

673-2

1. Considered 5-10-61 1961

2. Name of Applicant Paul M. Decker

3. Post Office Address Meals

4. Amount of water claimed 1.13

5. Source of water supply Ground water (under surface flow from dry run)

6. Water to be used for irrigation

Acres to be irrigated 149.24

7. Water to be diverted and used in El Paso County about 5E NW miles 0.1 of 149.24

8. Proof of Publication Received ☒ Not Received ☐

9. Application Approved ☐ Subject to Notification Parquet
Not Approved ☐
Action deferred ☐

10. Remarks:

No. 673-2Water Division No. 2 SOUTH CHEYENNE RIVER District
(Blanks to be filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COM.

APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant ~~Earl H. Bogert~~ DONALD K. DE BOER
Postoffice address Oral, County Fall River, State So. Dak.

I. If a corporation

- (a) Name of same _____
- (b) Date and place of incorporation _____
- (c) Amount of capital stock _____
- (d) Amount paid in _____
- (e) Names and addresses of directors _____

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)
Direct Labor

(b) Cash on hand, \$ _____ (c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

Bealer Irrigation Project #1

2. Name of diversion work _____

3. Amount of water claimed 2.132 cubic feet per second4. Source of water supply Sub surface from dugout near surface drain5. Location of point of diversion NW 1/4 SW 1/4 Sec. 15, T. 75, RBE. BHM, Fall River Co.,_____ on _____ bank _____ County, So. Dak6. Annual period or periods during which water is to be used April 1 to Nov.

7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?
- Pump & Gravity

(a) Number of acres to be irrigated 149.24 acres(b) Legal subdivisions to be irrigated See remarks

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) Stockwatering

11. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use Stockwatering

Name any of the above uses claimed

(b) Amount of power to be generated _____ horse power.

Amount claimed for engine cooling _____

(c) Location of plant _____

(d) Method of developing power _____

(e) Point where water will be returned to stream _____

MAP No 601-2

Remarks by the Applicant

LOCATION OF LANDS TO BE IRRIGATED

AREA	LOCATION	SEC.	T ¹ SRP.	RANGE	ACRES
1	SE NW	15	T78	R8E	3.18
2	SE NW	15	T78	R8E	15.56
3	SE NW	15	T78	R8E	1.90
4	SE NE	16	T78	R8E	3.11
5	NE SE	16	T78	R8E	22.68
6	NW SW	15	T78	R8E	8.31
7	NW SW	15	T78	R8E	3.90
8	NE SW	15	T78	R8E	0.72
9	SE SW	15	T78	R8E	9.68
10	SW SW	15	T78	R8E	27.29
11	SE SE	16	T78	R8E	26.32
12	NE NE	21	T78	R8E	0.52
13	NE NE	21	T78	R8E	8.67
14	NW NW	22	T78	R8E	8.56
15	NE NE	21	T78	R8E	0.23
16	SW SW	15	T78	R8E	2.67
17	SE SE	16	T78	R8E	1.09
18	NE NW	22	T78	R8E	0.93
TOTAL					149.24

9. Estimated cost of work:

(a) Head Gats, \$..... (b) Pumping plant, \$.....
 (c) Fluming, \$..... (d) Canal-earth, \$..... Rock, \$.....
 (e) Other structures\$..... Total, \$-2,000--

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

.....Ditch, Pump & Gravity.....

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....material used in construction.....
 (b) Reservoir: Capacity when filled.....47.....acre feet. Surface area at highwater mark.....11.....acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-Feet CAPACITY

(c)* Head gate: Width.....feet; height.....feet;
 Material.....

(d) Canal: Total length.....miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work.....5.....years.

11. Time required for complete application of water to the proposed beneficial use.....5.....years.

12. Choice of newspaper for publication of notice of intention to appropriate.....Hot Springs Star.....

STATE OF SOUTH DAKOTA

County of Fall River.....} ss.

I, Earl H. Decker, 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, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed Earl H. Decker

Subscribed and sworn to before me this 22nd day of March 1901

My commission expires 12/7/05
Law B. B. B. B.
 Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

BEELER IRRIGATION PROJECT # 1.

ALL LANDS DESCRIBED HEREIN ARE OWNED BY EARL M. BEELER

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA) ss
COUNTY OF MEADE)

I, Meric D. Giger, Registered Land Surveyor, do hereby certify that this map was made from a Soil Conservation Service drawing of the area, and that to the best of my knowledge, it correctly represents the lands involved and the locations indicated.

IN WITNESS WHEREOF I hereunto set my hand and official seal on this 24th day of March, 1961.

Meric D. Giger
Registered Land Surveyor #1007

STATE OF SOUTH DAKOTA) ss
COUNTY OF MEADE)

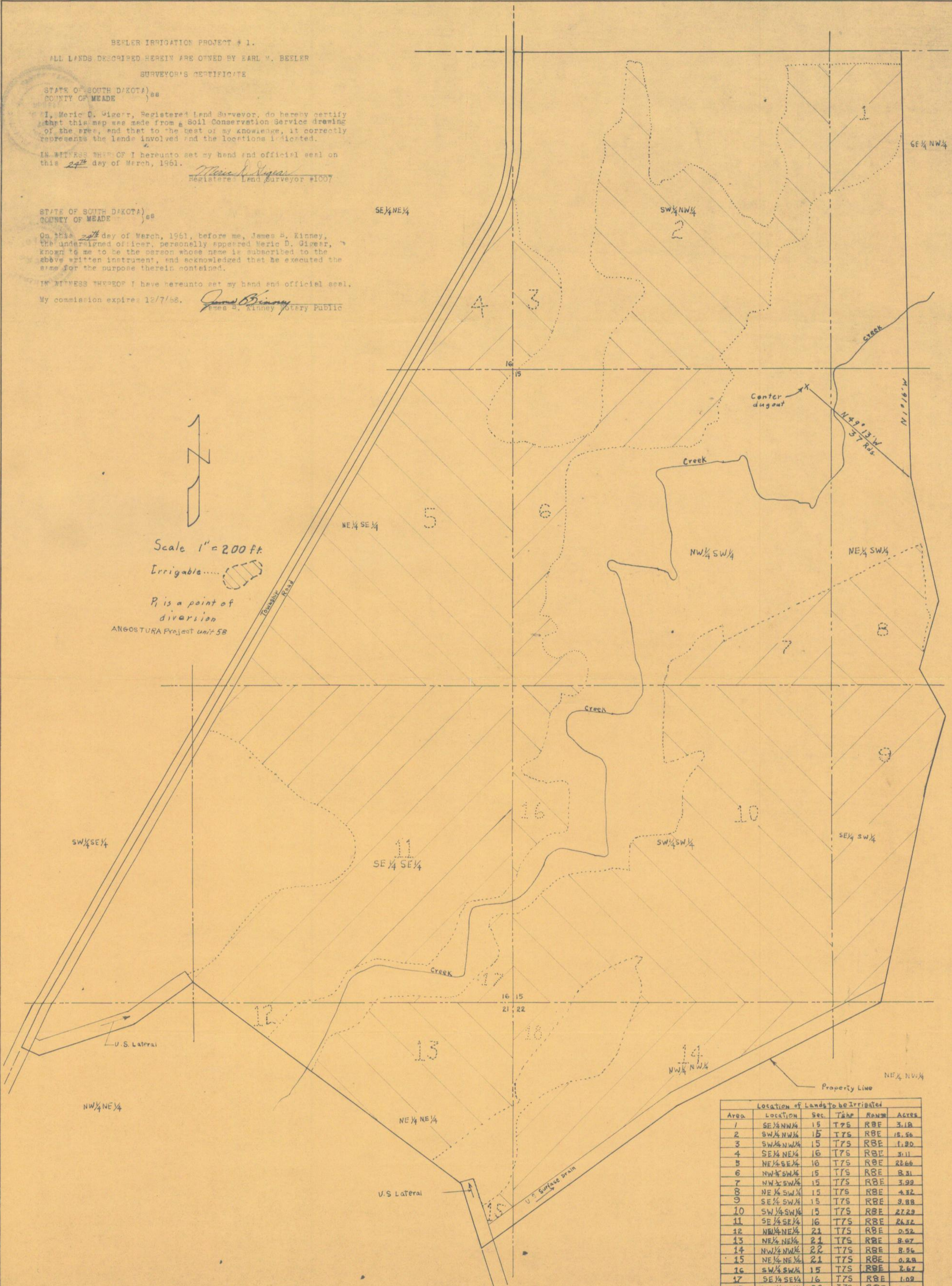
On this 24th day of March, 1961, before me, James B. Kinney, the undersigned officer, personally appeared Meric D. Giger, known to me to be the person whose name is subscribed to the above written instrument, and acknowledged that he executed the same for the purpose therein contained.

IN WITNESS WHEREOF I have hereunto set my hand and official seal.

My commission expires 12/7/68.

James B. Kinney
James B. Kinney Notary Public

Scale 1" = 200 ft.
Irrigable.....
P₁ is a point of diversion
ANGOSTURA Project unit 5B



Location of Lands to be Irrigated					
Area	Location	Sec.	Twp.	Rang.	Acres
1	SE 1/4 NW 1/4	15	T7S	R8E	3.18
2	SW 1/4 NW 1/4	15	T7S	R8E	15.56
3	SW 1/4 NW 1/4	15	T7S	R8E	1.20
4	SE 1/4 NE 1/4	16	T7S	R8E	3.11
5	NE 1/4 SE 1/4	16	T7S	R8E	22.66
6	NW 1/4 SW 1/4	15	T7S	R8E	8.31
7	NW 1/4 SW 1/4	15	T7S	R8E	3.92
8	NE 1/4 SW 1/4	15	T7S	R8E	4.32
9	SE 1/4 SW 1/4	15	T7S	R8E	3.88
10	SW 1/4 SW 1/4	15	T7S	R8E	27.23
11	SE 1/4 SE 1/4	16	T7S	R8E	26.12
12	NW 1/4 NE 1/4	21	T7S	R8E	0.52
13	NE 1/4 NE 1/4	21	T7S	R8E	8.67
14	NW 1/4 NW 1/4	22	T7S	R8E	8.56
15	NE 1/4 NE 1/4	21	T7S	R8E	0.28
16	SW 1/4 SW 1/4	15	T7S	R8E	2.67
17	SE 1/4 SE 1/4	16	T7S	R8E	1.02
18	NW 1/4 NW 1/4	22	T7S	R8E	0.28
TOTAL					142.24

Remarks by State Water Resources Commission:

The use of water under this permit is contingent upon water supplies being available to prior water rights.

Lands described in this permit which receive water from the ~~Angostura~~ ~~Project~~ may not receive water under this permit at the same time water is being obtained from the ~~Angostura~~ ~~Project~~.
Angostura

STATE OF SOUTH DAKOTA
County of Hughes ss.

Pierre, South Dakota, July 31, 1961

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock
6 a.m. upon the 31st day of March, 1961.

State Water Resources Commission

By:

Burton J. Green
for Chief Engineer, Executive Officer

Number of permit 673-2

Date of first receipt of application March 31, 1961

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right March 31, 1961

Approved July 19, 1961, Recorded in Book 6 Page 292

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____

January 19, 1964

2nd. The whole of said work is to be completed on or before July 19, 1966

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

July 19, 1966

4th. The water appropriated shall be used for the purpose of irrigation

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 2.13 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

and beneficially applied for irrigation on or before July 19, 1966; said water to be used during the following described annual period:

April 1 to November 1, inclusive

Witness my hand this 31st day of July, 1961

State Water Resources Commission

By:

James H. Green
Chief Engineer, Executive Officer

Certificate of Construction Issued OCTOBER 9, 1970

Water License Issued OCTOBER 9, 1970

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 673-2

(1) WHEREAS, On the 31st day of March A. D. 19 61

Earl M. Beeler

made Water Right Application No. 673-2 for a permit to use 2.13 cubic feet per second of the waters of ground water dugout

County of Fall River, State of South Dakota, for irrigation

purposes and

(2) WHEREAS, On the 31st day of July A. D. 19 61

Permit No. 673-2, with a date of priority of March 31, 1961

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 19th day of July A. D. 19 66 and for the application to beneficial use of said water on or before the 19th day of July A. D. 19 66

and, Whereas, on the 6th day of October, 1970, the Permit was transferred to Donald K. De Boer,

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 2.13 cubic feet per second of water for beneficial use and,

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

for irrigating the following land in T7S, R8E

		Acres
Section 15	SW $\frac{1}{4}$ NW $\frac{1}{4}$	17.46
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	3.18
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	12.20
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	4.32
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	29.96
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	9.88
Section 16	S $\frac{1}{2}$ NE $\frac{1}{4}$	3.11
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	22.66
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	27.41
Section 21	NE $\frac{1}{4}$ NE $\frac{1}{4}$	9.57
Section 22	NW $\frac{1}{4}$ NW $\frac{1}{4}$	9.49
Total		149.24

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to _____ Douglas K. De Buer _____

_____ of Oral, South Dakota _____

the holder _____ and owner _____ of said permit No. 673-2 a water right, dating from March 31, 1961 _____

_____ to use of 2.13 _____ cubic feet per second of the waters

of ground water dugout _____

in the County of Fall River _____ and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at a point 1240' east and 100' south of the W $\frac{1}{2}$ _____

corner, Section 15, T7S, R8E _____

and conduct to and upon portions of Sections 15, 16, 21 and 22, T7S, R8E, described on the _____

face of this License _____

for the purpose of irrigation _____

Subject to any limitations listed in Water Right Permit No. 673-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 9th day of October A. D.

Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Permit No. 673-2

Water Diversion No. 2 SOUTH CHEYENNE RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Donald K. De Boer

_____ the holder _____ of
Permit No. 673-2, issued upon Application No. 673-2, bearing date of priority of March 31, 1961
_____ authorizing the diversion of 2.13 cu. ft. per second of the waters of _____
ground water dugout County of Fall River, State of South Dakota at _____
a point 1240' East and 100' south of the W $\frac{1}{2}$ Corner, Section 15, T2N, R8E
_____, for irrigation

purposes, has 8 complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 2.2 cu. ft. per second of water.

Date October 9, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

on or before April 13, 1961
(First Publication _____)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., April 4, 1961

Notice is hereby given that Earl M. Beeler whose postoffice address is Oral S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.13 cubic feet of water per second of time from the ground water through the Beeler Irrigation Project #1, the point of diversion of which is to be located ~~XXXX~~ XXXX in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15 portions of Twp. 7 S Range 8 E. Said water to be used for the purpose of providing irrigation on the following described land:

SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22; SW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 15, all in T 7 S, R 8 E

~~XXXX~~ XXXX

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 10th day of May, 1961, at 2:00P M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

cc: Charles T. Leonard, Publisher
Hot Springs Star
Hot Springs, South Dakota

By:

~~XXXXXXXXXXXXXXXXXXXX~~
Chief Engineer, Executive Officer
Burton F. Jones
Water Rights Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Fall River } ss.Charles J. Leonard being duly sworn, deposes and says the annexed printed copy of Notice of intention to appropriate water was taken from the _____Hot Springs Star 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 Hot Springs County of Fall River and State of South Dakota; that the said notice was published in said newspaper on the following dates:April 13, 1961
April 20, 1961
April 27, 1961
May 4, 1961in each and every issue of the full number thereof, the first publication being made on the 13 day of April1961 and the last publication on the 4th day ofMay 1961, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication hewas Editor the printer and publisher of the said newspaper.Subscribed and sworn to before me this 5 day of May A. D. 1961Notary Public Charles J. Leonard County, S. D.

67
(First Publication on or before April 13, 1961)
APPROPRIATION OF WATER
Office of State Water Resources Commission
Pierre, S. Dak., April 4, 1961
Notice is hereby given that Earl M. Beeler whose postoffice address is Oral S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.13 cubic feet of water per second of time from the ground water through the Beeler Irrigation Project No. 1, the point of diversion of which is to be located in the NW1 of the SW1 of Section 15 Twp. 7 N Range 2 E. Said water to be used for the purpose of providing irrigation on portions of the following described land:
B3SE1; SE1NE1, Sec. 16; NE1NE1, Sec. 21; NW1NW1, Sec. 22; SW1 and SW1NW1 Sec. 15, all in T 7 N, R 2 E.
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 16th day of May, 1961, at 2:00 P.M. All interested persons may appear and be heard.
Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.
State Water Resources Commission
By: BURTON F. JONES
Water Rights Specialist
(Apr. 13-20-27, May 4)

673-2

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Resources Commission
State Office Building No. 2
Pierre, South Dakota 57501

Date OCTOBER 6, 1970

This is to notify you that title to the lands described as follows:

PORTIONS OF SECTIONS 15, 16, 21 & 22, T7S, R8E
DESCRIBED IN WATER PERMIT NO 673-2

formerly owned by E. D. M. BEELERhas been transferred to DONALD K DEBOER

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No.
673-2 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Resources Commission as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA)
County of HUGHES) ss.

I, DONALD K. DEBOER 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 I know of my own personal knowledge that the information herein stated is true.

Donald K. DeBoer
(Signed)

Subscribed and sworn to before me this 6TH day of OCTOBER, 19 70

Betty W. [Signature]
(Notary Public)
Sergeant (Asst. S. D. R.C.)

Permit No. 673-2
 Water Division 2 SOUTH CHEYENNE Water District
RIVER

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

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day, made a thorough examination of the water use system constructed by DONALD K.
DE BOER of ORAL holder
 of Permit No. 673-2, bearing date of priority of MARCH 31, 1961
 authorizing the diversion of 2.13 cu. ft. per second of the waters of GROUNDWATER DUGOUT
 for IRRIGATION purposes, in FALL RIVER County.

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

The Water Use System consists of,

A. Works used to divert the water:

DUGOUT IS APPROX 150' X 75' X 12' DEEP -
 VALLEY ABOVE DUGOUT HAS SEVERAL SPRINGS
 & FLOW OF ABOUT 300 GPM INTO DUGOUT

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

6" PEERLESS PUMP POWERED BY MASSEY FERGUSON
 TRACTOR
 380' OF 10" PIPE

C. Works used to apply water to beneficial use.

WATER IS PUMPED INTO EXISTING DITCHES UNDER
 ANGOSTURA PROJECT FOR U. #58

The system is in the following condition: GOOD

The point of diversion is located 1240' E & 100' S OF W 1/4 CORNER
SECTION 15, T7S, R8E

The works are capable of diverting and conveying to the place of use 2.2

cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows: ALL IN T7S, R8E

SECTION 16	SECTION 21	SECTION 15
SE ¹ NE ¹ 3.11 AC.	NE ¹ NE ¹ 9.57 AC.	SW ¹ NW ¹ 17.46 AC.
NE ¹ SE ¹ 22.66 "	SECTION 22	SE ¹ NW ¹ 3.18 "
SE ¹ SE ¹ 27.41 "	NW ¹ NW ¹ 9.49	NW ¹ SW ¹ 12.20 "
		NE ¹ SW ¹ 4.32 "
		SW ¹ SW ¹ 24.9' "
		SE ¹ SW ¹ 9.88 "

comprising a total of 149.24 acres of land.

Date OCTOBER 6, 1970

Durston Jones
 (Signature)
 WATER RIGHT SPECIALIST
 WATER RESOURCES COMMISSION

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

May 26, 1988

Donald K DeBoer
RR, Box 85
Oral, SD 57766

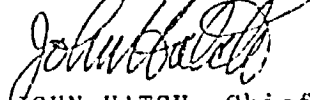
Dear Mr. DeBoer:

I am writing in regard of our review of irrigation questionnaire records. No irrigation has been reported for the last five irrigation seasons under Permit No(s). 673-2.

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

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

Very truly yours,



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





**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 17, 2006

673-2

Wayne Hagman
Dakota Hills Realty
445 S 6th St
Hot Springs SD 57747

Dear Mr. Hagman:

Thank you for calling concerning the pending ownership change for Water Right No. 673-2. The water right is currently listed in the name of Donald K DeBoer.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. The form will need to be completed and signed by the new owner(s). Upon completion, please return the form 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 I can answer any questions for you, please contact me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 673-2

Date: _____

I/We request that Water Right No. 673-2

formerly owned by: Donald K DeBoer

be transferred to: (name & address) Dale R. Anderson

1401 Tompkins St.
Rapid City, SD 57701

Telephone No. (605) 342-6674

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

149.24 acres - S ½ NW ¼, SW ¼ Section 15, SE ¼ NE ¼, E ½ SE ¼ Section 16, NE ¼ NE ¼ Sec 21,
NW ¼ NW ¼ Section 22, all in T7S, R8E

I/We understand that the validity of Water Right No. 673-2 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 Dale R. Anderson, the new owner, certify that the above information is true and correct.

Dale R. Anderson
(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.

RECEIVED
MAR - 3 2006
WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 3, 20 06

RECEIVED OF Pennington Title, 725 Kansas City Street, Rapid City SD 57701

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form 673-2		
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	
		2.50

No.

02330

By Darlene Ebel
Chief Engineer gn



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 6, 2006

673-2

Dale R Anderson
1401 Tompkins St
Rapid City SD 57701

Dear Mr. Anderson:

I am writing to acknowledge receipt of the ownership change for Water Right No. 673-2. The transfer has been completed. The water right formerly listed in the name of Donald K DeBoer is now listed in your name.

Each year in October, we mail out the annual irrigation questionnaire. Enclosed is a sample copy for your review. This will give you an idea of what type of information you will need to keep track of during the irrigation season.

An additional item I wanted to make you aware of is that in order to maintain water rights, they need to be used. I am including excerpts of our water laws and Water Management Board rules dealing with this issue.

Receipt No. 02328 in the amount of \$2.50, which was paid for filing the ownership change, is being forwarded to Pennington Title. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures

c: Pennington County Title Co



673-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2014

NOTICE

TO: DALE R ANDERSON, 1401 TOMPKINS ST, RAPID CITY, SD 57701
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaires

Our records indicate that the 2013 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 12, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 673-2 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 673A-2 qualification:

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

The hearing will be held at **9:00 am, March 6, 2014** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 673A-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 673-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 3, 2014**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

673-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 2014

673-2
673A-2

Dale R Anderson
1401 Tompkins St
Rapid City SD 57701

Dear Mr. Anderson:

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

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Permit Nos. 673-2 and 673A-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



673-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

OCT 12 2017

673-2
673A-2

Dale R Anderson
1401 Tompkins St
Rapid City SD 57701

Dear Mr. Anderson:

Enclosed is Water License No. 673A-2. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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

Sincerely,

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

enclosures

Note: Upon licensing, the applicable portions of Water Right No. 673-2 were incorporated into Water License No. 673A-2.