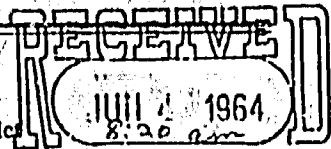


832-2

1. Considered 7-15, 1961
2. Name of Applicant Lester Stramer
3. Post Office Address White River
4. Amount of Water Claimed .83
5. Source of water supply Little White River
6. Water to be used for irrigation
Acres to be irrigated 58.3
7. Water to be diverted and used in Mellette County about
SE 6N Miles of White River
8. Proof of Publication Received ✓
Not Received
9. Application Approved
Subject to
Not Approved
Action deferred
10. Remarks:

No. 832-2Water Division No. 2 White River
(Blanks to be filled by the Engineer for the W. R. C.)

District

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

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

1. Name of applicant Lester Stromer
Postoffice address White River, County Mellette, State S. 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) _____

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

2. Name of diversion work Stromer Irrigation Project3. Amount of water claimed 83 cubic feet per second4. Source of water supply Little White River5. Location of point of diversion See Attachment in the NE 1/4 Sec. 33, T. 25N, R. 25W_____ on both bank Mellette County.6. Annual period or periods during which water is to be used April thru October

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity(a) Number of acres to be irrigated 58.3 acres.(b) Legal subdivisions to be irrigated See Attachment

(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.

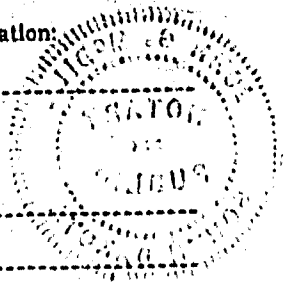
Amount claimed for engine cooling _____

(c) Location of plant _____

(d) Method of developing power _____

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

Map No 716-2



8. Estimated cost of work:

(a) Head Gates, \$-----

(b) Pumping plant, \$-----

(c) Fluming, \$-----

(d) Canal-earth, \$-----

Roll, \$-----

(e) Other structures -----

Total, \$-----

9. Description of diversion works:

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

Pump in to ditches thence to levelled area

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 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 ----- 4 ----- years.

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

Mellee County News, White River, S. Dak

STATE OF SOUTH DAKOTA

County of Mellee

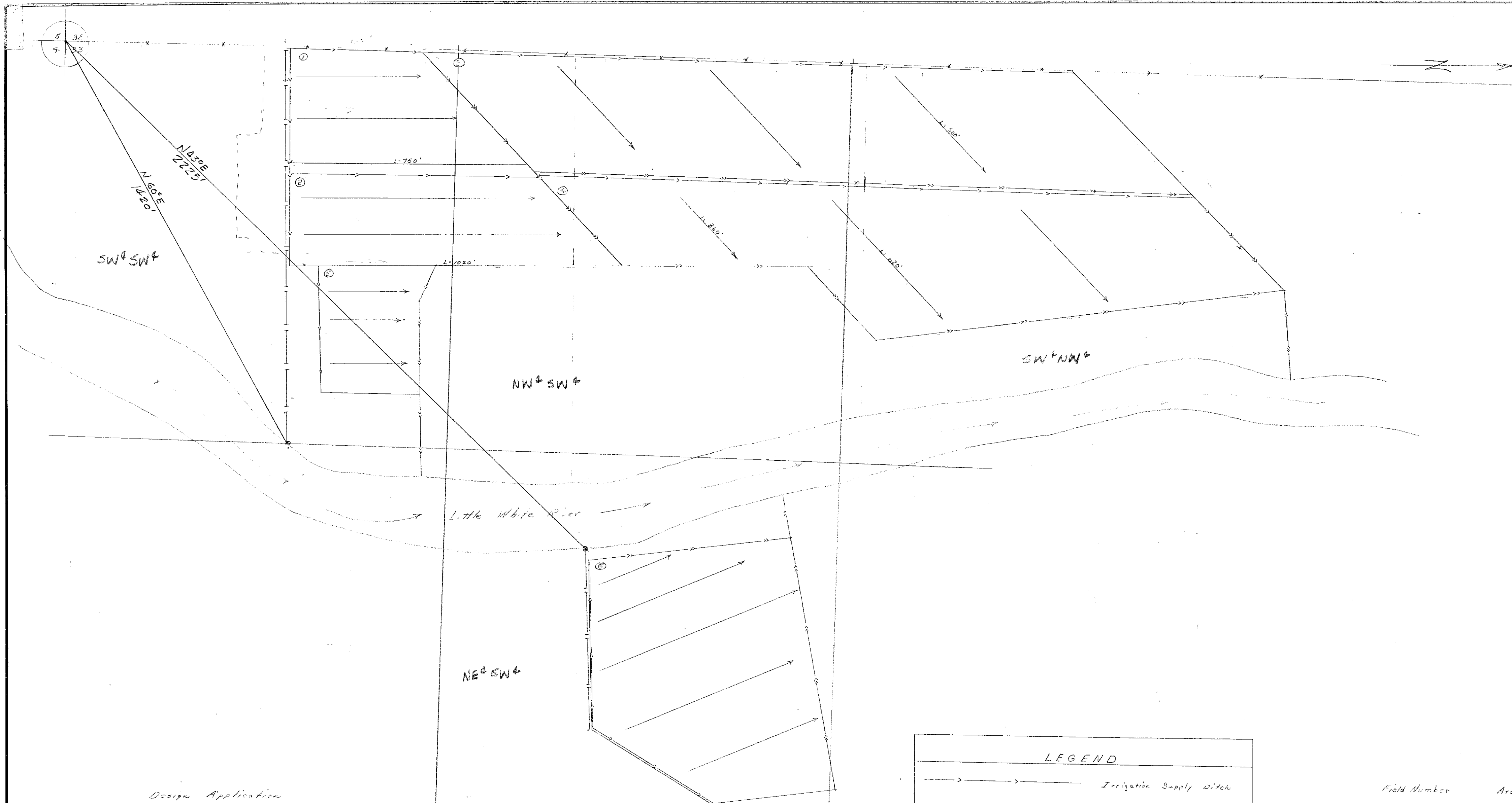
I, John G. McDill, being first duly sworn or my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed x Lester S. Tromer

Subscribed and sworn to before me this ----- 3rd ----- day of ----- June ----- 19.64

John G. McDill
Notary Public (or other qualified officer.)

N 1/2 Sec 33, T 43N, R 26W



Design Application		
	Row Crop	Alfalfa
Irrigation Frequency	15 days	20 days
Estimated Time Required	27 hrs.	13 hrs.
Border Width		70'
Water per Furrow or Border	13 gal/min	160 g.p.m.

LEGEND	
	Irrigation Supply Ditch
	Drainage Ditch
	Direction of Irrigation
	Fence line
	Field border
	Elevated ditch

Field Number	Area
1	9.5
2	5.7
3	17.1
4	16.7
5	6.9
6	11.4
Total Area to Irrigate = 58.3	

Peak Consumptive Use: 0.29/day

$0.29/day \times 58.3 \text{ Ac} \times 70 \frac{\text{lb}}{\text{Ac}} \times 1.70 \frac{\text{in}}{\text{in}} = 170 \text{ cfs}$ Net moisture
29 ac/day

$170 \text{ cfs} \times 2.4 \frac{\text{in}}{\text{day}} = 139 \text{ cfs} = 600 \text{ gal/min}$
70% eff 16 ac/day pumping

Pump Requirements for peak consumptive use pumping 16 ac/day = 600 gal/min

Scale: 1" = 200'

LESTER STROMER	
IRRIGATION DESIGN	
W 1/2 Sec 33, T 43N, R 26W	
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE	
Designed <u>Lester Stromer</u>	Date <u>6-2-63</u>
Drawn _____	Approved by _____
Traced _____	Title _____
Checked _____	Sheet _____ Drawing No. _____

Map No 716-2 (Appl No 832-2) FORM SCS-313 (APRIL 1963)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA

County of

Hughes

ss.

Pierre, South Dakota,

July 17, 1964

This is to certify that the foregoing application was received by the Commission at 8:20 o'clock

a m. upon the 4th day of

June

1964

State Water Resources Commission

By:

Durton Jones
for Chief Engineer, Executive Officer

Number of permit

832-2

Date of first receipt of application

June 4

1964

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

June 4

1964

Approved

July 15

1964

Recorded in Book

8

Page 213

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 15, 1967

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

July 15, 1969

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

July 15, 1973

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 83 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion work 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

and beneficially applied for irrigation on or before

July 15

1973

during the following described annual period:

April thru October

Witness my hand

17th

day of

July

1964

State Water Resources Commission

By:

Joe Guinn

Chief Engineer, Executive Officer

Certificate of Construction issued

MAY 30

1973

Water License issued

MAY 30

1973

Diversion Points

N60°E 1420' from the SW cor Section 33, T43N, R28W
N43°E 2225' from the SW cor Section 33, T43N, R28W

Lands to be irrigated

all in Section 33, T43N, R28W

SW⁴SW⁴ 13.1 acres

NE⁴SW⁴ 11.4 acres

NW⁴SW⁴ 17.1 acres

SW⁴NW⁴ 16.7 acres

Totals 58.3 acres

WATER LICENSE NO. 832-2

(1) WHEREAS, On the 4th day of June A. D. 19 64
Lester Stromer

made Water Right Application No. 832-2 for permit to use .83 cubic feet per second of the waters of Little White River
County of Mellette, State of South Dakota, for irrigation

purpose and
(2) WHEREAS, On the 17th day of July A. D. 19 64
Permit No. 832-2, with a date of priority of June 4, 1964

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 15th day of July A. D. 19 69 and for the application to beneficial use of said water on or before the 15th day of July A. D. 19 73

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 .83 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 Section 33, T43N, R28W

	Acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$	16.7
NW $\frac{1}{4}$ SW $\frac{1}{4}$	17.1
SW $\frac{1}{4}$ SW $\frac{1}{4}$	13.1
NE $\frac{1}{4}$ SW $\frac{1}{4}$	11.4
Total	58.3

(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 Lester Stromer

_____ of White River, S.D.

the holder _____ and owner _____ of said permit No. 832-2 a water right, dating from June 4, 1964

_____ to use of .83 cubic feet per second of the waters of the Little White River

in the County of Mellette and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at Point #1, North 60° East, 1420 feet from the SW

Corner, Section 33 (Left Bank), Point #2, North 43° East, 2225 feet from the
SW Corner, Section 33 (right bank). all in T43N, R28W

and convey to and upon portions of Section 33, T43N, R28W, more fully described on the
face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 832-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 30th day of May A. D.
Nineteen Hundred and Seventy-three

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer J.W. GRIMES

Permit No. 832-2

Water Diversion No. 2 WHITE RIVER Water District

CERTIFICATE OF CONSTRUCTION

Lester Stromer

This is to Certify, That _____

_____ the holder _____ of
 Permit No. 832-2, issued upon Application No. 832-2, bearing date of priority of June 4,
1964 authorizing the diversion of .83 cu. ft. per second of the waters of _____
Little White River County of Meilette State of South Dakota at _____
Point #1, North 60° East, 1420 feet from the SW Corner, Section 33 (left bank)
Point #2, North 43° East, 2225 feet from the SW Corner, Section 33 (right bank).
all in T45N, R28W Irrigation
 _____, for _____

purposes, has ⁶ _____ 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 _____ cu. ft. per second of water.
May 30, 1972

Date _____

WATER RESOURCES COMMISSION

By:

JTW. GRIMES, Executive Officer

on or before June 18, 1964
(First Publication)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., June 8, 1964

Notice is hereby given that Lester Stromer whose postoffice address is White River 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 .83 cubic feet of water per second of time from the Little White River through the Stromer Irrigation Project, the point of diversion of which is to be located on the south bank of said stream at a point in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and a point in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ $\frac{1}{4}$ of the SW $\frac{1}{4}$ $\frac{1}{4}$ of Section 33 Twp. 43N Range 28W portions of the following described land:

W $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, T43N, R28W

and for purpose

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of July, 1964, at 2 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.

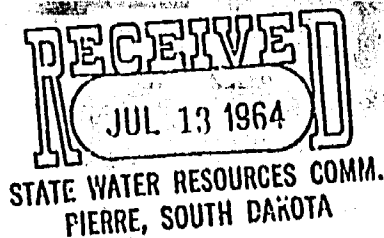
State Water Resources Commission

By:

BURTON F. JONES
Water Right Specialist

CC: Donald D. Evans, Publisher
Hellelto County News
White River, S. Dak.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Melette } ss.Donald E. ... being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the -----Melette County News a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in theMelette County News of White River County ofMelette and State of South Dakota; that the said notice was published in said newspaper on the following dates:June 11June 18June 25in each and every issue of the full number thereof, the first publication being made on the 11 day of June 1964 and the last publication on the 25 day of June 1964, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was ----- the printer and publisher of the said newspaper.Subscribed and sworn to before me this 10 day of JulyNotary Public Melette County, S. D.

THE MELETTE CO.

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., June 8, 1964

Notice is hereby given that Lester Stromer whose post office address is White River, 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 33 cubic feet of water per second of time from the White River through the Stromer Irrigation Project point of division of which is to be located on both banks of said stream at a point in the SW 1/4 SW 1/4 and a point in the NE 1/4 of the SW 1/4 of Section 33 Twp. 43 Range 28W. Said water to be used for the purpose of providing irrigation on portions of the following described land: W 1/2 SW 1/4 NE 1/4 SW 1/4 and SW 1/4 NW 1/4 Section 33, T43N, R28W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of July 1964 at 2 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

6 11 4

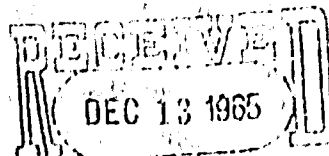
Permit No.

832-2

Water Division No. 2

White River

Water District

STATE WATER RESOURCES COMMISSION
SOUTH DAKOTA

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.)

White River, S. Dak.

(Date)

November 9, 1965

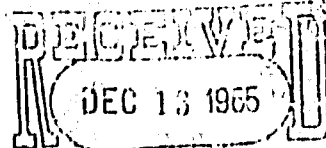
TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the _____ day of _____
 19____, at _____ County of Mellette State of South Dakota,
 before _____ proof will be submitted of the application to beneficial use
 (Examining Engineer or Officer)
 of 83 cubic feet per second of the waters of Little White River
 _____ in accordance with the terms and conditions of Permit No. 832-2
 heretofore issued by the Water Resources Commission of South Dakota.

- The name and postoffice address of the person or corporation holding said permit are
Lester Stromer, White River, S. Dak.
- The use to which said water has been applied is irrigation
- The amount applied to beneficial use is 83 cu. ft. per second
- The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated)
All in section 33, T43N, R28W
SW 1/4 SW 1/4 13.1 acres
NE 1/4 SW 1/4 11.4 acres
NW 1/4 SW 1/4 12.1 acres
SW 1/4 NW 1/4 16.7 acres
- The name of the canal or ditch or other works by which said water is conducted to such place of use is
Stromer Irrigation Project
- The right to take the water from such works is based upon permit No. 832-2
- The source of supply from which such water is diverted is Little White River
- The date of priority which said user is prepared to establish is April through October

(Sign)

Lester Stromer

Permit No. 832-2Water Division No. 2White RiverSTATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.)

White River, So. Dak.

(Date)

December 9, 1965

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of

.83cu. ft. per second of the waters of the state from April

through the

October

for

irrigating

purposes

In accordance with the terms and con-

ditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota

1. The name of the person or corporation holding said permit is

Lester Stromer

2. The postoffice address of such person or the place of business of such corporation is

White River

County of

Mellott

State of

South Dakota

3. The number of such permit is

832-2

and the date set for the completion of such work is

completed

4. Said water to be used for

irrigation

purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of

water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is

.83

cubic feet per second.

6. The amount of land for which said water is available is

58.3

acres,

particularly described as follows:

All of section 33, T43N, R38W
SW 1/4 SW 1/4 13.1 acres NW 1/4 SW 1/4 17.1 acres
NE 1/4 SW 1/4 11.4 acres SW 1/4 NW 1/4 16.7 acres

I hereby certify that the facts set forth in the above notice are true.

(Signature of Owner)

Lester Stromer

Permit No. 832-2

Water Division 2 WHITE RIVER Water District

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 Lester Stromer
_____ of _____ White River, S.D. 57579 holder _____
of Permit No. 832-2, bearing date of priority of June 4, 1964
authorizing the diversion of .83 cu. ft. per second of the waters of Little White River
for irrigation purposes, in Mellette 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:

5 x 6 Berkley pump, powered by Chrysler Industrial Engine, using L.P. Gas, 25 H.P.

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

920 ft. 8" Aluminum pipe

C. Works used to apply water to beneficial use.

1220 ft. 8" gated aluminum pipe, 40" x 1½" opening
land has been leveled

The system is in the following condition: good

The point of diversion is located #1, North 60 East, 1420 ft. from SW Cor. Sec. 33, T43N, R26W, left bank, #2, North 43° East, 2225 ft. from SW Cor. Sec. 33, T43N, R28W, right bank.

The works are capable of diverting and conveying to the place of use 2.0
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 Sec. 33, T43N, R28W

SW $\frac{1}{4}$ NW $\frac{1}{4}$	16.7 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$	17.1 acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$	13.1 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$	11.4 acres

comprising a total of 58.3 acres of land.

Date May 18, 1973

Martin K. R.
(Signature)

(Signature)
MARVIN KNECHT, Engineer, Water Resources Commission

832-2



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

January 6, 1993

No. 832-2

Alvin Stromer
P.O. Box 76
White River, SD 57579-0076

Dear Mr. Stromer:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 832-2. The water right is currently listed in the name of Lester Stromer.

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

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

If you have any questions, please contact me.

Sincerely,

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 832-2

Date: 1-29-93



I\We request that Water Right No. 832-2

formerly owned by: Lester Stromer

be transferred to: Alvin Stromer, PO Box 76, White River, SD 57579-0076 (Telephone No) 259-3324

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

58.3 acres - SW 1/4NW 1/4, W 1/2SW 1/4, NE 1/4SW 1/4, all in Section 33, T43N, R28W

I\We understand that the validity of Water Right No. 832-2 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 Moellette)

I\We Alvin Stromer 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.

Alvin Stromer
(Signed)

Subscribed and sworn to before me this 29th day of January, 19 93.

Donna Twite
(Notary Public)

my commission expires: 3/95

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

832-2
413615

Pierre, _____ February 2, 19 93

RECEIVED OF ~~XXXXXXXXXX~~ Alvin Stromer, PO Box 76, White River, SD 57579
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>Water Right No. 832-2</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By Carl Hatch
Chief Engineer

832-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 5, 1993

No. 832-2

Alvin Stromer
P.O. Box 76
White River, SD 57579-0076

Dear Mr. Stromer:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 832-2.

Our records now show you as the owner of Water Right No. 832-2.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cheryl F. Frost".

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

enclosure

RECEIVED

SEP 29 2009

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. _____

Date: 9-29-09

I/We request that Water Right/Permit No. 832-2

formerly owned by: Alvin Stromer, P.O. Box 76, White River, SD 57579

be transferred to: (name & address) William V. Fischer, P.O. Box 555, Ft. Pierre, SD
57532

Telephone No. 605-223-2133

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

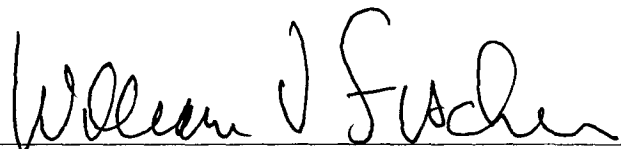
58.3 acres - SW1/4NW1/4, W1/2SW1/4, NE1/4SW1/4, all in Section 33
T43N, R28W.

I/We understand that the validity of Water Right/Permit No. 832-2 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 Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We William V. Fischer, 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 9/29, 20 09

RECEIVED OF W V Fischer Livestock PO Box 355 Fort Pierre SD 57532

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50 00	
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>832-2</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50 00	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 04221

By Michael Calvada
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

September 30, 2009

832-2

William V Fischer
PO Box 555
Ft Pierre SD 57532-0555

Dear Mr. Fischer:

Thank you for following up on the ownership change for Water Right No. 832-2.

The transfer of ownership has been completed. Water Right No. 832-2 formerly held by Alvin Stromer is now listed in your name.

If you have any questions, 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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 24, 2023

832-2

William V Fischer
PO Box 555
Ft Pierre SD 57532-0555

Dear Mr. Fischer:

I am writing regarding your Water Right No. 832-2 (copy enclosed).

A review of past irrigation questionnaires reflect you have not irrigated since the water right was transferred to you in 2009 and have reported "no system". The land was not irrigated by the previous owner for many years as well. Under South Dakota Water Law, water must be placed to beneficial use for the purpose it was appropriated at least once every three years to maintain a water right. This three-year period may be waived if legal excuse exists for the years of nonuse. Enclosed for your review are excerpts of water laws and Water Management Board rules dealing with these issues.

The original system was described as using a pump to divert water to ditches and then to leveled ground for irrigation. If nothing exists anymore and you have made a business decision not to irrigate, the water right would be subject to cancellation. This would eliminate the need for annual reporting.

Please take a few minutes to review the enclosed information and then give me a call to discuss the water right. Thank you in advance,

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: George Newman, C & N LLC

DATE: March, 2023 & June 1, 2023

TELEPHONE: 605 881-7560

RE: ownership of land under No. 832-2

COMMENTS:

In March, Mr. Newman called in response to a letter I sent to William Fischer about the status of irrigation on his land.

Mr. Newman indicated he had purchased the land from Mr. Fischer and would like to have the water right transferred to him or specifically C & N LLC.

I discussed the past use and explained the previous owner reported “no system” and no irrigation. The source of water is from the Little White River so it could be either sufficient moisture or lack of water during those years – it is not clear.

Mr. Newman questioned what he needed to do. I explained he could file the ownership change and let it go but in doing so, it doesn’t change the fact the water right may have been abandoned or forfeited. The Water Management Board would need to make that determination. He understood and requested I email him a transfer form.



Genny McMath
Water Rights Program



832-2

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

C+N Land, LLP
5140 Pine Tree Dr
Rapid City SD 57702

832-2

Dear Mr. Newman:

Our office has received your "Notice of Transfer of Ownership" form and the appropriate fees.

Water Right No. 832-2 has successfully been transferred from William V Fischer to C+N Land LLP on June 13, 2023.

This water right covers 58.3 acres within the W ½ of Section 33, T43N, R28W, Mellette County.

If you have any further questions, please feel free to ask.

Sincerely,

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

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

JUN 05 2023

OFFICE OF
WATER

To: Chief Engineer **832-2**
Water Rights Program, DANR No.
523 E. Capitol
Pierre, SD 57501-3181

Date: 06/01/2023

I/We request that Water Right No. 832-2

formerly owned by: William V Fischer

be transferred to: (name & address)

C+N Land, LLP
5140 Pine Tree Dr Telephone No. 605-484-8430
Rapid City, SD 57702

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

58.3 acres – SW ¼ NW ¼, W ½ SW ¼ and NE ¼ SW ¼ Section 33, T43N, R28W

I/We understand that the validity of Water Right No. 832-2 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 Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We C+N Land, LLP, the new owner, certify that the above information is true and correct.


(Signed by new owner)

Vance Newman, Partner

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.

832-2

RECEIPT**WATER RIGHTS PROGRAM**
South Dakota Department of Agriculture and Natural ResourcesDate June 15, 2023RECEIVED OF C&N Land LLP 5140 Pine Tree Dr., 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. _____	\$ _____
Fee for Filing Transfer Form <u>832-2</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	TOTAL
	<u>\$50.00</u>

By Eric Gronlund
Chief Engineer
zm



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 14, 2025

NOTICE

TO: C+N LAND LLP, 4102 PENROSE PL, RAPID CITY SD 57702

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire has not been submitted for Permit No(s) 832-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 832-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

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

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 4, 2025

832-2

C+N Land LLP
c/o Vance Newman
4102 Penrose Pl
Rapid City SD 57702

Dear Mr. Newman:

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

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 832-2. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

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

Sincerely,

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