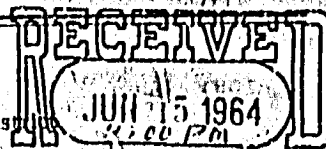


836-2

1. Considered 7-15, 1961
2. Name of Applicant Alfred W. Hansen
3. Post Office Address Kadoka
4. Amount of Water Claimed 1.01
5. Source of water supply White River
6. Water to be used for irrigation
Acres to be irrigated 71.0
7. Water to be diverted and used in Jackson County about
62 Miles 5 of Kadoka
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☐
Subject to ☐
Not Approved ☐
Action deferred ☐
10. Remarks

No. 836-2Water Division No. 2 White River
(Blanks to be filled by the Engineer for the W. R. C.)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 Alfred W. Hansen DANIEL STOUT
Postoffice address Kadoka, County Jackson, 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)

Contract & Direct Labor(b) Cash on hand, \$ Adequate

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work
- Alfred W. Hansen Irrigation Project #1
-
- And All unappropriated Flow Waters

3. Amount of water claimed
- 1.01
- cubic feet per second

4. Source of water supply
- White River

5. Location of point of diversion
- I intend a point in the E 1/4 NW 1/4 of Section 32 T 3 S R 2 E
- on
- North
- bank
- Jackson
- County.

6. Annual period or periods during which water is to be used
- Throughout Growing Season

7. To be used for:

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

(a) Number of acres to be irrigated 210 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 attached hereto, 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.) None

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
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 720-2

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

Pumping Plant

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.....5.....years.

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

The Badger Press

STATE OF SOUTH DAKOTA

County of Taillon } ss.

I, Alfred W. Hansen

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 Alfred W. Hansen

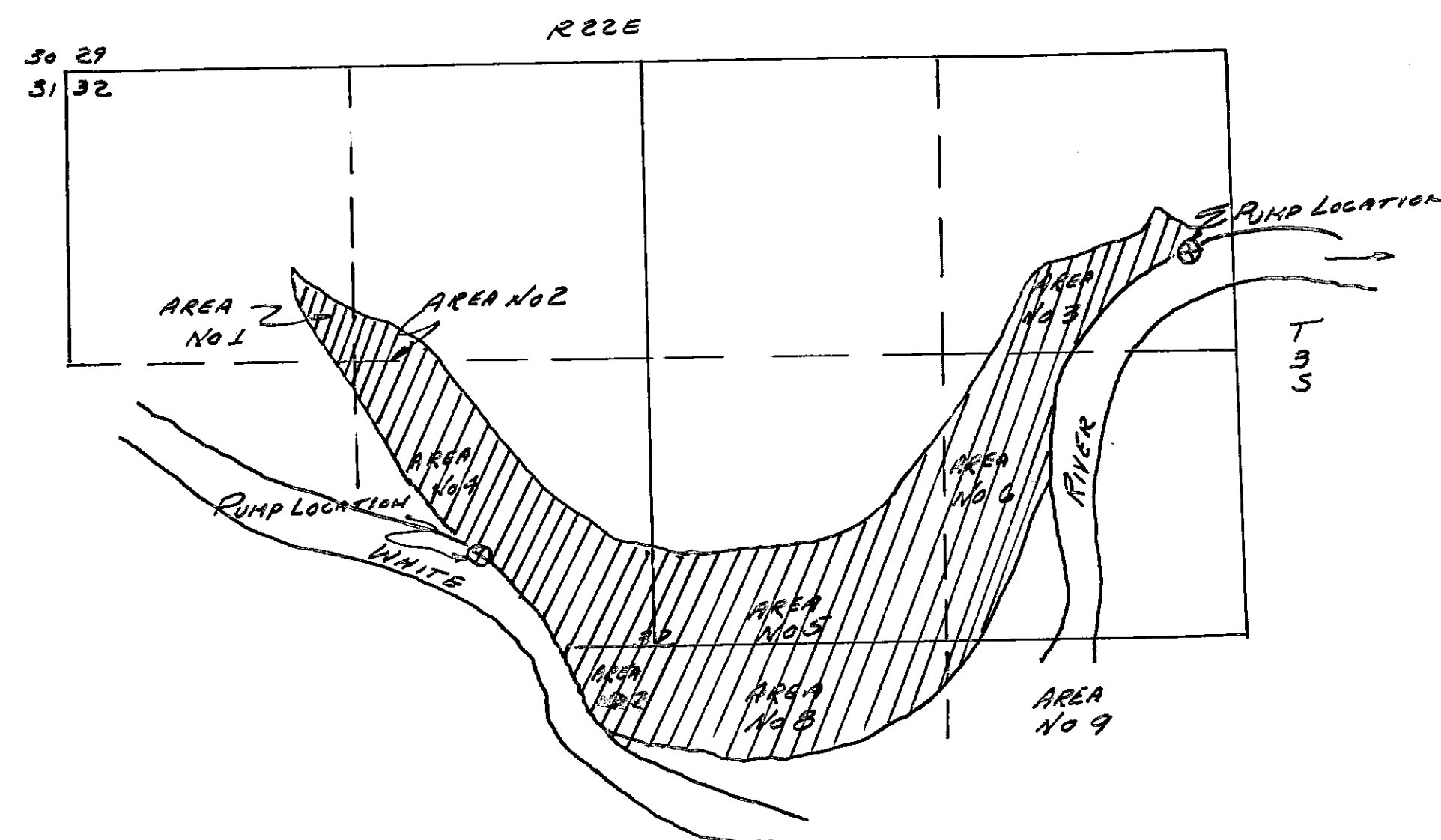
Subscribed and sworn to before me this 12th day of June, 1964

Donald L. Heck
Commission Expires
November 12, 1966

Donald L. Heck
Notary Public (or other qualified officer.)



AREA	SECTION	TWP	RANGE	ACRES
1	NW ¹ NW ⁴ 32	35	22E	1.5
2	NE ¹ NW ⁴ 32	35	22E	1.5
3	NE ¹ NE ⁴ 32	35	22E	6.0
4	SE ¹ NE ⁴ 32	35	22E	16.0
5	SW ¹ NE ⁴ 32	35	22E	15.0
6	SE ¹ NE ⁴ 32	35	22E	11.0
7	NE ¹ SW ⁴ 32	35	22E	4.0
8	NW ¹ SE ⁴ 32	35	22E	15.0
9	NE ¹ SE ⁴ 32	35	22E	1.0
			TOTAL	71.0



ALFRED WHANSON IRRIGATION PROJECT No. 1 SEC 32, T 25 - R 22E SCALE 8" = 1 MILE JACKSON COUNTY			
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE			
Designed WOODRUFF	Date 4/64	Approved by Title	
Drawn WOODRUFF	Traced WOODRUFF	Title	
Checked	Sheet No.	Drawing No.	

Remarks by State Water Resources Commission:

Numerous water rights exist below your diversion point which get their water from the White River. Restrictions under this permit to appropriate water may be necessary during some years to provide supplies for these prior water rights.

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 4:00 o'clock P.m. upon the 15th day of June, 1964.

State Water Resources Commission

By:

Justin D. Jones
for Chief Engineer, Executive Officer

Number of permit 836-2

Date of first receipt of application June 15, 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 15, 1964

Approved July 15, 1964, Recorded in Book 8 Page 216

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, 1969

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 1.01 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

and beneficially applied for irrigation on or before July 15, 1969; said water to be used during the following described annual period:

throughout growing season

Witness my hand this 17th day of July, 1964.

State Water Resources Commission

Justin D. Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued July 22, 1971

Water License Issued July 22, 1971

Item #7 Ib

Area	Section	Twp	Range	Ares
1	NW ⁴ NW ⁴ 32	35	22 E	1.5
2	NE ⁴ NW ⁴ 32	35	22 E	1.5
3	NE ⁴ NE ⁴ 32	35	22 E	6.0
4	SE ⁴ ^{NW¹} NE ⁴ 32	35	22 E	16.0
5	SW ⁴ NE ⁴ 32	35	22 E	15.0
6	SE ⁴ NE ⁴ 32	35	22 E	11.0
7	NE ⁴ SW ⁴ 32	35	22 E	4.0
8	NW ⁴ SE ⁴ 32	35	22 E	15.0
9	NE ⁴ SE ⁴ 32	25	22 E	1.0
Total				<u>71.0</u>

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 836-2

(1) WHEREAS, On the 15th day of June A. D. 19 64
Alfred W. Hansen
 made Water Right Application No. 836-2 for a permit to use 1.01 cubic feet per second of the waters
 of the White River
 County of Jackson, State of South Dakota, for irrigation
purpose; and

(2) WHEREAS, On the 17th day of July A. D. 19 64
 Permit No. 836-2, with a date of priority of June 15, 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 69

and, Whereas, on the 22nd day of July, 1971, the Permit was
 transferred to Daniel Stout,

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 1.01 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 32, T3S, R22E

NW $\frac{1}{4}$ NW $\frac{1}{4}$	1.5 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.5 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$	16.0 acres
NE $\frac{1}{4}$ NE $\frac{1}{4}$	6.0 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$	15.0 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$	11.0 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$	4.0 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$	15.0 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$	1.0 acres
Total	71.0 Acres

(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 Daniel Stout

_____ of Kadoka, South Dakota

the holder _____ and owner _____ of said permit No. 836-2 a water right, dating from June 15, 1964

_____ to use of 1.01 cubic feet per second of the waters of the White River

in the County of Jackson and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at between points in the SE 1/4 NW 1/4 and in the NE 1/4 NE 1/4,

Section 32, T3S, R22E

and conduct to and upon portions of Section 32, T3S, R22E, described on the face of this

License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 836-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 22nd day of July A. D.
Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, JW. GRIMES

Form 15.

Permit No. 836-2

Water Diversion No. 2 WHITE RIVER Water District

CERTIFICATE OF CONSTRUCTION

Daniel Stout

This is to Certify, That _____

_____ the holder _____ of
Permit No. 836-2, issued upon Application No. 836-2, bearing date of priority of June 15, 1964
_____ authorizing the diversion of 1.01 cu. ft. per second of the waters of _____
the White River County of Jackson, State of South Dakota ☒
between points in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 32, T3S, R22E

_____, for irrigation

purposes, has ^s complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 1.66 cu. ft. per second of water.

Date July 22, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

on or before
(First Publication June 18, 1964)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., June 15, 1964

Notice is hereby given that Alfred W. Hanson whose postoffice address is Kadoka 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 1.01

cubic feet of water per second of time from the White River through the

Alfred Hansen Irrigation Project #1, the point of diversion of which is to be located on the left

between a point in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, and a point

bank of said stream in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 32

Twp. 3S Range 22E portions of
Said water to be used for the purpose of providing irrigation on the fol-

lowing described land:

N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ & NE $\frac{1}{4}$ NE $\frac{1}{4}$, All in Section 32, T3S, R22E

~~XXXXXX~~ purposes.

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

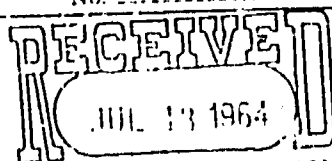
By:

BURTON F. JONES
WATER RIGHT SPECIALIST

CC: L. G. Parkinson, Publisher
Kadoka Press
Kadoka, S.D.

No. 536-2

PROOF OF PUBLICATION

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTASTATE OF SOUTH DAKOTA } ss.
County Jackson

L. G. Farkinson being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the

Kadoka Press 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 Kadoka, County of

Jackson, and State of South Dakota; that the said notice was published in said newspaper on the following dates:

Thursday, June 18, 1964

Thursday, June 25, 1964

Thursday, July 2, 1964

Thursday, July 9, 1964

in each and every issue of the full number thereof, the first publication being made on the 18th day of June

1964 and the last publication on the 9th day of

July, 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 Publisher the printer and publisher of the said newspaper.

L. G. Farkinson

APPROPRIATION OF WATER

Office of State Water Resources Commission
Pierre, S. Dak., June 15, 1964
Notice is hereby given that Alfred W. Hansen whose postoffice address is Kadoka, South Dakota has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.01 cubic feet of water per second of time from the White River through the Alfred Hansen Irrigation Project Number 1, the point of diversion of which is to be located on the left bank of said stream between a point in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and a point in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 32, Township 3S, Range 22E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ & NE $\frac{1}{4}$ NE $\frac{1}{4}$, all in Section 32, T3S, R22E.

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

Pub. June 18, 25, July 2, 9.

Subscribed and sworn to before me this 9th day of July, A. D. 1964

Notary Public Jackson County, S. D.

Permit No. 836-2Water Division 2 WHITE RIVER Water DistrictREPORT 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 DANIEL
STOUT of KADOKA holder
of Permit No. 836-2, bearing date of priority of JUNE 15, 1964
authorizing the diversion of 1.01 cu. ft. per second of the waters of WHITE RIVER
for IRRIGATION purposes, in JACKSON 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:

CORNELL 4" PUMP POWERED BY CHRYSLER
INDUSTRIAL #430 PROPANE ENGINE

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

2000' OF 6" MAINLINE

C. Works used to apply water to beneficial use.

3- 1/4 MILE 4" TOWNLINES W/ RAINBIRD #40
SPRINKLER HEADS @ 40' SPACING (7/82 ORifice)

The system is in the following condition: GOOD

The point of diversion is located BETWEEN POINTS IN THE SE⁴ NW⁴
AND IN THE NE⁴ NE⁴ SECTION 32, T3S, R22E

The works are capable of diverting and conveying to the place of use 1.06cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN SECTION 32, T3S, R22E

<u>NW⁴ NW⁴</u>	<u>1.5 ACRES</u>	<u>SW⁴ NE⁴</u>	<u>15.0 ACRES</u>
<u>NE⁴ NW⁴</u>	<u>1.5 "</u>	<u>SE⁴ NE⁴</u>	<u>11.0 "</u>
<u>SE⁴ NW⁴</u>	<u>16.0 "</u>	<u>NE⁴ SW⁴</u>	<u>4.0 "</u>
<u>NE⁴ NE⁴</u>	<u>6.0 "</u>	<u>NW⁴ SE⁴</u>	<u>15.0 "</u>
		<u>NE⁴ SE⁴</u>	<u>1.0 "</u>

comprising a total of 71 acres of land.Date JUNE 22, 1971

Austin Jones
(Signature)

WATER RIGHT SPECIALIST

NOTICE OF TRANSFER OF WATER PERMIT

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

Date June 25, 1971

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

Portions of Section 32, T3S, R22E, described in Water Permit No. 836-2

formerly owned by Alfred W. Hansen, Kadoka

has been transferred to Daniel Stout, Kadoka

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 836-2 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 Jackson

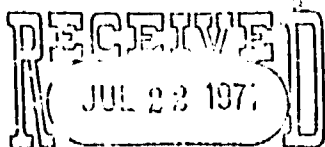
ss. Daniel Stout

I, Daniel Stout 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.

(Signed) Daniel Stout

Subscribed and sworn to before me this 25th day of June, 1971

Miriam Gammal
(Notary Public)



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

COMMISSION

John M. Garhart, Spearfish
Lester Brue, Parker
Carl Cronin, Gettysburg
Lauren A. Davis, Belle Fourche
Milton E. Fischer, Milbank
Richard Lominen, Harrisburg
Clarence D. Mortenson, Hayes
Dick Fisher, Cresbard

South Dakota

WATER RESOURCES COMMISSION

State Office Building #2

PIERRE, SOUTH DAKOTA 57501

698-2

836-2

J.W. GRIMES

Chief Engineer
and
Executive Officer

PHONE:

224-3584

Area Code (05

July 23, 1971

Mr. Daniel Stout
Kadoka
South Dakota 57543

Dear Mr. Stout:

Enclosed herewith are, Water License No. 836-2, Certificate of Construction, and Receipt No. 4 1793 in the amount of \$13.00 for the fee which you have paid, and for the transfer of the Permit.

Water License No. 836-2 is the final water right document completing your process of obtaining a water right.

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

Also, enclosed is Receipt No. 4 1792 in the amount of \$1.00 for transfer of Water Right 698-2, Our Records now show you as the owner of this Water Right.

Sincerely,

J.W. GRIMES

JWG/BFJ/bw

Encl: As stated

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

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

April 15, 1985

Daniel Stout
Box 498
Kadoka SD 57543

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s). 836-2. The request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 836-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.

Sincerely,

John Hatch
John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

NOTE: If the questionnaire(s) is received in this office before the May 15th hearing date, your name will be deleted from the agenda for the hearings.



Department of Water & Natural Resources

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

June 12, 1985

Notice of Amendment to Water Permit(s)

To: Daniel Stout
Box 498
Kadoka, SD 57543

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

A handwritten signature in dark ink, appearing to read "John Harch".

SUBJECT: Amendment to Water Permit No(s). 836-2.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 836-2 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required Irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.



Department of

Water & Natural Resources

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

Attachment to Water Permit No(s). 836-2

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 836-2 to add the following qualification:

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



Department of Water & Natural Resources

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

March 23, 1987

DANIEL STOUT
HCR 1 BOX 21
KADOKA, SD 57543

NOTICE

Re: Violation of Water Permit No(s). 836-2

Our records indicate that the 1986 Irrigation Questionnaire has not been received for Permit No(s). 836-2. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 836-2 qualification:

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

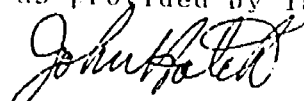
The hearing(s) will be at 2:00 pm, May 5, 1987, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s) the Water Management Board can:

1. Suspend Permit No(s). 836-2 until either the 1986 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.


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

NOTE: If the questionnaire(s) is received in this office before the hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

from Sat 3-30-87

Re: Letter dated March 23 - 1987
pertaining to Violation of Water
Permit # 836-2

To our knowledge we did not receive said questionnaire. He moved back to our present address in Sept 1986 from Fackville Tenn. ; perhaps it was not forwarded or note # address is wrong.

The request another questionnaire which we will fill out & return as soon as possible, so that a hearing is not necessary.

Thank you.

Daniel Huet
HC 1 Box 26
Kendoka,
S. N. 57543



South Dakota Department of
Water & Natural Resources

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

April 13, 1987

836-2

Daniel Stout
HC 1 Box 26
Kadoka, SD 57543

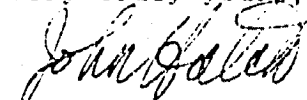
Dear Mr. Stout:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Right No. 836-2 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,



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

DATE MICROFILMED

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

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

February 9, 1990

DANIEL STOUT
HC 1 BOX 26
KADOKA, SD 57543

NOTICE

RE: Violation of Water Permit No(s). 836-2

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 836-2. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 836-2 qualification:

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

The hearing will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Roosevelt-Jefferson Room, I-90 at LaCrosse, Rapid City SD.

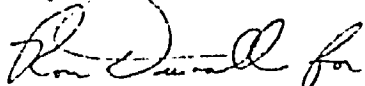
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 836-2 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
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 is received in this office before the March 7th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



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

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

February 23, 1990

836-2

Daniel Stout
HC 1 Box 26
Kadoka SD 57543

Dear Mr. Stout:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit No. 236-2. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

Ron Duvall /KS

RON DUVALL
Natural Resources Engineer
Water Rights Division



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 28, 1995

836-2

2131-2

Thad Stout
Box 221
Kadoka, SD 57543

Dear Mr. Stout:

I am writing in response to the 1995 irrigation questionnaires submitted for Water Right No. 836-2 and Water Permit No. 2131-2. It is my understanding from reading the forms that Nos. 836-2 and 2131-2 should be transferred from Daniel Stout to your name.

Enclosed are two partially completed transfer forms for use in filing the ownership changes. Please review the forms, make any necessary corrections and then sign them in the presence of a notary public. Upon completion, please return the transfer forms to us with a required filing fee of \$2.50 each (total of \$5.00).

If you have any questions concerning completion of the forms, please contact me.

Sincerely,

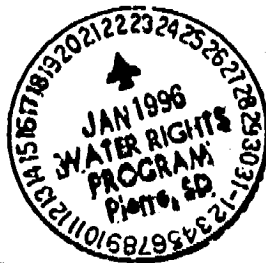
Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 836-2



Date: Jan 18-96

I/We request that Water Right No. 836-2

formerly owned by: Daniel Stout

be transferred to: (name & address) Thad Stout, Box 221, Kadoka, SD 57543

Telephone No. (605) 837-2724

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

71 acres in the N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 32, T3S, R22E

I/We understand that the validity of Water Right No. 836-2 has not been determined by this transfer action. If I/We have any question on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (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 attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Jackson)

I/We Thad Stout

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.

Thad Stout

(Signed)

Subscribed and sworn to before me this 18th day of January, 1996.

Curtis A. Jensen
(Notary Public)

My Commission Expires 4-08-96

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

414762

Pierre, _____ January 22, 19 96

RECEIVED OF Penny Stout, PO Box 221, Badoka, SD 57543

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. 836-2</u>		2 50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)		
Total	2	50

By John H. H. Smith
Chief Engineer

836-2



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

January 25, 1996

No. 836-2
2131-2

Thad Stout
Box 221
Kadoka, SD 57543

Dear Mr. Stout:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right No. 836-2 and Water Permit No. 2131-2.

Our records now show you as the owner of Water Right No. 836-2 and Water Permit No. 2131-2.

Sincerely,

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

enclosure

836-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr



January 14, 2000

NOTICE

TO: THAD STOUT, PO BOX 221, KADOKA, SD 57543 0221
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 836-2 & 2131-2. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 836-2 & 2131-2 qualification:

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

The hearing will be held at 1:30 pm, March 1, 2000 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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) 836-2 & 2131-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 2000, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



836-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 24, 2000

836-2

2131-2

Thad Stout
PO Box 221
Kadoka, SD 57543-0221

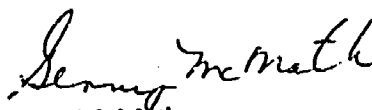
Dear Mr. Stout:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit Nos. 836-2 and 2131-2.

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
Environmental Scientist
Water Rights Program
(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

APR 23 2004

698-2
836-2
2131-2

Thad Stout
PO Box 221
Kadoka SD 57543-0221

Dear Mr. Stout:

Enclosed is Water License No. 2131-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is the receipt for \$50.00 which you paid for the investigation and issuance of the Water License.

The applicable portions of No. 836-2 are incorporated into Water License No. 2131-2.

Also, enclosed is the receipt for the transfer of Water Right No. 698-2 to your name.

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,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures