation questionnaire and a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 7, 2008 in Pierre, SD. The letter should include your reasons for not completing the 2007 irrigation questionnaire. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

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

CERTIFICATION

I hereby certify that on March 12, 2008, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 12, 2008 regarding Board action concerning irrigation questionnaire violations addressed as stated below:

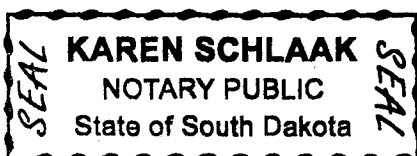
Nos. 400-2, 401-2, 1714-2, 2063-2 Melvin Brassfield Box 24 Caputa SD 57725	No. 5600-3 Castlewood Community Golf Course In 411 E Cemetary Rd Castlewood SD 57223-2206	Nos. 407-2, 408-2 & 409-2 Miles DeJong DeJong Ranch 31842 DeJong Rd Kennebec SD 57544-5999
No. 1755-1 John Bachman, Mayor City of Eagle Butte PO Box 150 Eagle Butte SD 57645-0150	Nos. 6792-3 & 6793-3 Dennis Mitchell Eagle Venture PO Box 711 Yankton SD 57078-0711	Nos. 2826-3 & 3109-3 Joseph R Edelen Jr 311 Canby St Vermillion SD 57069
Nos. 5341-3 & 5820-3 John Hartemink 5569 Pernod Dr Ft Myers FL 33919	No. 5777-3 Gerald A Person 42479 116 th St Britton SD 57430-2239	No. 2106-2 Stuart Rice 2300 Skyline Ranch Rd Rapid City SD 57701
No. 6664-3 Mike Waldner White Rock Colony 47788 102 nd St Rosholt SD 57260 and Gregg Magera, Attorney at Law PO Box 490 Aberdeen SD 57402-0490	No. 3791-3 Paul R Bremmon 42641 113 th St Britton SD 57430	No. 402-1 Calvin & Jana Meyers 1409 Willow Creek Estates Belle Fourche SD 57717
No. 773-1 James G & Brenda A Beauchene 10095 Borderline Rd Hettinger ND 58639	No. 2300-3 James E Dailey 48184 335 th St Jefferson SD 57038	No. 452-3 Harold Fornia 33044 484 th Ave Jefferson SD 57038
No. 3395-3 Todd Grohs 509 Slocum Ave S Wessington Springs and W H (Bill) Wittrig 13111 N Creekview Rd Rapid City SD 57702	No. 1529-3 Lloyd L Meyer 21175 396 th Ave Huron SD 57350	No. 2954-3 Lane Tekrony 47840 180 th St Clear Lake SD 57226-5405

Genny McMath
Genny McMath
Water Rights Program

[illegible]

Sworn to, before me, this 12th day of March, 2008.

Notary Public *Karen Schlaak*



My commission
expires 4/1/13



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March 18, 2008

2106-2

Stuart Rice
2300 Skyline Ranch Rd
Rapid City SD 57701

Dear Mr. Rice:

On March 11th, the Water Management Board ordered Water Right No. 2106-2 be suspended if the 2007 irrigation questionnaire was not received prior to April 11, 2008. On March 17th, Mark Barnes called the office with the questionnaire information for your water right.

Since the irrigation questionnaire is on file, no violation has occurred and no suspension will take place. You are hereby authorized to irrigate during the 2008 irrigation season.

Enclosed, as discussed with Mr. Barnes, are copies of questionnaires for the years 2000 through the present. If you have any questions, please contact Genny McMath at (605) 773-3352.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program

enclosures



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October 30, 2008

2106-2

Stuart Rice
2300 Skyline Ranch Rd
Rapid City SD 57701

Dear Mr. Rice:

I am writing to acknowledge receipt of your 2008 irrigation questionnaire.

I am returning the form to you for completion. You indicated on the form that you did irrigate in 2008. In order for the questionnaire to be considered complete, the back side needs to be filled out.

Please include the number of acres, pump rate (in gallons per minute), days per month and hours per day the system(s) was running. The information is important to us in calculating how much water was used from a specific source.

Please complete and return the form to us by **December 1, 2008.** Thank you in advance for your help. If you have any questions, please contact me.

Sincerely,

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

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

April 2, 2009

2106-2

Stuart Rice
2300 Skyline Ranch Rd
Rapid City SD 57701

Dear Mr. Rice:

This letter is in regard to ownership of land described in Water Right No. 2106-2 currently listed in both you and Pamela's names. A partially completed "Notice of Transfer of Ownership" form was forwarded to you March 20th and June 27th, 2006. During that time frame, you indicated that you had sole ownership of the land. To date, we have not received the form and filing fee back from you.

In the event you no longer have the original form, enclosed is an additional one for your use in filing the ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form (you do not need Pamela's signature on the form) and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

Please be advised that the Legislature passed a bill this year raising the filing fees on applications, licenses and ownership changes. The fee increases will become effective July 1, 2009. The fee increase for an ownership change will be raised from \$2.50 to \$50.00. **We will be required to assess the increased fee of \$50.00 for any ownership change filed after July 1st.**

To avoid having to pay the higher fee, please submit the enclosed transfer form and remit the \$2.50 filing fee as soon as possible. If you no longer own the land or do not wish to maintain the water right, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosure

RECEIVED

APR 14 2009

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2106-2

Date: April 12, 2009

I/We request that Water Right No. 2106-2

formerly owned by: Stuart and Pamela Rice

be transferred to: (name & address) Stuart Rice, 2300 Skyline Ranch Road, Rapid City SD 57701

Telephone No. 605-737-0762

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

2.8 acres in the SE ¼ SE ¼ NE ¼ Section 15, T1N, R7E

I/We understand that the validity of Water Right No. 2106-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

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


(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 4/14, 20 09

RECEIVED OF Stuart Rice 2300 Skyline Ranch Rd Rapid City SD 57701

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

Fee for Application for Permit No. _____ and to put water to beneficial use _____	to Appropriate Water, to construct	2	50
Fee for Application for Permit No. _____	to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____	after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____			
Fee for Filing Transfer Form _____	2106-2		
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. _____	2	50
Fee for Renewal of Well Pump Installer's License No. _____	for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2	

No.

04116

By

Richard Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 2, 2009

2106-2

Stuart Rice
2300 Skyline Ranch Rd
Rapid City SD 57701

Dear Mr. Rice:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" form and filing fee from you for Water Right No. 2106-2. The transfer has been completed.

The water right, formerly listed in both your name and Pamela's name is now listed in your name only.

Enclosed is your Receipt No. 04116 in the amount of \$2.50. You may keep this for your records.

If you have any questions, please contact me.

Sincerely,

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

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

enclosure



2106-2
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, 2012

NOTICE

TO: STUART RICE, 2300 SKYLINE RANCH ROAD, RAPID CITY, SD 57701
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program
SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2106-2. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 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) 2106-2 qualification:

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

The hearing will be held at **10:00 am, March 7, 2012** 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) 2106-2 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 2, 2012**, 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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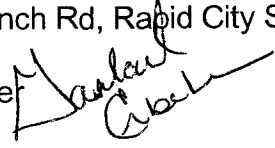
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 7, 2012

NOTICE OF ONE YEAR SUSPENSION OF WATER RIGHT

TO: Stuart Rice, 2300 Skyline Ranch Rd, Rapid City SD 57701

FROM: Garland Erbele Chief Engineer 
Water Rights Program

SUBJECT: One Year Suspension of Water Right No. 2106-2

On March 7, 2012, the Water Management Board ordered:

Effective April 7, 2012, Water Right No. 2106-2 be suspended for the 2012 irrigation season for failure to submit the 2011 irrigation questionnaire.

If the 2011 irrigation questionnaire is received prior to April 7, 2012 the suspension will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2012 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2012 unless the irrigation questionnaire is submitted by April 7th.

After April 7th, you may petition the Water Management Board to rescind the suspension. You will need to submit the 2011 irrigation questionnaire and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May, 2012 in Pierre, SD. The letter should include your reasons for not completing the 2011 irrigation questionnaire. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

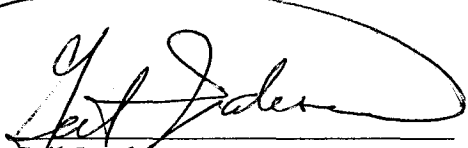
Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

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

CERTIFICATION

I hereby certify that on March 7, 2012, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated March 7 2012 regarding suspensions addressed as stated below:

Peterson Management, 324 Dak Dunes Blvd, # 200 N Sioux City SD 57049	3871-3
Wayne F Childers, 11086 Burlington Dam Rd, Edgemont SD 57735	858-2
Erik Roth, 1001 S 3 rd St, Parkston SD 57366	607-3
Nathan Stencil, Stencil Const. PO Box 2786, Sioux Falls SD 57101	6739-3
Stuart Rice, 2300 Skyline Ranch Rd, Rapid City SD 57701	2106-2
Kenneth Braunschmidt, 2294 White Dr, Durham CA 95938	521-3
Danny L Adams, 2010 Avalon Pkwy # 400 McDonough GA 30253	1828-1
Lee Ahrlin, 531 Fox Run Dr, Rapid City SD 57701	1769-1

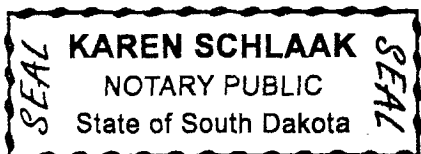


Gail Jacobson
Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 7th day of March, 20 12.


Karen Schlaak
Notary Public
My Commission expires April 1, 2013





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 3, 2012

2106-2

Stuart Rice
2300 Skyline Ranch Road
Rapid City SD 57701

Dear Mr. Rice:

On March 7th, the Water Management Board suspended Water Right No. 2106-2 for the 2012 irrigation season if the 2011 irrigation questionnaire was not received prior to April 7, 2011.

The irrigation questionnaire was received April 3, 2012. Since the questionnaire is on file, no violation has occurred and no suspension will take place. You may irrigate during the 2012 irrigation season.

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

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program



2106-2
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 16, 2015

NOTICE

TO: STUART RICE, 2300 SKYLINE RANCH ROAD, RAPID CITY, SD 57701

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2106-2. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 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) 2106-2 qualification:

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

The hearing will be held at **10:00 am, March 4, 2015** 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) 2106-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <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

February 25, 2015

2106-2

Stuart Rice
2300 Skyline Ranch Road
Rapid City SD 57701

Dear Mr. Rice:

I am writing to acknowledge receipt of information for your 2014 irrigation questionnaire.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right No. 2106-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



2106-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2018

NOTICE

TO: STUART RICE, 2300 SKYLINE RANCH ROAD, RAPID CITY, SD 57701
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2106-2. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 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) 2106-2 qualification:

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

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 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) 2106-2 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 7, 2018** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <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
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

RETURN SERVICE REQUESTED

RECEIVED
FEB 20 2018
WATER RIGHTS
PROGRAM

STUART RICE
2300 SKYLINE RANCH ROAD
RAPID CITY SD. 57701

NIXIE 553 DE 1 0002/15/18

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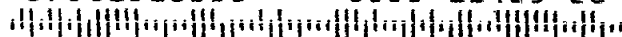
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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 22, 2018

NOTICE

TO: Stuart Rice
2300 Skyline Ranch Road
Rapid City SD 57701

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

SUBJECT: Unclaimed Certified Mail Concerning Violation of Water Permit No. 2106-2

The attached notice was sent certified mail, return-receipt requested. The post office has returned the certified mail return-receipt requested envelope to our office marked "unclaimed". The envelope indicated the post office notified you January 29 and February 3, 2018 to pick up and sign for the certified mail.

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

CERTIFICATION

I hereby certify that on February 22, 2018, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated February 22, 2018 regarding Unclaimed Certified Mail addressed as stated on the attached list.



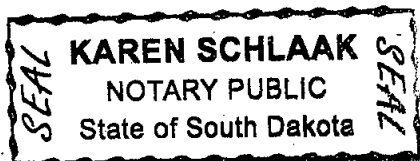
Eric Gronlund
Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 22nd day of February, 2018.



Karen Schlaak
Notary Public
My Commission expires April 1, 2019



STUART RICE
2300 SKYLINE RANCH ROAD
RAPID CITY SD 57701

LANE TEKRONY
47840 180TH ST
CLEAR LAKE SD 57226-5405

PRAIRIE GARDENS INC.
TAMARA ROGERS, PRESIDENT
13979 COBB RD
HERMOSA SD 57744-5415

JOHN ANTHONY DERUNGS
11684 INDIAN CANYON RD
EDGEMONT SD 57735

TERRILL WHEELER
16645 416TH AVE
RAYMOND SD 57258

MARK MCCLOUD
33670 183RD ST
HIGHMORE SD 57345

VIOLA KESZLER, OPERATOR
30317 289TH ST
CLEARFIELD SD 57580

BARB & RON CLINE
CLINT & RANDI KRAMBECK
10340 UPPER REDWATER RD
SPEARFISH SD 57783

TROI D ANDERNACHT, OPERATOR
45835 284TH ST
HURLEY SD 57036-6100

PRAIRIE WINDS GOLF CLUB
BRANDON VOSTAD
555 S LAKE DR
WATERTOWN SD 57201

STEVE OLINGER
12241 VALLERY RD
NISLAND SD 57762-7600

FREEMAN AREA GOLF COURSE
DOUG MCCUNE
PO BOX 610
FREEMAN SD 57029-0610

2106-2



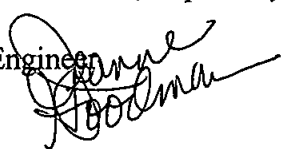
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 8, 2018

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

TO: Stuart Rice, 2300 Skyline Ranch Rd., Rapid City SD 57701

FROM: Jeanne Goodman, Chief Engineer
Water Rights Program 

SUBJECT: One Year Suspension of Water Right No. 2106-2

On March 7, 2018, the Water Management Board ordered:

Effective April 7, 2018, Water Right No. 2106-2 be suspended for the 2018 irrigation season for failure to submit the 2017 irrigation questionnaire.

If the 2017 irrigation questionnaire is received prior to April 7, 2018, the suspension will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2018 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2018 unless the 2017 irrigation questionnaire is submitted by April 7th.

After April 7th, you may petition the Water Management Board to rescind the suspension. You will need to submit the 2017 irrigation questionnaire and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May 2-3, 2018, in Pierre, SD. The letter should include your reasons for not completing the 2017 irrigation questionnaire. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

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

CERTIFICATION

2106-2

I hereby certify that on March 8, 2018, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 8, 2018 regarding Water Management Board action taken March 7, 2018 for Irrigation Questionnaire violations addressed as stated below:

Amendments:

Water Right No. 410-2: John Anthony DeRungs, 11684 Indian Canyon Rd, Edgemont SD 57735
Water Right No. 4309B-3: Ronald J Gorder, PO Box 185, Estelline SD 57234-0185
Water Right No. 394-1: Larry B Reinhold, Lonetree Ranch, 14666 Lonetree, Sturgis SD 57785
Water Right No. 2350-3: Bill Boyer, River Valley Farms, PO Box 486, Alcester SD 57001

One Year Suspensions:

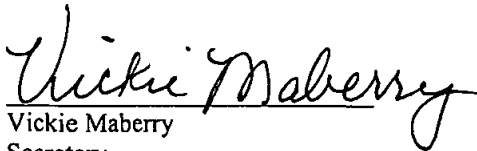
Water Right No. 4472-3, Darrell Biddle, 37461 287th St, Geddes SD 57342
Water Right No. 635-2: Tom Lauing, Dakota Hills Inc., 14129 Ringneck Rd, Oral SD 57766
Water Permit No. 8019-3: Mark Hohn 40455 266th St, Ethan SD 57334
Water Right No. 1213B-1: Charles & Cathy Kimbril, 19027 137th Ave, Vale SD 57788
Water Right No. 1233-1: Ed & Kathy Kling, 12345 Vallery Rd, Nisland SD 57762-9717
Water Permit Nos. 6961-3, 6962-3, 6963-3 & 7233-3, Norman Kramer, 31105 436th Ave., Yankton SD 57078
Water Permit Nos. 7265-3 & 7265A-3: Leigh Leesman, Leesman Ranch, 30729 206th St, Pierre SD 57501
Water Right No. 5441-3, Water Permit Nos. 6408A-3 & 7118-3: Barry Little, 45696 SD Hwy 22, Castlewood SD 57223-5220
Water Right No. 5735-3: Mark McCloud, 33670 183rd St, Highmore SD 57345
Water Permit No. 1923-1: Jim Montieth, PO Box 1238, Spearfish SD 57783 8502
Water Right No. 962B-1: Steve Olinger, 12241 Vallery Rd, Nisland SD 57762-7600
Water Right No. 2074-2: Tamara Rogers, Prairie Gardens Inc., 13979 Cobb Rd, Hermosa SD 57744-5415
Water Right Nos. 1612-3 & 1997-3: Brandon Vostad, Prairie Winds Golf Club, 555 S Lake Dr, Watertown SD 57201
Water Right No. 2106-2: Stuart Rice, 2300 Skyline Ranch Rd., Rapid City SD 57701
Water Right No. 2696-3A: Danny Schmidt, 18684 421st Ave., Willow Lake SD 57278
Helen M Schmidt, 19053 427th Ave., Willow Lake SD 57278
Water Right No. 4292-3: Stanley S Schulz, 41300 SD Hwy 20, Conde SD 57434
Water Right No. 1554A-1/Water Permit No. 1935-1: Donald J Stange, 2807 Gamble Ct, Mitchell SD 57301-6411
Water Permit Nos. 8164-3, 8165-3 & 8166-3: Todd Swenson, 38770 235th St., Wessington Springs SD 57382
Water Right No. 2954-3: Lane Tekrony, 47840 180th St, Clear Lake SD 57226-5405

Second violation - Three year suspensions:

Water Right No. 495-2: Harlan Eisenbraun, 21362 Creighton Rd, Wall SD 57790
Water Right No. 1530-2, Viola Keszler, 30317 289th St, Clearfield SD 57580

Third violation - Cancellation:

Water Right No. 3937-3: Wendell Schubloom, 20608 Hwy 25, DeSmet SD 57231



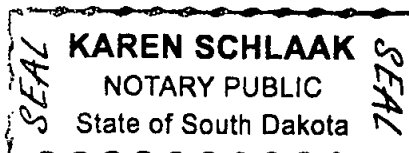
Vickie Maberry
Secretary
Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 8th day of March, 2018.



Karen Schlaak
Notary Public
My Commission expires April 1, 2019





2106-2

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 23, 2020

NOTICE

TO: STUART RICE, 2300 SKYLINE RANCH ROAD, RAPID CITY, SD 57701

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

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2106-2. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2106-2 qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2106-2 in accordance with applicable provisions of SDCL 46-1-12; **Due to a past violation, the Board may consider a three-year suspension of the water right.**
2. Postpone any action; or
3. Take no action.

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

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

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.

2106-2

USPS Tracking®

FAQs >

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Remove X

Your item was delivered at 9:10 am on January 28, 2020 in RAPID CITY, SD 57701.

✓ **Delivered**

January 28, 2020 at 9:10 am
Delivered
RAPID CITY, SD 57701

Get Updates ✓

Text & Email Updates

Tracking History

January 28, 2020, 9:10 am

Delivered

RAPID CITY, SD 57701

Your item was delivered at 9:10 am on January 28, 2020 in RAPID CITY, SD 57701.

January 25, 2020, 9:06 am

Notice Left (No Authorized Recipient Available)

RAPID CITY, SD 57701

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☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
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☐ Adult Signature Required	\$
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1-28-2020

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STUART RICE
2300 SKYLINE RANCH ROAD
RAPID CITY SD 57701

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 1120 0001 2910 6864

Feedback

January 25, 2020, 2:59 am
Departed USPS Regional Facility
RAPID CITY SD DISTRIBUTION CENTER

January 24, 2020, 4:26 pm
Arrived at USPS Regional Facility
RAPID CITY SD DISTRIBUTION CENTER

January 24, 2020
In Transit to Next Facility

January 23, 2020, 10:43 pm
Arrived at USPS Regional Facility
HURON SD DISTRIBUTION CENTER

Product Information

Feedback
✓

See Less ^

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FAQs



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 27, 2020

NOTICE OF ENTRY OF ORDER OF THREE-YEAR SUSPENSION OF WATER RIGHT

TO: Stuart Rice, 2300 Skyline Ranch Rd, Rapid City SD 57701

FROM: Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Three Year Suspension of Water Right No. 2106-2

On February 26, 2020, the Water Management Board ordered:

That effective March 26, 2020, Water Right No. 2106-2 be suspended for the 2020, 2021, and 2022 irrigation seasons for failure to submit your 2019 irrigation questionnaire.

If the 2019 irrigation questionnaire is received prior to March 26, 2020, the suspension will not take effect.

Suspension means water may not be pumped during the 2020, 2021, and 2022 irrigation seasons. Consistent with the Board's order, you are not permitted to irrigate for three years unless the irrigation questionnaire is submitted by March 26, 2020.

After March 26th, you may petition the Water Management Board to rescind the suspension. You will need to submit the 2019 irrigation questionnaire and a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 6-7, 2020 in Pierre, SD. The letter should include your reasons for not completing the 2019 irrigation questionnaire. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

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

CERTIFICATION

I hereby certify that on February 27, 2020, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated February 27, 2020 regarding Water Management Board action taken February 26, 2020 for Irrigation Questionnaire violations addressed as stated below:

One Year Suspensions:

Water Right No. 6947-3

Joel Adler, 48353 149th St, Milbank SD 57252

Water Permit No. 7655-3

Thomas Brady, 265 Antler Dr., Yankton SD 57078

Water Right Nos. 2698-2 & 2721-2

Neil & Lupita Fanning, 220 Rangely Ct., Simi Valley CA 93065

Water Right No. 5947-3

Sean Davis, Fish Lake Country Club, 24385 393rd Ave., Letcher SD 57359

Water Permit Nos. 7008A-3 and 7009A-3

Roger D Hanson, 615 E 72nd St., Kansas City MO 64131

Water Right No. 7043-3

Corey Johannsen, 502 Main St., Tolstoy SD 57475

Donald & Dianna Stotz, 14850 328th Ave, Tolstoy SD 57475

Water Right No. 876-1

Gene E Johnson, 19610 US Hwy 85, Belle Fourche SD 57717

Water Right No. 1213B-1

Charles & Cathy Kimbril, 19027 137th Ave, Vale SD 57788

Water Right No. 410B-2

Kathi Koester, PO Box 206, Custer SD 57730-0206

Water Permit No. 8253-3

James Makens, Makens Oak Tree LLP, 42563 168th St, Clark SD 57225

Water Permit Nos. 5849-3 and 6194-3

Josh Oakley, Meadow Creek Golf Course, PO Box 511, Volga SD 57071-0511

Water Right Nos. 2521-3 and 2934-3

Henry Decker, Pembroke Hutterian Inc., 35955 139th St, Ipswich, SD 57451 7103

Water Right Nos. 5566-3 & 7615-3 and Water Permit No. 7616-3

Wayne Reiersen, 30048 Reiersen Pl., Pollock SD 57648

Water Permit No. 2350-3

Bill Boyer, President, River Valley Farms, PO Box 486, Alcester SD 57001 0486

Water Right No. 4737-3

RUS Farms Real Estate LLC, 3283 Dogwood Ave., Rock Valley IA 51247

Water Right No. 2954-3

Lane Tekrony, 47840 180th St, Clear Lake SD 57226-5405

Water Right Nos. 6131-3 and 6132-3

Daniel Ulmer, PO Box 433, Menno SD 57045 0433

Water Right Nos. 2631A-3 and 5451-3
Merritt Ulmer, PO Box 433, Menno SD 57045-0433
Merritt & Marie Ulmer, 1402 S Cage #217, Pharr TX 78577

Water Right No. 553-1
Richard W Kieffer, 14555 Hamlet Pl, Sturgis SD 57785

Three Year Suspensions:

Water Right No. 6168-3
Robert Hattum, 21744 W Bend Rd, Harrold SD 57536

Water Right No. 2106-2
Stuart Rice, 2300 Skyline Ranch Rd, Rapid City SD 57701

Amendments:

Water Right Nos. 804-2 & 995-2
Robert Berry, 23331 Hwy 14, Midland SD 57552

Water Right No. 766-2
Gene Fortune, PO Box 60, Interior SD 57750 0060

Water Right Nos. 516-1 and 715-1
Lawrence Woodward, PO Box 220, Dupree SD 57623 0220

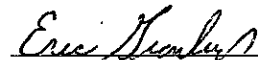
Both Suspend and Amendments

Water Right No. 960-3 and Water Permit No. 472A-3
Chad Binger, 18309 383rd Ave, Tulare SD 57476

Water Right Nos. 2579-3, 4353-3, 5774-3, 6424-3, 6606-3, 6870-3, 7193-3, 7490-3 & 7491-3
Jonathan Wollman, Claremont Colony, 46271 184th St, Castlewood SD 57223

Water Right Nos. 3012-3 and 7323B-3
Mark Morlock, 33820 112th St., Eureka SD 57437-6005
Marvin Morlock, 11072 339th Ave, Eureka SD 57437-6003

Water Right No. 399-2 and Water Permit No. 2668-2
Steve L Simunek, 27851 S Buffalo Gap Rd, Oral SD 57766


Eric Gronlund
Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 27th day of February, 2020.


Karen Schlaak
Notary Public
My Commission expires April 1, 2025

