

1. Considered Jan 18, 1962
2. Name of Applicant Chester Grazing Assoc.
3. Post Office Address Chester
4. Amount of water claimed 111
5. Source of water supply Ground
6. Water to be used for Irrigation
Acres to be irrigated 126
7. Water to be diverted and used in Lake County
about 10 miles of Chester.
8. Proof of Publication
Received _____
Not Received (See record)
9. Application
Approved 1
Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:

Shirley road

No. 1328-3Water Division No. 3 Big Sioux River District
(Blanks to be Filled by the Engineer for the W. R. C.)

DEC 7 1966

SOUTH DAKOTA WATER RESOURCES COMMISSION
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 Chester Grazing Association. CHARLES ALVEERSON
Postoffice address Chester, County Lake, State South Dakota

I. If a corporation

- (a) Name of same Chester Grazing Association
(b) Date and place of incorporation Sept., 1966 Madison, S. Dak.
(c) Amount of capital stock none - non-profit
(d) Amount paid in none - except (\$10.00 per member - membership fee &)
(\$5.00 per animal unit - total \$465.
(e) Names and addresses of directors

Garrett Spawn - ChesterMerlin Likel - ChesterWm. Raiff - Wentworth

(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)
by contract through F.H.A. financing
(b) Cash on hand, \$ ----- (c) Treasury stock, \$ -----
(d) Bonds to be issued, \$ ----- (e) Other resources, \$ -----

2. Name of diversion work Chester Grazing Assoc. Well # 1
3. Amount of water claimed 1.66 cubic feet per second
4. Source of water supply well
5. Location of point of diversion Sec. 15 - 105-51 (see map)
N 54° 10' W, 2230' from SE corner sec 15, T 105 N, R 25 W bank Lake County.
6. Annual period or periods during which water is to be used April 1 - Oct. 1
7. To be used for:

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

- (a) Number of acres to be irrigated 176 acres.

- (b) Legal subdivisions to be irrigated SE 1/4 and part of SW 1/4 Sec. 15 - 105-51

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

- (c) Statement as to domestic use (giving location, etc.) -----

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

- (a) Nature of use -----
Name any of the above uses claimed
(b) Amount of power to be generated ----- horse power.
Amount claimed for engine cooling -----
(c) Location of plant -----
(d) Method of developing power -----
(e) Point where water will be returned to stream -----

Map # 940-3

8. Estimated cost of work:

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

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

(c) Fluming, \$.....

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

Rock, \$.....

(a) Other structures \$.....

Total, \$.....

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, et

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottom feet; length at top

.....feet; thickness at bottomfeet; thickness at top

feet; slope at front water face; slope at back face

material used in construction

(b) Reservoir: Capacity when filledacre 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; heightfeet;

Material

(d) Canal: Total lengthmiles.

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 work5.....years.

11. Time required for complete application of water to the proposed beneficial use4.....years.

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

MADISON DAILY LEADER, MADISON, S. DAK.

STATE OF SOUTH DAKOTA

County of

HUGHES

I,

MERLIN LIDEL

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

Merlin Lidel

Subscribed and sworn to before me this

7th

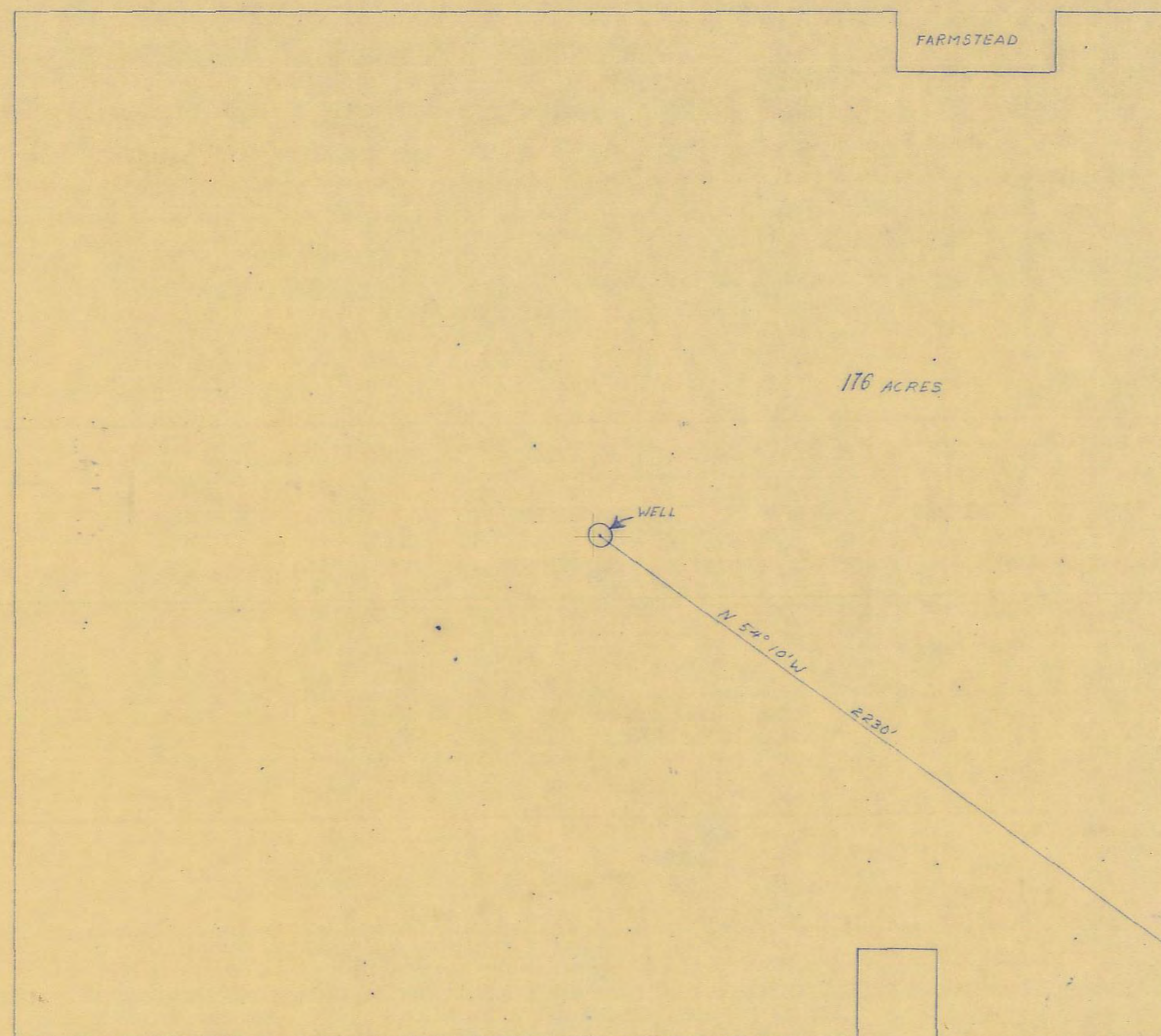
day of

DECEMBER

1966

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



LOCATION OF LAND TO BE IRRIGATED
 CHESTER GRAZING ASSN. IRRIGATION PROJECT No. 1
 SEC. 15 T. 105 N. R. 21 W.
 SE 1/4 AND PART OF SW 1/4
 176 ACRES

Scale: 1" = 200'

<u>Surveyors Certificate</u> I, Walter D. Lembke, do hereby certify that this map identifies a reasonably accurate record of the land of <u>Chester Grazing Assn. Irrigation Project No. 1</u> Signature: <u>Walter D. Lembke</u> Registered Professional Engineer State of S.D.	
Subscribed and sworn to before me this <u>25th</u> day of <u>October</u> 1966 at <u>Chester, S.D.</u> <u>Notary Public</u>	CHESTER GRAZING ASSN. PROJ. No. 1 CHESTER, S.D. LAKE CO. DWN BY <u>W</u> CHKD BY
MY COMMISSION EXPIRES <u>10/1/67</u>	

MAP # 940-3 (App. # 1328-3)

Remarks by State Water Resources Commission:

-- The well granted under this Permit is located near domestic wells and
-- other irrigation wells which may obtain water from the same aquifer.
-- If the well covered by this Permit depletes the domestic supplies or
-- interferes with prior water rights, restrictions, to the extent
-- necessary, of the capacity of the well or periods of operation or
-- other arrangements will be required to protect these water supplies.

STATE OF SOUTH DAKOTA }
County of Hughes } ss.

Pierre, South Dakota, January 20, 1967.

This is to certify that the foregoing application was received by the Commission at 11:30 o'clock
A.m. upon the 7th day of December, 1966.

State Water Resources Commission

By: Richard D Schroyer
for Chief Engineer, Executive Officer

Number of permit 1328-3

Date of first receipt of application December 7, 1966

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 December 7, 1966

Approved January 18, 1967, Recorded in Book 9 Page 202

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 _____

July 18, 1967

2nd. The whole of said work is to be completed on or before January 18, 1972

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

January 18, 1976

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 1.66 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 January 18, 1976; said water to be used during the following described annual period:

April 1st through November 1st

Witness my hand this 20th day of January, 1967.

State Water Resources Commission

By: George R. Rinehart
Chief Engineer, Executive Officer

Certificate of Construction Issued JANUARY 28, 1971

Water License Issued JANUARY 28, 1971

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30", Depth 60'
 Type of casing CONCRETE
 (wood, concrete, steel, etc.)
 Size of casing 18", Thickness of casing 2"
 Length of casing 60'. If collection gallery, length, size and depth of gallery _____

(b) Screens

Type of perforated screen POROUS CONCRETE
 Size of perforated screen 18"
 (diameter) (length)
 Thickness of gravel pack 4", length of gravel pack 60'

(c) Water Bearing Materials

Distance to water 17' Character of water bearing materials SANDS & GRAVELS

Thickness of water bearing material _____

(d) Pump and Motor

Type of pump CENTRIFUGAL
 (centrifugal, propeller, mixed flow, etc.)
 Name of pump NOT KNOWN, size _____
 Kind of motor NOT KNOWN
 (gasoline, electric, diesel, etc.)
 Horsepower 50, Name of Motor _____

(e) Complete well

Capacity ? at drawdown of ? Estimated cost _____

(f) Owner of land upon which well is located CHESTER GRAZING ASSC.

Name CHESTER, S. DAK
 Address _____

(g) Distance to nearest existing wells

On same owner's property 1600' On property owned by others 1500'

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1328-3

(1) WHEREAS, On the 7th day of December A. D. 19 66
the Chester Grazing Association

made Water Right Application No. 1328-3 for a permit to use XXXX 1.66 cubic feet per second of the waters of ground water

County of Lake, State of South Dakota, for irrigation

purpose and

(2) WHEREAS, On the 20th day of January A. D. 19 67
 Permit No. 1328-3, with a date of priority of December 7, 1966

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 18th day of January A. D. 19 72 and for the application to beneficial use of said water on or before the 18th day of January A. D. 19 76

and, Whereas, on the 20th day of January, 1971 the Commission authorized the incorporations of the provisions of Permit No. 1328-3A into this permit, authorizing the licensing of the .84 c.f.s. granted under Permit No. 1328-3A with a priority date of June 27, 1967,

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 2.50 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 15, T105N, R51W

SE $\frac{1}{4}$ 140 acres

E $\frac{1}{2}$ SW $\frac{1}{4}$ 36 acres

Total 176 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 the Chester Grazing Association

_____ of Chester
the holder _____ and owner _____ of said permit No. 1328-3 a water right, dating from December 7, 1966 and
June 27, 1967 to use of 2.5 cubic feet per second of the waters
of ground water

in the County of Lake and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point North 54° 10' West, 2230 feet from the
SE Corner, Section 15, T105N, R51W

and conduct to and upon a portion of the S½, Section 15, T105N, R51W, described on the face
of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1328-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 28th day of January A. D.
Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Form 15.

Permit No. 1328-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Chester Grazing Association

_____ the holder _____ of
Permit No. 1328-3, issued upon Application No. 1328-3, bearing date of priority of December 7, 1966 and
June 27, 1967 authorizing the diversion of 2.5 cu. ft. per second of the waters of _____
ground water County of Lake, State of South Dakota at _____
a point North 54° 10' West, 2230 feet from the SE Corner, Section 15,
T105N, R51W
_____, for irrigation

_____ purposes, has _____ 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 2.75 cu. ft. per second of water.

Date January 28, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

on or before December 22, 1966
(First Publication _____, 1966)**APPROPRIATION OF WATER**Office of State Water Resources Commission,
Pierre, S. Dak., December 9, 1966

Notice is hereby given that the Chester Grazing Association whose postoffice address is Chester 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 1.66 cubic feet of water per second of time from the ground water through the Chester Grazing Association Well #1, the point of diversion of which is to be located on the NW SE 15 portions of 105N 51W Twp. Range Said water to be used for the purpose of providing irrigation on the following described land:

SE 1/4 and E 1/4 SW 1/4, Section 15, T105N, R51W

~~XXXXXX~~ XXXXXX

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 18th day of January, 1967 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:

~~XXXXXXXXXXXXXXXXXXXX~~
RICHARD D. SCHMOYER
 Water Right Specialist

CC: Mr. George M. Hunter, Publisher
 Daily Leader
 Madison, S.D.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Lake } ss.

Grace M. Johnson being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____

Madison Daily Leader a newspaper which during the whole itme of publication of said notice herein after stated, has been and is printed and published in the _____

City Madison of _____ County of _____
Lake and State of South Dakota; that the said notice was published in said newspaper on the following dates:

Thursday the 15th day of December, 1966

Thursday the 22nd day of December, 1966

Thursday the 29th Day of December, 1966

Thursday the 5th day of January, 1967

in each and every issue of the full number thereof, the first publication being made on the 15th day of December 1966, and the last publication on the 5th day of January 1967, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was M. D. Hunter the printer and publisher of the said newspaper.

Grace M. Johnson

Subscribed and sworn to before me this 5th day of January A. D. 1967

Frederick C. Welcher
Notary Public Lake County, S. D.

Dec. 15, 22, 29, Jan. 5
APPROPRIATION OF WATER
Office of State Water Resources Commission, Pierre, S. Dak., December 9, 1966.
Notice is hereby given that the Chester Grazing Association whose principal address is Chester, S. Dak., has made application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.56 cubic feet of water per second flowing from ground water through the Chester Grazing Association Well No. 1, the point of diversion of which is to be located in the NW 1/4 of the SE 1/4 of Section 15 Twp. 105N Range 51W. Said water is to be used for irrigating the following described land: SE 1/4 and SW 1/4 of Section 15, T105N, R51W.
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of January, 1967, 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: Richard D. Schmoeyer
Water Right Specialist

RECEIVED
JAN 19 1967

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

June 15, 1967

State Water Resources Commission
J. W. Grimes, Chief Engineer, Executive Officer
Pierre, South Dakota

Dear Sir;

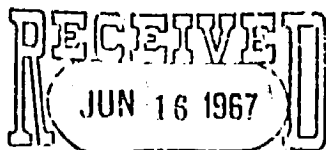
In reference to water rights permit number 1328-3 that was approved Jan. 18, 1967 for Chester Grazing Association, Chester, So. Dak. allowing 1.66 cu. ft. per second.

In checking with the irrigation company engineers and our loan company engineers, we find that this is insufficient water supply to properly irrigate this pasture land. Before we buy equipment of proper size to irrigate this 176 acres of pasture land, we find it necessary to increase our water permit to the maximum allowable amount, which we understand is 2.5 cu. ft. per second.

All other information on our permit would remain the same except motor size, which would raise to 100 H.P.

Please advise us as to proper procedure for increasing the amount of water on this permit.

Sincerely Yours:
Chester Grazing Association
Merlin Lidel
Merlin Lidel, Secretary



STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

Permit No. 1328-3Water Division No. 3 SIOUX RIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

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

Dear Sirs: 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 CHESTER GRAZING ASSOCIATION, of CHESTER LAKE County, South Dakota, holder of Permit No. 1328-3, issued upon Application No. 1328-3, bearing date of priority of DECEMBER 7, 1966, authorizing the diversion of 1.66 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: 60' DEEP WELL W/ LAYNE-BOWLER 8" PUMP, POWERED BY U.S. 60 HP ELECTRIC MOTOR, 1200' OF 6" MAINLINE, 1300' OF 8" MAINLINE, AND 4 1320' 4" TOWLINES WITH RAINBIRD #30 SPRINKLER HEADS @ 30' SPACINGS

and the system is in the following condition: EXCELLENT

The point of diversion is located N 54° 10' W 2230 FEET FROM THE SE CORNER SECTION 15, T105N, R51W

The works are capable of diverting and conveying to the place of use 2.75 * cu. ft. per second of water, which is to be used for IRRIGATION

The legal sub-divisions to be irrigated are: SE⁴ & A PORTION OF THE SW⁴, SECTION 15, T105N, R51W

comprising a total of 17.6 acres of land.

The domestic use intended comprises

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

* DELIVERY CAPACITY IS FOR PERMIT 1328-3 & 1328-3A

Witness my hand, this 21ST day of NOVEMBER, A.D. 1968

—SEAL—

Durston Jones
WATER RIGHT SPECIALIST
WATER RESOURCES COMM

Form 14 - Notification of Water License
Ready for Issuing

No. 1328-3 & 1328-3A

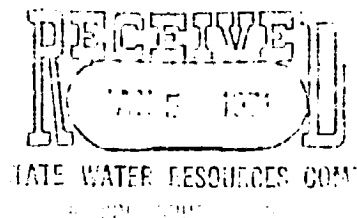
SOUTH DAKOTA
Water Resources Commission

STATE OFFICE BUILDING
PIERRE, SOUTH DAKOTA
57501

December 22, 1970

Mr. Earl P. Acheson, Secretary
Chester Grazing Association
Chester, South Dakota 57016

Dear Mr. Acheson:



The inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Right Permit No. 1328-3A has been completed. Your final water right document, Water License No. 1328-3 can now be issued to you.

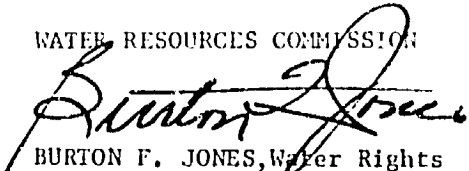
Statutes require that we charge a \$12.00 fee for the inspection and issuing of the Water License. Upon receipt of this \$12.00 fee from you, Water License No. 1328-3 will be sent to you.

You will also receive the Certificate of Construction No. 1328-3 as required by statute.

Sincerely,

WATER RESOURCES COMMISSION

By:


BURTON F. JONES, Water Rights
Specialist

BFJ/bw

P.S. The provisions of the two Water Permits Nos. 1328-3 and 1328-3A will be combined into one Water License No. 1328-3.

Form 17 - Transmittal of Water License

No. 1328-3 & 1328-3A

SOUTH DAKOTA

Water Resources Commission

STATE OFFICE BUILDING
PIERRE, SOUTH DAKOTA
57501

January 28, 1971

Mr. Earl P. Acheson, Secretary
Chester Grazing Association
Chester, South Dakota 57016

Dear Mr. Acheson:

Enclosed herewith are, Water License No. 1328-3, Certificate
of Construction, and Receipt No. 4 1645 in the amount of \$12.00
for the fee which you have paid.

Water License No. 1328-3 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.

Respectfully,

WATER RESOURCES COMMISSION

By:

J.W. GRIMES
Chief Engineer, Executive Officer

JWG/DFJ/bw

Encl: As stated

P.S. As was noted in our letter of December 22, 1970, the provisions
of Permit No. 1328-3A are incorporated into this Water License, and
Permit No. 1328-3A is cancelled.

Form 20.

1328-2
No. _____

NOTICE OF TRANSFER OF WATER PERMIT

TO: **WATER RIGHTS COMMISSION**
State Office Building No. 2
Pierre, South Dakota 57501

March 26, 1976
Date _____

This is to notify you that title to the lands described as follows:
NW1/4, SE1/4 Section 15, T105N, R51W

_____ formerly owned by _____ Chester Grazing Association, Chester, S.D.

_____ has been transferred to _____ Charles Alverson, Chester, S.D.

_____ together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 1328-2 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.

WATER RIGHTS COMMISSION
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)
Hughes) ss.
County of Hughes)

I, Earl Alverson 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 26th day of March, 19 76

Earl Alverson, Sec.
(Signed)

Notary Public
(Notary Public)

Earl
cc to Alverson, Chester w/ Receipt





Department of Water & Natural Resources

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

March 31, 1986

Charles Alverson
RR 1, Box 45
Chester, SD 57016

Notice

Re: Violation of Requirement to Submit 1985 Irrigation Questionnaire

Our records indicate that the 1985 Irrigation Questionnaire has not been submitted for Water Permit No(s). 1328-3. The request for the Questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 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 2:00 p.m., May 14, 1986 in Room 216, Joe Foss Building, Pierre, South Dakota.

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. Amend Permit No(s). 1328-3 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, Chief Engineer
Water Rights Division
(605) 773-3352

Note: If the questionnaire(s) is received in this office before the May 14 hearing date, your name will be deleted from the agenda for the hearings.

OVER

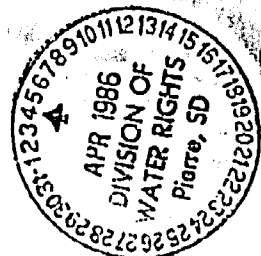
Dear Sirs,

You are causing me of
not sending in my questionnaire & this
bothers me. Two years ago I sent in
three of them before it satisfied you,
& now this year I do remember of
making it out & sending it. I have
done what I have been asked to do
each year. Something happens to these
forms & I don't if the postal service
or your office is to blame, but I do
know they have been sent. @

If you will send me another
form I will answer all questions.

Sincerely

Charles Olson



**Dakota Department of
Water & Natural Resources**

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

Water Rights Division
605 773-3352

April 8, 1986

1328-3

Charles Alverson
RR #1, Box 45
Chester SD 57016

Dear Mr. Alverson:

I am contacting you in reference to your letter received in our office April 4, 1986. You stated in your letter you felt you had already returned your 1985 irrigation questionnaire.

In checked through last year's questionnaires I believe I have found where the discrepancy occurred. Water Right No. 1328-3 and Water Permit No. 4133-3 are both listed in your name and an irrigation questionnaire would be sent to you for each number. When you returned your irrigation data last fall, I credited it to Permit No. 4133-3 and No. 1328-3 did not get crossed off the list.

You were correct in stating that you had already submitted the questionnaires. I apologize for any inconvenience this may have caused you and thank you for bringing this matter to our attention.

If you have any questions, contact our office.

Sincerely,

Genny McMath

GENNY MCMAITH
Natural Resources Analyst

GM:ks

Equal Opportunity Employer

#1328-3
#4133-3

South Dakota Department of
Water & Natural Resources

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

February 17, 1989

Charles Alverson
Rt. 1, Box 45
Chester, SD 57016

Dear Mr. Alverson:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;



Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,

John Hatch
for JOHN HATCH, Chief Engineer
Water Rights Division



1328-3
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 16, 2015

NOTICE

TO: CHARLES V ALVERSON, 46304 241ST ST, CHESTER, SD 57016
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaires

Our records indicate your 2014 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1328-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4133A-3, 5151-3 & 7131-3 qualification:

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

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. 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) 4133A-3, 5151-3 & 7131-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1328-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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.

1328-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2015

1328-3
4133A-3
5151-3
7131-3

Charles V Alverson
46304 241st St
Chester SD 57016

Dear Mr. Alverson:

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

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1328-3, 4133A-3, 5151-3 and 7131-3. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



1328-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 14, 2019

Shawn or Jill Martin
24106 461st Ave
Chester SD 57016

Re: Water Right Nos. 1328-3, 4133A-3, 5151-3 & Temporary Use Permit No. 7131-3

Dear Mr. & Mrs. Martin:

I am writing in follow-up to our phone conversation concerning the ownership changes needed for the water rights held by Charles Alverson.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing an ownership change on Water Right Nos. 1328-3, 4133A-3 and 5151-3. Please review and complete as needed. Upon completion, please sign and return the forms to our office with a required filing fee of \$50 each (total of \$150). The check or money order for the fee can be made payable to the Water Rights Program.

Temporary Use Water Permit No. 7131-3 held by Charles Alverson is for 68 acres located in the NW ¼ Section 21, T105N, R51W. You confirmed during our conversation the project had not been constructed due to the inability to find water. The time limit for completion of works for No. 7131-3 was March 10, 2015. Since the project was not developed, the permit becomes subject to cancellation.

You will be notified of the time, date and place of the hearing once it is scheduled. The next meeting for which the cancellation consideration could be scheduled is March 2020. As long as you agree with the cancellation, you do not need to do anything but let this take its course.

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

enclosures

PAID

NOV 25 2019

Ck# 3959

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1328-3

Date: 11/19/19

I/We request that Water Right No. 1328-3

formerly owned by: Charles V Alverson

be transferred to: (name & address)

SHAWN or Jill Martin
24106 461st Ave Chester S.D. 57016

Telephone No. 605-270-1431

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

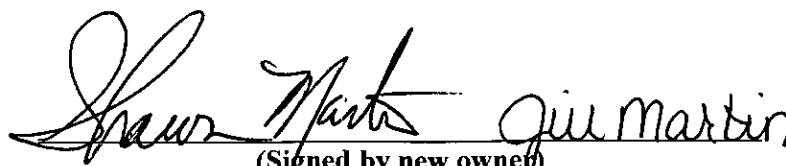
176 acres - SE ¼ and E ½ SW ¼ Section 15, T105N, R51W

I/We understand that the validity of Water Right No. 1328-3 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 Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Shawn + Jill MARTIN, the new owner, certify that the above information is true and correct.


(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date **November 25**, 20 **19**

RECEIVED OF **Shawn/Jill Martin 24106 461st Ave Chester SD 57016**

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 1328-3	50	00
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. **09258**

By *Jeanne Hardman*
Chief Engineer *JH*

1328-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 27, 2019

Shawn or Jill Martin
24106 461st Ave
Chester SD 57016

Re: Water Right Nos. 1328-3, 4133A-3 and 5151-3

Dear Mr. & Mrs. Martin:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on the above listed water rights.

The ownership changes have been completed. Water Right Nos. 1328-3, 4133A-3 and 5151-3, formerly held by Charles V Alverson are now listed in your names.

Enclosed for your records are Receipt Nos. 09257, 09258 and 09259 in the amounts of \$50 each. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures