

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

417281

Pierre, August 13, 2002

RECEIVED OF Sam Ceyer, 522 Hwy 20 S, De Smet, SD 57231
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 1456-3

Fee for Filing Extension Request _____

Fee for _____

2 50

(Any Other Work Provided by Law)

Total

2 50

By

Chief Engineer

Darlene P. White

gmw

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED
AUG 13 2002
WATER RIGHTS
PROGRAM

No. 1456-3

Date: _____

I/We request that Water Right No. 1456-3

formerly owned by: Norman Shutler Trust

be transferred to: (name & address) Sam Geyer, 522 Hwy 25 S, DeSmet, SD 57231

Telephone No. _____

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

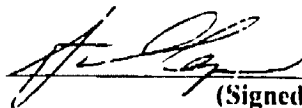
186 acres - NE 1/4 and W 1/4 SE 1/4 Section 15, T110N, R56W

139.5 acres - N 1/2 NE 1/4 and Parcels One (1) and Two (2) of the NE 1/4, except the South 329.41 feet of Parcel Two, in section #15, T110N, R56W
I/We understand that the validity of Water Right No. 1456-3 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 Sam & Connie Geyer, 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 29 2002

1456A-3

Sam Geyer
522 Hwy 25 S
DeSmet SD 57231

Dear Mr. Geyer:

Enclosed is your Water License No. 1456A-3.

The portion of land you own described in No. 1456-3 has been transferred to your name. The water right has been divided and reissued to reflect separate ownership as follows:

- **Water Right No. 1456A-3, Sam Geyer.** authorizes diversion of 1.33 cfs from one well located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15 to irrigate 124 acres located in the NE $\frac{1}{4}$ Section 15, T110N, R56W.
- **Water Right No. 1456B-3, Ralph Brodersen.** authorizes diversion of 0.67 cfs from one well located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15 to irrigate 62 acres in the W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 15, T110N, R56W.

The water allocated to your portion of the acreage is 1.33 cubic feet of water per second (600 gpm). The statutory limit for irrigation of 124 acres is 1.77 cfs (approximately 800 gpm). If your irrigation system diverts more than 600 gallons per minute, you may obtain an additional water permit for up to the 800 gpm. This would require you to submit a water permit application to be processed through our Water Rights Program (forms are enclosed).

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1456A-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. Enclosed is Receipt No. 417281 in the amount of \$2.50 which you paid for filing the ownership change. If you have any questions, please contact our office.

Sincerely,

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

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1456A-3
DIVISION OF NO. 1456-3 INTO 1456A-3 & 1456B-3**

(1) Leonard Penney was issued Water License No. 1456-3, August 16, 1968 for a water right to divert 2.00 cubic feet of water per second (cfs) from ground water (two wells), Kingsbury County, South Dakota for irrigation purposes. Water License No. 1456-3, carries a priority date of November 9, 1967.

In 1997, the water right was transferred to the Norman Shutler Trust. On August 13, 2002, portions of the land authorized for irrigation under No. 1456-3 were transferred to Sam Geyer. The remaining land is now owned by Ralph Brodersen.

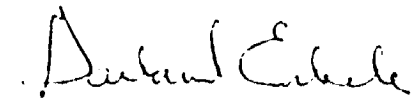
The original water right authorized diversion of 2.00 cfs from two wells to irrigate 186 acres. Water Right No. 1456-3 is being divided and reissued to reflect separate ownership. The water right is being divided as follows:

- **Water Right No. 1456A-3, Sam Geyer**, authorizes diversion of 1.33 cfs from one well located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15 to irrigate 124 acres located in the NE $\frac{1}{4}$ Section 15, T110N, R56W.
- **Water Right No. 1456B-3, Ralph Brodersen**, authorizes diversion of 0.67 cfs from one well located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15 to irrigate 62 acres in the W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 15, T110N, R56W.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, Sam Geyer, 522 Hwy 25S, DeSmet, SD 57231 the holder and/or owner of Water Right No. 1456A-3 is issued a license, bearing a priority date of November 9, 1967 to appropriate 1.33 cubic feet of water per second from ground water (one well) located as follows: S30°W, 2200' from the NE corner of Section 15, T110N, R56W (SE $\frac{1}{4}$ NE $\frac{1}{4}$). The acres authorized for irrigation are as follows: 124 acres in the NE $\frac{1}{4}$ Section 15, T110N, R56W.

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1456-3 including the following qualification:

- This well is located near domestic wells which may obtain water from the same aquifer. If the well covered by this Permit to Appropriate Water depletes the domestic water supply, restrictions, to the extent necessary, of the capacity of this well or periods of operation or other arrangements will be required to protect the domestic water supply.



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

AUG 23 2002

date





1456A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: SAM GEYER, 522 HWY 25 S, DESMET, SD 57231

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

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire

Our records indicate that the 2002 Irrigation Questionnaire has not been submitted for Permit No(s) 1456A-3. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 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 at 8:30 am, March 5, 2003, 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) 1456A-3 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 on/or before February 28, 2003, your name will be deleted from the Board agenda. If you have any questions or need assistance with 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.



1456A-3

Track & Confirm

Delivery Status

You entered 2301 0370 0000 7540 5799

Your item was delivered at 11:59 am on January 18, 2003 in DE SMET, SD 57231. The item was signed for by S GEYER.

[Request Delivery Record](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)



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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:

2301 0370 0000 7540 5799

SAM GEYER
522 HWY 25 S
DESMET SD 57231

ing.

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PS Form 153, February 2001

(See Reverse)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2003

1456A-3

Sam Geyer
522 Hwy 25 S
DeSmet SD 57231

Dear Mr. Geyer:

I am writing to acknowledge receipt of your 2002 irrigation questionnaire. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right No. 1456A-3.

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

1456A-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2010

NOTICE

TO: SAM GEYER, 522 HWY 25 S, DESMET, SD 57231

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire has not been submitted for Permit No(s) 1456A-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 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 at **10:00 am, March 10, 2010**, 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) 1456A-3 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 on/or before **March 5, 2010**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq.aspx>

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

[Track & Confirm](#)[FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 7897

Service(s): **Signature Confirmation™**Status: **Delivered**

Your item was delivered at 9:03 AM on January 25, 2010 in DE SMET, SD 57231. The item was signed for by S GEYER.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Detailed Results:

- Delivered, January 25, 2010, 9:03 am, DE SMET, SD 57231
- Notice Left, January 23, 2010, 11:33 am, DE SMET, SD 57231
- Out for Delivery or Available at PO Box, January 23, 2010, 9:02 am, DE SMET, SD 57231
- Sorting Complete, January 23, 2010, 8:32 am, DE SMET, SD 57231
- Arrival at Post Office, January 23, 2010, 7:17 am, DE SMET, SD 57231

Notification Options

Track & Confirm by email

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Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)

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No FEAR Act EEO Data

FOIA

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 7897

SAM GEYER
522 HWY 25 S
DESMET SD 57231

Waiver of Signature ☐ YES ☐ NO

Postmark
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POSTAL CUSTOMER:
Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com®
or call 1-800-222-1811

☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 27, 2010

1456A-3

Sam Geyer
522 Hwy 25S
DeSmet SD 57231

Dear Mr. Geyer:

I am writing to acknowledge receipt of your 2009 irrigation questionnaire. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right No. 1456A-3.

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,

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

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

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

NOV 30 2010

WATER RIGHTS
PROGRAM

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 1456A3Date: October 21, 2010

I/We request that Water Right/Permit No. 1456A3 formerly owned by:
Sam Geyer be transferred to:

New Owner Name: H T Albrecht & Sons Inc.
Address: 43314 215th St
City, State, Zip De Smet SD 57231 Telephone No. 605-854-3266

Title to the following described land(s)/property has been transferred as described above:
Sec. 15-T110N-56W, NE 1/4

☒ I understand that the validity of Water Right/Permit No. 1456A3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 included to cover the filing fee as required by SDCL 46-2-13.

I, H T Albrecht, the new owner, certify that the above information is true and correct.

H. T. Albrecht & Sons Inc.
By Henry Albrecht (son)
(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 11/30, 20 10

RECEIVED OF R T Albrecht & Sons 43314 215th St DeSmet SD 57231

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>1456A-3</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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No.

04684

By Harland Ebbels
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

December 1, 2010

1456A-3

Henry Albrecht
H T Albrecht & Sons Inc
43314 215th St
DeSmet SD 57231

Dear Mr. Albrecht:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" form and fee you sent in for Water Right No. 1456A-3.

The transfer has been completed. The water right formerly held by Sam Geyer is now listed in the name of "H T Albrecht & Sons Inc."

Enclosed for your records is your Receipt No. 04684 in the amount of \$50.00. 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

enclosure