

No. ED-1-2
 Water Division No. 2 SOUTH CHEYENNE RIVER District 6476
 (Blanks to be filled by the Engineer for the W. R. C.)
VESTED RIGHT STATE WATER RESOURCES COMM.
APPLICATION FOR PERMIT PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

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

1. Name of applicant CARL KANNOLT
 Postoffice address DEL RICH, County FALL RIVER, State S. DAK 64337

- 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)

COMPLETED

- (b) Cash on hand, \$
- (c) Treasury stock, \$
- (d) Bonds to be issued, \$
- (e) Other resources, \$

2. Name of diversion work KANNOLT #3
3. Amount of water claimed .57 cubic feet per second
4. Source of water supply DRY DRAIN
5. Location of point of diversion N 50° E 1500' from the SW corner
SECTION 4, T 125 6 E on both bank FALL RIVER County.
6. Annual period or periods during which water is to be used WHENEVER AVAILABLE
7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling, or combination system? SPREADER

- (a) Number of acres to be irrigated 40 acres.
SE 1/4 SW 1/4 25 acres
- (b) Legal subdivisions to be irrigated SW 1/4 SE 1/4 15 acres

(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.)

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

- (a) Nature of use
 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

v/r

8. Estimated cost of work:

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

9. Description of diversion works:

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

PLUGS & DICES

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.....acre feet. Surface area at highwater mark.....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 PROFILE
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 COMPLETED years.

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

12. Choice of newspaper for publication of notice of intention to appropriate.....

NOT APPLICABLE

STATE OF SOUTH DAKOTA

County of Fall River } ss.

I, Carl Kennolt, 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 Carl Kennolt

Subscribed and sworn to before me this 10th day of June 19 63

Notary Public (or other qualified officer)

Clerk of Courts, Fall River Co., S. Dak.

Remarks by State Water Resources Commission:

"VESTED RIGHT" CLAIMED.

The diversion rate limitation of 1 cubic foot per second for each 70 acres irrigated shall not apply to this Dry Draw irrigation diversion during periods of flood flows, when such flows are in excess of the amount of water required to satisfy domestic use requirements and other water rights.

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, JUNE 18, 1963

This is to certify that the foregoing application was received by the Commission at 8:10 o'clock a.m. upon the 11TH day of JUNE, 1963

State Water Resources Commission

By: Sutton Jones

Chief Engineer, Executive Officer

Number of permit 801-2

Date of first receipt of application JUNE 11, 1963

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 1940, 19—

Approved JUNE 18, 1963, Recorded in Book 8 Page 84

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~~

2nd. The whole of said work is ~~to be~~ completed ~~on or before~~

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

COMPLETED

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 .57 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least 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 WAS

and beneficially applied for irrigation on or before JUNE 30, 1955; said water to be used during the following described annual period:

WHenever AVAILABLE

Witness my hand this 15TH day of JUNE, 1963

State Water Resources Commission

By: George B. Jones

Chief Engineer, Executive Officer

Certificate of Construction Issued JUNE 18, 1963

Water License Issued JUNE 18, 1963

STATE OF SOUTH DAKOTA

WATER LICENSE No. 801-2

WHEREAS, On the 11th day of June A. D. 1963

Carl Kannolt

of Osirichs County of Fall River and State of South Dakota duly made application (No. 801-2) to us for a permit to use .57

cubic feet per second of the waters of a dry draw

County of Fall River, State of South Dakota, for irrigation purposes; and

Vested Right WHEREAS, On the 18th day of June A. D. 1963 Permit No. 801-2 was issued to said applicant for the diversion of said water, recognizing the completion of the works of diversion therein described ~~XXXXXX~~ and ~~XXXXXX~~

water ~~XXXXXX~~ and ~~XXXXXX~~ application to beneficial use of said water ~~XXXXXX~~ day of ~~XXXXXX~~ and,

WHEREAS, On the 11th day of June A. D. 1963 the holder of said permit duly made proof of the completion of adequate works for the diversion of .57

cubic feet per second of said waters, as evidenced by our Certificate No. 801-2

dated June 18, 1963 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use .57 cubic feet per second of water, with date of priority of 1940 and,

WHEREAS, On the 11th day of June A. D. 1963 proof was duly made of the application to beneficial use of .57 cubic feet per second of said water for irrigation of 40 acres in the E $\frac{1}{2}$ Section 4, T 12S, R6E

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 Carl Kannolt

of Oelrichs the holder and owner Vested Right of said permit No. 801-2
a water right, dating from 1940 to the use of .57

cubic feet per second of the waters of a dry draw
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 N 50° E 1500' from the
SW corner, Section 4, T12S, R6E
and conducted to and upon 40 acres in the S½ Section 4, T12S, R6E, more specifically
described in the Certificate of Completion of Works

for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the
State, and subject, also to the local or community customs, rules and regulations which have been or may be
adopted from time to time by a majority of the users from a common source of supply, canal or lateral from
which such water may be taken, when such rules and regulations have for their object the economical use of such
water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 18th day of June A. D. Nin-teen
Hundred and Sixty-Three

State Water Resources Commission

By:

J. W. TRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s. _____

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 801-2Water Division No. 2 So. Cheyenne River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Carl Kennolt

of Oelrichs, County of Fall River, and State of South Dakota, the holder of Vested Right of Permit No. 801-2, issued upon Application No. 801-2, bearing date of priority of 1940, authorizing the diversion of .57 cu. ft. per second of the waters of a dry draw County of Fall River, State of South Dakota, at a point N 50° E 1500 feet from the SW corner, Section 4, T12S, R6E

for irrigation purposes, has fully 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 recognized as found satisfactory condition for diverting and conveying to the place of intended use .57 cu. ft

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,

to-wit: all in Section 4, T12S, R6E

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 25 acres

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 15 "

40 acres

Witness my hand this 10th day of June A. D. 1953

State Water Resources Commission

By:

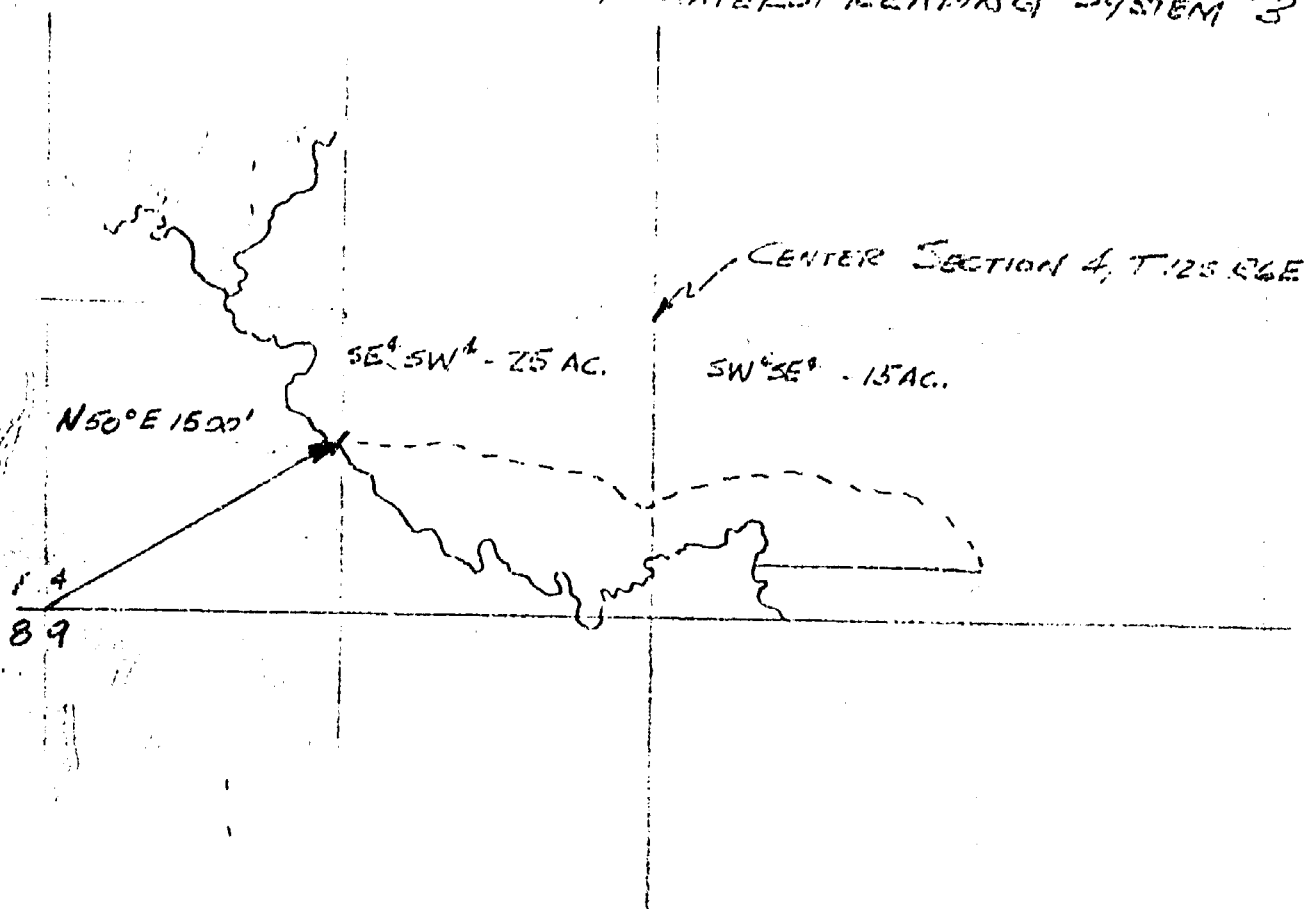
J. W. GRIMES
Chief Engineer, Executive Officer



Old Dam New Spreader
20 yrs or more old and Ditch

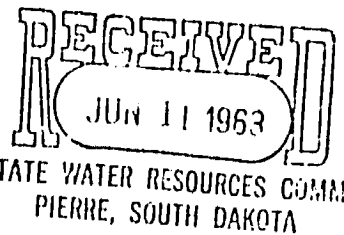
Spreader dam 20 yrs.

CARL KANNIGT WATERSPREADING SYSTEM #3



Location No. _____

Water Division No. _____ Water District _____



Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. CARL KANNOLT, OGDEN, IOWA

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. NO PREVIOUS POSTING

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. DRY DRAW N50°E 1500 ft from the SW corner, Section 4, T12S R6E

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. PLUGS & DITCH SPREAD WATER OVER MEADOWS ADJACENT TO THE DRAW

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. SPREADER IRRIGATION ON 25 ACRES IN THE SE¹SW⁴ AND 15 ACRES IN THE SW⁴SE⁴, SECTION 4, T12S R6E

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. _____

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 40 acs fed annually

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

Quest. 10. State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Ans. System was constructed in 1940 & has been used since for irrigating lands as shown

(Sign) Carl Kamnelt

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Hot Springs, County of Fall River

State of South Dakota, on this 10th day of June A. D. 1963

Witnesses. Clerk of Courts, Fall River Co, S. Dak.

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

Location No.-----	
PROOF OF APPLICATION OF WATER TO BENEFICIAL USE	
PETITION OF HOLDER	
Amount of Water ----- c. f. s.	
Source -----	
County -----	
Purpose -----	
Place of Use -----	
Date of recording -----	
Received and filed -----	

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

September 21, 1988

NOTICE

Carl Kannolt
Blanie Hotel, Apt 207
Chadron NE 69337

Dear Mr. Kannolt:

I am writing to notify you that pursuant to the Notice of Intent to Validate Vested Water Right Claims dated June 20, 1988 that I intend to oppose validation of your water right claim No(s). 762-2, 763-2, (801-2) until a field inspection has been completed. The claim has either never been inspected or an inspection was conducted so long ago that a new inspection is needed. An inspection is needed to determine the current state of your vested water right claim.

A staff member from the Division of Water Rights will be contacting you and scheduling an inspection of your water project. If we can answer any questions, please contact us.

Very truly yours,

Delwin W. Brong
for JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3252



SOUTH DAKOTA

Department of Water & Natural Resources

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

December 1, 1988

Vested Water Right
Claim No. 762-2,
763-2, (801-2)

Carl Kannolt
Blanie Hotel
Apt 207
Chudron NE 69337

Dear Mr. Kannolt:

Enclosed is a copy of a letter received from the U.S. Department of Interior, Bureau of Reclamation. The Bureau of Reclamation is opposing those vested water right claims in Pennington, Perkins, Butte and Fall River counties which have never been investigated by the Division of Water Rights. Earlier, you received a letter stating that I was opposing your claim until an investigation can be completed.

After the investigation has been completed, you and the Bureau of Reclamation will be notified as to the date, place and time of the hearing on your vested water right claim. At that time all parties of record will have an opportunity to testify on the validation.

If we can answer any questions, please contact us.

Very truly yours,

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

cc: Bruce Laymon, Bureau of Reclamation



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

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

March 23, 1990

801-2
762-2

NOTICE

TO: Carl Kannolt
x Melvin Schumacker
Box 125
Oelrichs, SD 57763

FROM: *for Melvin D. Brosz*
JOHN HATCH, CHIEF ENGINEER
Water Rights Division
(605)773-3352

SUBJECT: Low Water Levels in Angostura Reservoir

The water level in Angostura Reservoir on March 6, 1990 was at 3171.1 feet above mean sea level (msl). This is approximately 16 feet below the full elevation of 3187.2 msl. The present estimates are that the Angostura Irrigation District will be able to deliver less than 50% of full service water to project lands during the 1990 irrigation season. We are contacting you to advise you of the actions we have taken due to the low water situation in Angostura Reservoir. Junior Water Right owners above Angostura have been ordered not to use water until Angostura fills.

Since your Water Right Nos. 762-2 and 801-2 have priority dates that are senior to the April 11, 1941 priority for Angostura Irrigation Water Right No. 1579-2, your permits are not directly affected by the Junior Priority Order. However, I am requesting that all Senior Water Right holders comply with any qualifications and limitations as stated on their water right. With the existing low runoff conditions, we expect to monitor all water rights above Angostura Reservoir.

I want to thank all Water Right Holders above Angostura for the cooperation that we have received up to this time. If you have any questions, please contact Del Brosz (605 773-3352).

801-2

Water Rights Division -DENR
Conversation or File Documentation

File No. 762-2
763-2
801-2

NAME OF PERSON OR FILE: Carl Kannolt

ADDRESS: Delrichs, SD COUNTY: Fall River

DATE: 6/6/91 TELEPHONE:

RE: Vested Right Claim Inspection

COMMENTS: On June 4, 1991, accompanied by Mr. Martin Miller (535-2201), on a four wheeler ATV inspected land claimed under Vested Right Claim Nos. 762-2, 763-2, and 801-2. The plugs, diversion ditches and other structures for irrigation seemed to be in a good condition. Most of the area was covered with water. The land seemed to be the same as plotted on the maps submitted with the original applications.

- Recommend validation of Vested Right Claim Nos. 762-2, 763-2, and 801-2.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

M. Rasscol Ahadi

M. RASSCOL AHADI
Natural Resources Engineer III
DENR, Water Rights Division

801-2

SOUTH DAKOTA

VESTED WATER RIGHT NO. 801-2 FOR IRRIGATION

Date of Receipt of Claim June 11, 1963.

Date of Validation May 6, 1992.

The Water Management Board validated Vested Water Right Claim No. 801-2 for irrigation purposes for Carl Kannolt, Blaine Hotel, Apt 207, Chadron NE 69539 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 801-2 appropriates 0.57 cubic feet of water per second from a dry draw located in the SE 1/4 SW 1/4 Section 4 to irrigate 40 acres located in the SE 1/4 SW 1/4, SW 1/4 SE 1/4 Section 4; all in T12S-R6E.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. Water is to be used during the following annual period: January 1 - December 31.
3. The priority date of the Vested Water Right is January 1, 1940.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: [Signature]
Chief Engineer

JUL 1 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources



801-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JUL 1 1992

Carl Kannolt
Blaine Hotel
Apt 209
Chadron NE 69539

Dear Mr. Kannolt:

The Water Management Board has validated the enclosed Vested Water Right Nos. 762-2, 763-2 and 801-2. These validations give legal status to the claims and are the final document for your vested rights.

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

Very truly yours,

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

enclosures

Water Rights Division - DWR
Conversation or File Documentation

File No. 762-2

763-2
801-2

NAME OF PERSON OR FILE: WILLIAM & MARVINE SCHUMACHER

ADDRESS: HC 75 Box 135A CHAOWN, NE 69337 COUNTY FALL RIVER

DATE: 3/11/93 TELEPHONE 308-432-4117

RE: CONVERSION of LAND PREVIOUSLY OWNED BY CARL KANADT

COMMENTS:

I CALLED MARVINE SCHUMACHER, DAUGHTER OF CARL KANADT
ABOUT HER WATER RIGHTS. SHE SAID THEY OWN THE LAND NOW.
I TOLD HER WE WOULD SEND TRANSFER FORMS. I ALSO
TOLD HER WE WOULD BE SENDING SHUTOFF ORDERS FOR ONE OF
THE WATER RIGHTS

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: PHIL MOTT



801-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 11, 1993

762-2
763-2
801-2

Melvin & Maxine Schumacher
HC 75 Box 135A
Chadron, NE 69337

Dear Mr. & Mrs. Schumacher:

Enclosed are three partially completed "Notice of Transfer" forms for use in filing ownership changes on Vested Water Right Nos. 762-2, 763-2 and 801-2. These are currently listed in the name of Carl Kannolt.

Please review the forms and complete where necessary. The forms will need to be signed in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 each (total of \$7.50).

The vested right claims were validated by the Water Management Board on May 6, 1992. I have enclosed your copy of Vested Right Nos. 762-2, 763-2 and 801-2. We attempted to mail them in July, 1992, however they were returned to us by the post office.

If you have any questions concerning completion of the transfer forms or with regard to the vested rights enclosed, please contact me at (605) 773-3352.

Sincerely,

Genny McNath

Genny McNath
Natural Resources Analyst
(605) 773-3352

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 801-2

Date: 3/17/92

1/We request that Vested Water Right No. 801-2.

formerly owned by: Carl Kannolt

be transferred to: (name & address) Thomas J. Wagoner, Schumacher
1000 1st St. N.E. 19337 (Telephone No) 308-432-4117

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

40 acres - SE 1/4 SW 1/4, SW 1/4 SE 1/4 Section 4, T12S, R6E

I/We understand that the validity of Vested Water Right No. 801-2 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 at the Division of Water Rights, as evidence of the change of ownership.

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

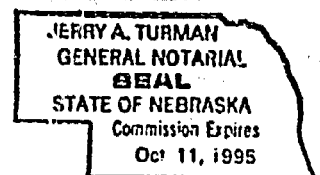
STATE OF SOUTH DAKOTA)
County of _____)

I/We _____ 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.

William Schumacher
William Schumacher
(Signed)

Subscribed and sworn to before me this 17 day of March, 1993

John A. Therman
(Notary Public)



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

Division of Water Rights

South Dakota Department of Environment and Natural Resources

801-2
413692

Pierre, March 22, 1993

RECEIVED OF Walter S. Schneider, Inc. 75 Box 155A, Chadron, NE 69337
the following amount in fees for , rendered as provided for by law:

Fee for Application for Permit No. <u> </u> to Appropriate Water, to construct <u> </u> and to put water to beneficial use <u> </u>		11
Fee for Application for Permit No. <u> </u> to Appropriate Water, for Future Use <u> </u>		
Fee to retain Future Use Permit No. <u> </u> after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u> </u>		
Fee for Filing Transfer Form <u> </u> Water Right No. <u>401-2</u>	2	50
Fee for Filing Extension Request <u> </u>		
Fee for <u> </u>		
<u> </u>		
<u> </u>		
(Any Other Work Provided by Law)	Total	2 50

By *Orlando H. H. H. H.*
Chief Engineer



801-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 23, 1993

No. 762-2

763-2

801-2

Melvin and Maxine Schumacher
HC 75, Box 135A
Chadron, NE 69337

Dear Mr. and Ms. Schumacher:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 762-2, 763-2 and 801-2.

Our records now show you as the owner of Water Right Nos. 762-2, 763-2 and 801-2.

Sincerely,

Cheryl F. Frost

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

enclosure

CONCLUSIONS

WTR 4.10
BF-430

United States Department of the Interior

BUREAU OF RECLAMATION

Great Plains Region
Belle Fourche Projects Office
P.O. Box 226
Newell, South Dakota 57760-0226

AUG 18 1993

AUG 1993
DIVISION OF
WATER RIGHTS
Pierre, SD.

Mr. John Hatch, Chief Engineer
Water Rights Division
South Dakota Department of Water and Natural Resources
523 E. Capitol
Pierre SD 57501-3181

Subject: Vested Water Right Claims in Western South Dakota (Your Letter
Dated April 20, 1993) (Water Rights)

Dear Mr. Hatch,

We have reviewed the vested water right claims located in Perkins, Pennington, Fall River, and Butte Counties as listed in your letter dated April 20, 1993. We have also discussed these rights with contract water users. We appreciate the assistance of your staff in providing documentation of inspections and validation proceedings for specific claims as we requested.

We are satisfied with all of the actions taken by the board. Our intent in opposing validation of the water rights was to assure that all of the rights were reviewed prior to validation. That review has been completed by your staff. Thank you for notifying us of the board's actions and extending the opportunity to reconsider the actions if it would have been deemed necessary. We understand that future notification will be made in advance of board actions.

If we can be of further assistance, please contact Craig Kjar or me at (805) 456-2695.

Sincerely,

Bruce M. Laymon
Project Manager

cc: Mr. Joe Kramer, Manager
Angostura Irrigation District
PO Box 346
Oral SD 57766

Mr. James E. Winterton, Project Manager
Belle Fourche Irrigation District
PO Box 225
Newell SD 57760



**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 17, 2005

763-2
801-2
1872-2

Dell & Janet Anderson
1401 Tompkins
Rapid City SD 57701

Dear Mr. & Mrs. Anderson:

Recently, when mailing out shutoff orders for junior water right holders, it came to our attention that ownership on Vested Water Right Nos. 763-2, 801-2 and 1872-2 had changed. The vested rights are currently listed in the names of Melvin & Maxine Schumacher.

Don Stroup with our program visited with the Fall River County Assessor's office to obtain current ownership. It is our understanding that you now own the land. Enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change. Please review them and make any necessary corrections. Upon completion, please sign the forms and return them to our office with a required filing fee of \$2.50 each (total of \$7.50). The check or money order for the fee can be made payable to the Water Rights Program.

Enclosed are copies of each of the vested water rights. You may keep them for your records. I have included a copy of the shutoff order pertaining to this land. If you have any questions concerning the shutoff order or completion of the transfer forms, please contact me. If the records are in error and you do not own the land, let me know.

Sincerely,

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

enclosures

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 25, 20 05

RECEIVED OF Dale E Anderson ND, 725 Indiana St., Rapid City SD 57701

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. _____		
Fee for Filing Transfer Form <u>201-2</u>		2 50
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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

001018

By

Darland White

Chief Engineer

gm

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED No. 801-2
MAR 25 2005 Date: 3-22-05
WATER RIGHTS
PROGRAM

I/We request that Vested Water Right No. 801-2

formerly owned by: Melvin & Maxine Schumacher

be transferred to: (name & address) Dale & Jeanette Anderson

725 Indiana St, Rapid City SD 57701

Telephone No.

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

40 acres – SE ¼ SW ¼ and SW ¼ SE ¼ Section 4, T12S, R6E

I/We understand that the validity of Vested Water Right No. 801-2 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 & Jeanette
Anderson

, the new owner, certify that the above information is true and correct.

Dale 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.



801-2

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and NATURAL RESOURCES**

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

March 31, 2005

763-2
801-2
1872-2

Dale & Jeanette Anderson
725 Indiana St
Rapid City SD 57701

Dear Mr. & Mrs. Anderson:

Thank you for following up on the ownership changes for Vested Water Right Nos. 763-2, 801-2 and 1872-2. The transfers have been completed.

The vested water rights formerly held by Melvin and Maxine Schumacher are now listed in your names. Enclosed are your Receipt Nos. 001817, 001818 and 001819 in the amounts of \$2.50 each. You may keep them for your records.

A check of ownership shows portions of the lands described in at least one other vested right (listed in the name of Donald Putnam) may be owned by you. We will be contacting you in the near future regarding that specific water right.

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