

43A-1

1. Considered 12-2 1959
2. Name of Applicant Allen C. Evans
3. Post Office Address Springfield
4. Amount of water claimed 3
5. Source of water supply Ground Water (Artesian)
6. Water to be used for Irrigation
Acres to be irrigated 302.05
7. Water to be diverted and used in Lawrence County about
6 miles N of Springfield.
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☒
Subject to ☐
Not Approved ☐
Action deferred ☐
10. Remarks:

No.

434-1
Bella Fourche
River

SEP 25 1959

9:30 AM

Water Division No.

(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 Allen G. Evans BILLY J. EVANS
Route 1
 Postoffice address Spearfish, County Lawrence, State S. D.

I. If a corporation none

(a) Name of same

(b) Date and place of incorporation

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors

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

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

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

Direct Labor(b) Cash on hand, \$ 6000

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Well #1 Allen G. Evans Sprinkler Irrigation Works3. Amount of water claimed 3 cubic feet per second4. Source of water supply Artesian well5. Location of point of diversion Well located N 70° 05' W 2012 ft. from 1/4 cor. common to Sections 19 and 30 T7N, or R2E bank County6. Annual period or periods during which water is to be used During crop growing seasons

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? combination(a) Number of acres to be irrigated 302.05 acres. NW 1/4 NE 1/4 Sec. 25, SW 1/4 SE 1/4 and E 1/4 SE 1/4 Sec 24, T7N, R1E, and Lot 3 also portions Lot 4, E 1/4 SW 1/4, NW 1/4 SE 1/4 Sec 19, NE 1/4 NW 1/4 Sec 30(b) Legal subdivisions to be irrigated All lands listed above owned by Allen G. Evans
 (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.) 1/4 N, R2E BHM(c) Statement as to domestic use (giving location, etc.) Livestock watering

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

(a) Nature of use Stockwatering

Name any of the above uses claimed

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

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

Map No 382-1

8. Estimated cost of work:

(a) Head Gates, \$ 50 (b) Pumping plant, \$ 5000
(c) Fluming, \$ 100 (d) Canal-earth, \$ 300 Rock, \$
(e) Other structures Pipe, etc \$ 200 Total, \$ 5650

9. Description of diversion works:

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

Ditch, flume and pumping unit for sprinkler works

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 1.8 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 Queen City Mail, Spearfish, S. D.

STATE OF SOUTH DAKOTA

County of Lawrence ss.

I, Allen C. Evans, 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 Allen C. Evans

Subscribed and sworn to before me this 24 day of September 1959

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

My commission expires Nov. 29, 1965.

SW $\frac{1}{4}$ SE $\frac{1}{4}$
SEC. 24
IRRIGABLE LAND
40 ACRES

SE $\frac{1}{4}$ SE $\frac{1}{4}$
SEC. 24
IRRIGABLE LAND
40 ACRES

NW $\frac{1}{4}$ NE $\frac{1}{4}$
SEC. 25
IRRIGABLE LAND
40 ACRES

PLAT
OF
ALLEN C. EVANS SPRINKLER IRRIGATION WORKS LOCATED
IN SECTIONS 24 & 25, T7N, R1E, AND SECTIONS 19 & 30, T7N,
R2E BHM LAWRENCE COUNTY SOUTH DAKOTA
SCALE: 1"=200' DATE: SEPT. 16, 1959

ALL LANDS OWNED BY ALLEN C. EVANS (PER LTR DATED SEPT 30, 1959)

NE $\frac{1}{4}$ SE $\frac{1}{4}$
SEC. 24
IRRIGABLE LAND
40 ACRES

LOT 3
SEC. 19
IRRIGABLE LAND
39.10 ACRES

NE $\frac{1}{4}$ SW $\frac{1}{4}$
SEC. 19
IRRIGABLE LAND
39.10 ACRES

IRRIGABLE LAND
13.25 AGRES

NW $\frac{1}{4}$ SE $\frac{1}{4}$
SEC. 19

IRRIGABLE LAND
14.75 ACRES

SE $\frac{1}{4}$ SW $\frac{1}{4}$
SEC. 19

LOT 4
SEC. 19
IRRIGABLE LAND
35.15 ACRES

IRRIGABLE LAND
0.70 ACRE

NE $\frac{1}{4}$ NW $\frac{1}{4}$
SEC. 30

CERTIFICATE

I C.A. POLLEY A DULY REGISTERED LAND SURVEYOR IN AND FOR THE STATE
OF SOUTH DAKOTA DO HEREBY CERTIFY THAT THIS MAP WAS FROM NOTES
TAKEN DURING AN ACTUAL SURVEY MADE UNDER MY DIRECTION BY
R.M. BURNHAM ON AUGUST 20, 1959 AND THAT IT CORRECTLY REPRESENTS
THE IRRIGATION WORKS, THE LOCATION AND AREA OF THE LANDS TO BE
IRRIGATED IN THE ACCOMPANYING APPLICATION.
IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND SEAL
THIS 18TH DAY OF SEPTEMBER 1959

C.A. Polley
REGISTERED LAND SURVEYOR

STATE OF SOUTH DAKOTA)
COUNTY OF LAWRENCE) SS

ON THIS 18TH DAY OF SEPTEMBER IN THE YEAR OF 1959, BEFORE
ME, THE UNDERSIGNED A NOTARY PUBLIC WITHIN AND FOR SAID COUN-
TY AND STATE PERSONALLY APPEARED C.A. POLLEY KNOWN TO ME TO BE
THE PERSON DESCRIBED IN AND WHO EXECUTED THE ABOVE AND FORE-
GOING CERTIFICATE AND DULY ACKNOWLEDGED TO ME THAT HE EXECUT-
ED THE SAME.

MY COMM. EXPIRES OCT. 13, 1966

NOTARY PUBLIC

MAP NO 382-1 MAP NO 5352

APPL NO 439-1 APPL NO 5592

Remarks by State Water Resources Commission:

"Vested Right Claimed" on 31.55 acres

STATE OF SOUTH DAKOTA

County of Hughes

ss.

Pierre, South Dakota,

December 12, 1959

This is to certify that the foregoing application was received by the Commission at 9:30 o'clock

A.m. upon the 25th day of September, 1959

State Water Resources Commission

By:

J. G. Miner

Chief Engineer, Executive Officer

Number of permit 439-1

Date of first receipt of application September 25, 1959

Date of return to applicant for correction, amendments or changes required as follows: 9:25, 1959

Date of receipt of corrected application October 2, 1959

Date from which applicant may claim right 2.55 c.f.s. from September 25, 1959

Approved December 2, 1959, Recorded in Book 5 Page 285

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

June 2, 1962

2nd. The whole of said work is to be completed on or before December 2, 1960

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

December 2, 1968

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

stockwater

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 3.0 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 December 2, 1968; said water to be used during the following described annual period:

During crop growing season

Witness my hand this 17th day of December, 1959.

State Water Resources Commission

By:

J. G. Miner

Chief Engineer, Executive Officer

Certificate of Construction Issued August 25, 1963

Water License issued August 23, 1963

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 2 1/2 inches Depth 426 ft.

Type of casing Steel
(wood, concrete, steel, etc.)

Size of casing 6 inch Thickness of casing 1/4 inch

Length of casing 422 ft. If collection gallery, length, size and depth of
gallery none

(b) Screens

Type of perforated screen none

Size of perforated screen
(diameter) (length)

Thickness of gravel pack none length of gravel pack

(c) Water Bearing Materials

Distance to water 426 ft. Character of water bearing materials
fissured limestone

Thickness of water bearing material unknown

(d) Pump and Motor none

Type of pump
(centrifugal, propeller, mixed flow, etc.)

Name of pump size

Kind of motor
(gasoline, electric, diesel, etc.)

Horsepower Name of Motor

(e) Complete well

Capacity 1250 gpm at drawdown of unknown Estimated cost \$2,800.00

(f) Owner of land upon which well is located Allen C. Evans
Name

Address Spearfish S. Dak.

(g) Distance to nearest existing wells

On same owner's property none rods On property owned by others 320 rods

STATE OF SOUTH DAKOTA

WATER LICENSE No. 439-1

WHEREAS, On the 25th day of September A. D. 1959
 Allen C. Evans

of Spearfish County of Lawrence and State of
 South Dakota duly made application (No. 439-1) to us for a permit to use 3.0
 cubic feet per second of the waters of artesian ground water
 County of Lawrence, State of South Dakota, for irrigation
 purposes; and

WHEREAS, On the 12th day of December A. D. 1959
 Permit No. 439-1 was issued to said applicant for the diversion of said water, and providing for the
 completion of the works of diversion therein described on or before the 2nd day of
 December A. D. 1964 and for the application to beneficial use of said
 water on or before the 2nd day of December A. D. 1968
 and,

WHEREAS, On the 8th day of August A. D. 1963
 the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.22
 cubic feet per second of said waters, as evidenced by our Certificate No. 439-1
 dated August 23, 1963 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 2.22 cubic feet per second of water, with date of
 priority of September 1954 and Sept. 25, 1959 and,

WHEREAS, On the 8th day of August A. D. 1963
 proof was duly made of the application to beneficial use of 2.22 cubic feet per second of said water;
 for irrigation of 302.5 acres in portions of Sections 24 and 25, T7N, R1E, and
 Sections 19 and 30, T7N, R2E

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 Allen C. Evans
 of Spearfish the holder and owner of said permit No. 439-1
 a water right, dating from 1.45 - September, 1954 to the use of 2.22
1.77 - September 25, 1959
 cubic feet per second of the waters of artesian ground water
 in the County of Lawrence and State of South Dakota, or so much thereof as may be
 necessary for the purposes hereinbelow mentioned, to be diverted at a point S70°05' W 2012' from the
S.E. corner, Section 19, T7N, R2E
 and conducted to and upon portions of Sections 24 and 25, T7N, R1E and Sections 19 and 30,
T7N, R2E, more specifically described in the Certificate of Completion of Works
 for the purpose of irrigation

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

WITNESS, My hand and seal of our office at Pierre, South Dakota,
 this 23rd day of August A. D. Nineteen
Sixty-Three
 Hundred and

State Water Resources Commission

By:

J. W. GRIMES
 Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Acres _____ c. f. s. _____

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 439-1Water Division No. 1 Belle Fourche River
Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Allen C. Evans

of Spearfish County of Lawrence, and State of South Dakota, the holder of Permit No. 432-1, issued upon Application No. 439-1, bearing date of priority of September, 1954 and Sept. 25, 1959 authorizing the diversion of 3.0 cu. ft. per second of the waters of artesian ground water County of Lawrence, State of South Dakota, at a point N70°05'W 2012' from the S $\frac{1}{4}$ corner, Section 19, T7N, R2E for irrigation

purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 2.22 cu. ft.

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

to-wit: T7N, R1E Section 24 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 "

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 "

Section 25 NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 "

T7N, R2E Section 19 Lot 3 39.10 "

Lot 4 35.15 "

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 39.10 "

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 14.75 "

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 13.25 "

Section 30 NE $\frac{1}{4}$ NW $\frac{1}{4}$.70 "

Total .. 302.05 acres

Witness my hand this 23rd day of August A. D. 1963

State Water Resources Commission

By: J. W. GRIMES
Chief Engineer, Executive Officer

Permit No. 439-1Water Division No. 1 Belle Fourche Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sir: I hereby certify that in accordance with your letter of authorization dated _____

I have this day made a thorough examination of the diversion works constructed by _____

Allen C. Evans

of _____

ButteCounty, South Dakota, holder of Permit No. 439-1, issuedupon Application No. 439-1, bearing date of priority of 255 S.D. 1959, 19____, authorizing thediversion of 3.0 cu. ft. per second of the waters of Ground Water for Irrigation

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

The diversion works comprise: one Well 426' deep (Minnesota, U.S. 2) w/ 422'
of 6" casing. Approx. 1000 G.P.M. 2 miles S.E. main ditch. 56 #40
#30 Rainbird sprinklers. 350' of 5" sprinkler pipe. One
Pacific pump 4" in & 4" out. Mod. # 3C-LUE approx 600 g.p.m. run by
Wisconsin 24 h.p. 995 engine. Pump # 2; Pacific 4" in & 4" out approx 600
G.P.M. run by Waukesha 25 h.p. propane engine. pumps cut off ditches
 and the system is in the following condition:

GoodThe point of diversion is located Well location N 70° 05' E 2012' from 1/4Cor. common to Sec's 19 & 30 T 7 N R 2 EThe works are capable of diverting and conveying to the place of use 3.0 cu. ft. per second of water,which is to be used for IrrigationThe legal subdivisions to be irrigated are: E 1/2 SE 1/4 Sec. 24; NW 1/4 NE 1/4 Sec. 25;SW 1/4 SE 1/4 Sec. 24; Lot 3 & portionsof Lot 4 E 1/2 SW 1/4; NW 1/4 NE 1/4 Sec. 19NE 1/4 NW 1/4 Sec. 30. All in T 7 N R 2 Ecomprising a total of 302.05 acres of land.The domestic use intended comprises Stock water ing

The utilization for power, mining, or other beneficial uses comprises: _____

Witness my hand, this 8th day of Aug., A. D. 1965.

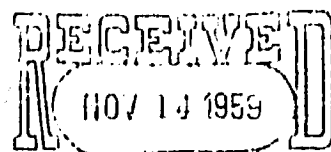
—SEAL—

William H. Phillips

Examining Engineer.

Location No. _____

Water Division No. _____

Water District _____
SOUTH DAKOTA WATER RESOURCES COM. L.
PIERRE, SOUTH DAKOTA

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans. Allen C. Evans

Spearfish, S. Dak.

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

Ans. Acting for self

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

Ans. September 24, 1959

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

Ans. Artesian well located N 70 05' W 2012' from $\frac{1}{2}$ corner
common to Sections 19-30 T 7 N, R. 22

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

Ans. East ditch, 3820' constructed Aug. & Sept. 1954

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

Ans. Irrigation and stockwater. Flood irrigated all land between
East ditch & dry draw, including 2.80 acres Lot 4-- 17.10 acres Lot 3--
11.15 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$ -- .5 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$ all in Sec. 19

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

Ans. _____

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

Ans. _____

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

Ans. _____

Ques. 19. State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Ans. Ground between the East Ditch and dry draw described on map
flood irrigated each year since Sept. 1954

(Sign) Allen C. G. ...

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

State of South Dakota, on this 2 day of NOVEMBER A. D. 1959

Bernice L. Wiley } Witnesses. Notary Public, S.D.

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

James M. Laughlin
Elmer E. Wiley

Location No. _____

**PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE**

PETITION OF HOLDER

Amount of Water _____ c. f. s.

Source _____

County _____

Purpose _____

Place of Use _____

Date of recording _____

Received and filed _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Lawrence } ss.

Cora Mae Bridges being duly
sworn, deposes and says the annexed printed copy of Notice
of Intention to Appropriate Water was taken from the

QUEEN CITY MAIL a newspaper which
during the whole time of publication of said notice herein
after stated, has been and is printed and published in the
City of Spearfish County of

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

Oct. 22, 1959

Oct. 29, 1959

Nov. 5, 1959

Nov. 12, 1959

in each and every issue of the full number thereof, the first
publication being made on the 22 day of October

1959 and the last publication on the 12 day of
November 19 59, upon which days or times

of publication aforesaid the newspaper was regularly pub-
lished, and that during the whole time of said publication the

was bonafide par. the printer / / / / / of
the said newspaper.

Cora Mae Bridges

Subscribed and sworn to before me this 12th day of November A. D. 1959

Notary Public James E. Jones County, S. D.

LEGAL NOTICES

APPROPRIATION OF WATER
Office of State Water Resources
Commission,

Pierre, S. Dak., October 15, 1959
Notice is hereby given that Allen
C. Evans whose postoffice address
is Spearfish, S. Dak., has made an
application in accordance with the
provisions of the water laws of
South Dakota for a permit to ap-
propriate for beneficial use 3.0 cubic
feet of water per second of time
from artesian ground water
through the Allen C. Evans Sprinkler
Irrigation Works, the point of
diversion of which is to be located
in Lot 4 of Section 15 Twp. 7N
Range 2E. Said water to be used
for the purpose of providing irriga-
tion on portions of the following
described land: NE $\frac{1}{4}$ E $\frac{1}{4}$ and S $\frac{1}{4}$
E $\frac{1}{4}$, Sec. 24; NW $\frac{1}{4}$ E $\frac{1}{4}$ Sec. 25;
Lot 3, Lot 4, E $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 19 and
NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, all in T7N, R2E
and for stockwatering purposes.

This application will be taken up
by the State Water Resources Com-
mission at their office at Pierre for
consideration upon the 2nd day of
December, 1959 at 2:00 P.M. All
interested persons may appear and
be heard.

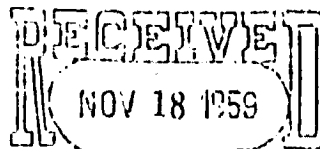
Appropriate action will be taken
by the Water Resources Commis-
sion after suitable time has elapsed
for the consideration of any or all
information presented.

State Water Resources
Commission

By: Burton F. Jones,

Water Rights Specialist

(N. 506, 40, O. 22, 23, N. 5, 12)



STATE WATER RESOURCES COMM.

PIERRE, SOUTH DAKOTA

(First Publication before October 28, 1959.)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., October 14, 1959.

Notice is hereby given that Allen C. Evans whose postoffice address is Spearfish 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 3.0 cubic feet of water per second of time from artesian ground water through the Allen C. Evans Sprinkler Irrigation Works, the point of diversion of which is to be located xxxx xxxx in the Lot 4 of Section 19 Twp. 7 N Range 2 E. Said water to be used for the purpose of providing irrigation on the following described land:

NE 1/4 & S 1/4, Sec. 24; NW 1/4 Sec. 23; Lot 3, Lot 4, E 1/4 SW 1/4 Sec. 19 & NE 1/4 Sec. 30, all in T 7 N, R 2 E and for stockwatering purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 2nd day of December, 1959, at 2:00 P.M. All interested persons may appear and be heard.

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

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Burton F. Jones, Water Rights Specialist

cc Mike Hainbaugh, Publisher
Queen City Mail
Spearfish, South Dakota

CARL LEEDY, Pres.
VERN B. LEEDY, Vice Pres.
WM. CUMMINS, Mgr.

SPEARFISH TROUT FARM

SPEARFISH, S. DAK.

Mailing Address
Box 328, Rapid City, S. D.



February 1st, 1960.

State Water Resources Commission
Pierre S. Dak.

Gentlemen:-

We are rather concerned about a well which is being drilled one mile west of our spring. Our spring is in the SE $\frac{1}{4}$ of Section 20 7 N. 2 East. B.H.M. This is to be a 10 inch well and will tap the sands from which our water flows.

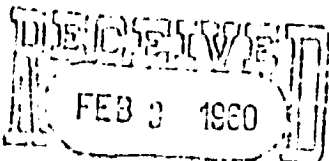
We have a large investment in this fish culture and must expend every year which will require every bit of water we can obtain. No one can tell, of course whether or not the drilling of this well will affect the flow of our spring. There is a 6 inch well within 1000 feet of this new well which flows to waste 10 months and is used for irrigation 2 months some times 3. There should be some way of conserving this water there are many other wells farther west which also allow the water to waste only during the irrigation season. We think that these wells should be shut off at all times when the water is not used for irrigation.

Our permit is No. 393- 1 Water division No.1
Belle Fourche River Water District.

Yours very truly,
SPEARFISH TROUT FARM, INC.

BY

President.



STATE WATER RESOURCES COMMISSION
PIERRE, S. D.

February 5, 1960

Mr. Carl Leedy
Box 328
Rapid City, South Dakota

Dear Mr. Leedy:

Reference is made to your letter of February 1, 1960 about an irrigation well being drilled about one mile west of the springs of the Spearfish Trout Farm. Apparently you refer to the well being built by Mr. Allen C. Evans.

Mr. Evans has obtained water right No. h39-1 authorizing construction of this well. For your information enclosed is a copy of a letter being sent to Mr. Evans.

I agree with your remarks about the closing of the irrigation wells during non-irrigation season. We plan on checking the flowing irrigation wells in Lawrence County to make sure that all wells which can be safely closed are closed during the non-irrigation season. However because of a backlog of work, it is going to be some time before we can do this.

In the meantime if you know of flowing wells which can be safely closed during the non-irrigation season but which are not closed and would permit me to use your name as making the report, I will write the owner of such wells reminding them of their responsibilities concerning this waste of water.

Sincerely,

J.W. GRIMES
Chief Engineer

JWG:DD:pp

NOTICE OF TRANSFER OF WATER PERMIT

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

Date September 12, 1972

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

Portions of Section 25, T7N, R1E and Section 19, T7N, R2E,
described in Water Permit No. 439-1

formerly owned by Allen C. Evans, Spearfish

has been transferred to Billy J. Evans, Spearfish

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 439-1 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

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

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

STATE OF SOUTH DAKOTA)
County of Hughes) ss.

I, Billy J. Evans 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.

Suscribed and sworn to before me this 12th day of September, 19 72

Betty Westlund
(Notary Public)
Betty Westlund, Technical Assistant
Water Resources Commission

OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE

439-1



DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

February 1, 1991

BILLY J. EVANS
RR #1 BOX 148
SPEARFISH SD 57783

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 439-1, 891-1. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire 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 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre 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(s), the Water Management Board can:

1. Amend Permit No(s) 439-1, 891-1 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.

If the questionnaire(s) is received in this office before the February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Ron Duvall", is written over a horizontal line.

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352



DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 9, 1991

439-1
891-1

Billy J Evans
RR #1 Box 148
Spearfish, SD 57783

Dear Mr. Evans:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires for Water Right Nos. 439-1 and 891-1. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaires. With receipt of the questionnaires, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division



439-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2005

NOTICE

TO: BILLY J EVANS, 19705 OLD BELLE RD, SPEARFISH, SD 57783

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaires

Our records indicate that the 2004 Irrigation Questionnaire has not been submitted for Permit Nos. 439-1 & 891-1. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 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 2, 2005, 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 Nos. 439-1 & 891-1 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 questionnaires are received in this office on/or before February 25, 2005, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaires, 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.



439-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 25, 2005

439-1
891-1

Billy J Evans
19705 Old Belle Rd
Spearfish SD 57783

Dear Mr. Evans:

I am writing to acknowledge receipt of your 2004 irrigation questionnaires. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right Nos. 439-1 and 891-1.

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



439-1
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 2007

NOTICE

TO: BILLY J EVANS, 19705 OLD BELLE RD, SPEARFISH, SD 57783

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

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire has not been submitted for Permit No(s) 439-1 & 891-1. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 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 10:30 am, March 7, 2007, 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) 439-1 & 891-1 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 1, 2007, 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. If you prefer, you can complete the questionnaire on-line at the following link:
<https://www.state.sd.us/eforms/secure/eforms/E0455V5-IQ.pdf>

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.



439-1

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Track & Confirm

Search Results

Label/Receipt Number: **2303 2160 0000 0799 6552**
Status: **Delivered**

Your item was delivered at 11:08 AM on January 27, 2007 in
SPEARFISH, SD 57783. The item was signed for by B EVANS.

[Additional Details >](#)[Return to USPS.com Home >](#)**Track & Confirm**

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SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 6552

BILLY J EVANS
19705 OLD BELLE RD
SPEARFISH SD 57783

waiver of Signature ☐ YES ☐ NOPostmark
Here**POSTAL CUSTOMER:**

Keep this receipt. For Inquiries:
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PS Form 3800, May 2002

(PSN 750-000-0000)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 1, 2007

439-1
891-1

Billy J Evans
19705 Old Belle Rd
Spearfish SD 57783

Dear Mr. Evans:

I am writing to acknowledge receipt of your 2006 irrigation questionnaires. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right Nos. 439-1 and 891-1.

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



439-1
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 16, 2015

NOTICE

TO: BILLY J EVANS, 19705 OLD BELLE RD, SPEARFISH, SD 57783

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaires

Our records indicate your 2014 Irrigation Questionnaire has not been submitted for Permit Nos. 439-1 & 891-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

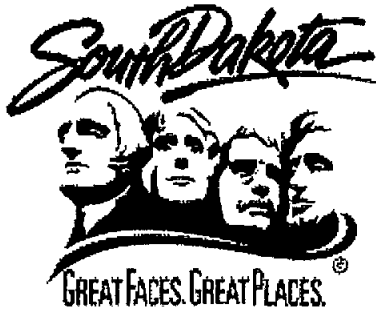
The hearing will be held at **10:00 am, March 4, 2015**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 439-1 & 891-1 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 4, 2015** 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 Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182

January 22, 2015

439-1
891-1

Billy J Evans
19705 Old Belle Rd
Spearfish SD 57783

Dear Mr. Evans:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right Nos. 439-1 and 891-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



439-1
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 15, 2016

NOTICE

TO: BILLY J EVANS, 19705 OLD BELLE RD, SPEARFISH, SD 57783

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire has not been submitted for Permit No(s) 439-1 & 891-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 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 **Thursday, March 3, 2016 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) 439-1 & 891-1 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 3, 2016** 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 Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

February 3, 2016

439-1
891-1

Billy J Evans
19705 Old Belle Rd
Spearfish SD 57783

Dear Mr. Evans:

I am writing to acknowledge receipt of your 2015 irrigation questionnaires.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right Nos. 439-1 and 891-1. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



439-1
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 23, 2020

NOTICE

TO: BILLY J EVANS, 19705 OLD BELLE RD, SPEARFISH, SD 57783

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire has not been submitted for Permit No(s) 439-1 & 891-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 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 **Wednesday, February 26, 2020 at 8:30 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) 439-1 & 891-1 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 **February 26, 2020** 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 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> using this password: SXMVBC**

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.

439-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 3, 2020

439-1
891-1

Billy J Evans
19705 Old Belle Rd
Spearfish SD 57783

Dear Mr. Evans:

I am writing to acknowledge receipt of your 2019 irrigation questionnaire.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right Nos. 439-1 and 891-1. 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 black ink, appearing to read "Genny McMath".

Genny McMath
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

January 14, 2025

NOTICE

TO: BILLY J EVANS, 19705 OLD BELLE RD, SPEARFISH, SD 57783

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) 439-1 & 891-1 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) 439-1 & 891-1 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: LAYPOV**

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

January 24, 2025

439-1
891-1

Billy J Evans
19705 Old Belle Rd
Spearfish SD 57783

Dear Mr. Evans:

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). 439-1 & 891-1. 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