

Water Right Number 16R3-3

1. Considered SEPT. 1, 1971
2. Name of Applicant VICTOR J. & BETTY L. GRAVEL
3. Post Office Address 1330 N. 1ST ST. SEWARD NEBR 68439
4. Amount of Water claimed 2.28
5. Source of Water supply GROUND WATER WELL
6. Water to be used for IRRIGATION

Acres to be irrigated 160.00 ±

7. Water to be diverted and used in BEADLE County
about 6E miles of CANBOS

8. Proof of Publication Received 1st

Not Received _____

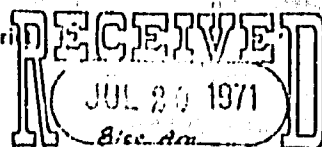
9. Application Approved _____

Subject to _____

Not Approved _____

Action Deferred _____

10. Remarks:

No. 1883-3Map No. 1336-3 Water Division No. 3 JAMES RIVER
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Betty L. Gravel/and/or Victor J. Gravel
Postoffice address 1330 North 1st St., Seward, State Nebraska
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Employment of others
3. Name of diversion work GRAVEL IRRIGATION PROJECT
4. Amount of water claimed (cubic feet per second) 2.28
5. Source of water supply Artificial
6. Location of point of diversion SW 1/4 33-111-59
1320' N AND 45' E OF THE SW CORNER, SECTION 33, T111N, R59W

County Beadle

7. Annual period or periods during which water is to be used Summer
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 160 ±

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
SW 1/4 33-111-59	160 ±		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system ONE years. Additional time required to complete application of water to the proposed beneficial use ONE years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication The Daily Plainsman - Huron, So. Dak.
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

B. Works proposed to transport water to place of use.

C. Works proposed to apply water to beneficial use.

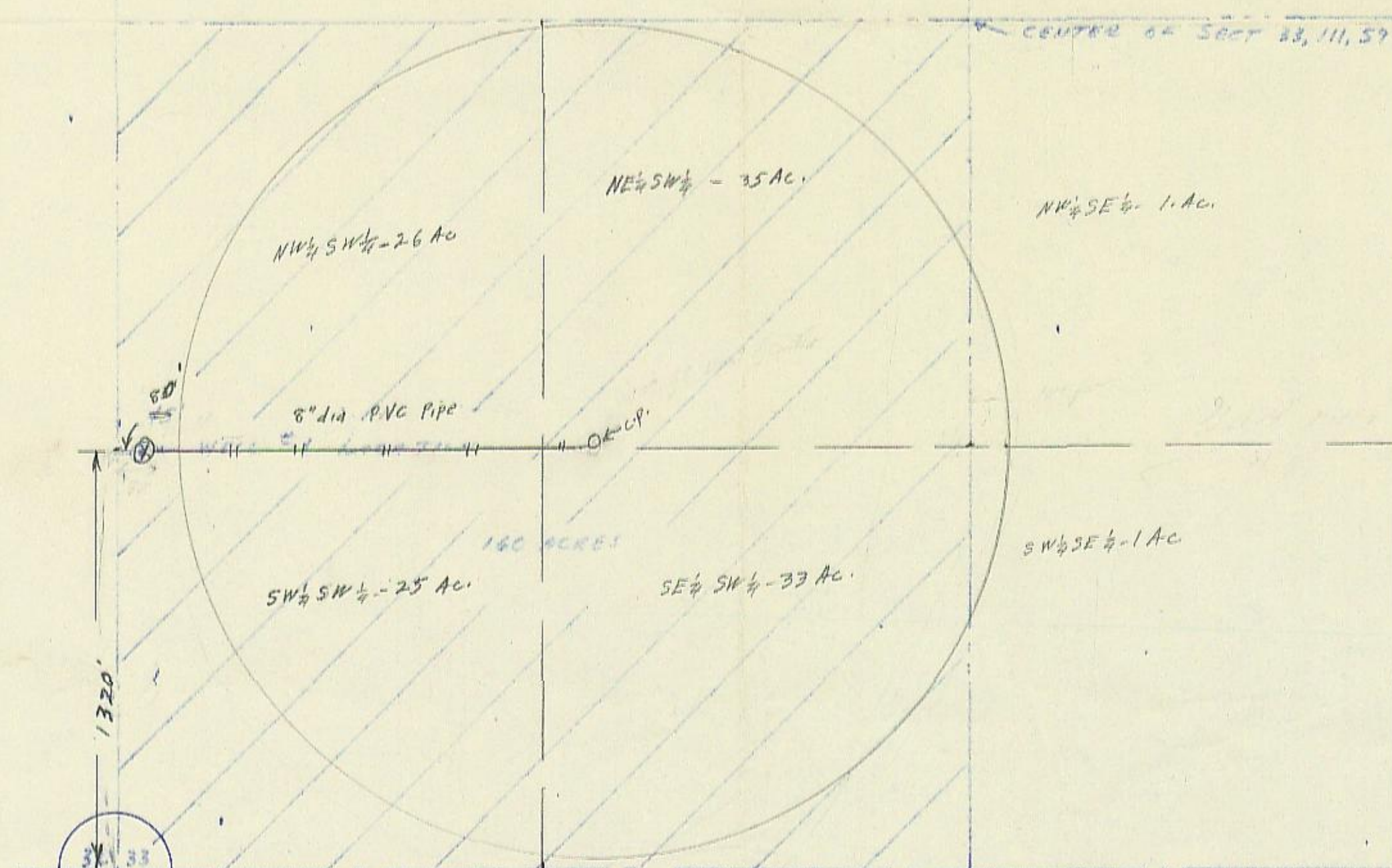
Estimated Total Cost \$ 10,000.00Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water is proposed. Attach map.
(See instructions concerning preparation.)Nebraska
STATE OF ~~NEBRASKA~~County of SewardI, Victor J. Gravel & Betty L. Gravel (the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed Victor J. Gravel Betty L. GravelSubscribed and sworn to before me this 12th day of July, 19 71R. L. Skilled
Notary Public (or other qualified officer)

28 27
32 33

28 27
32 33

28 27
32 33

28 27
32 33



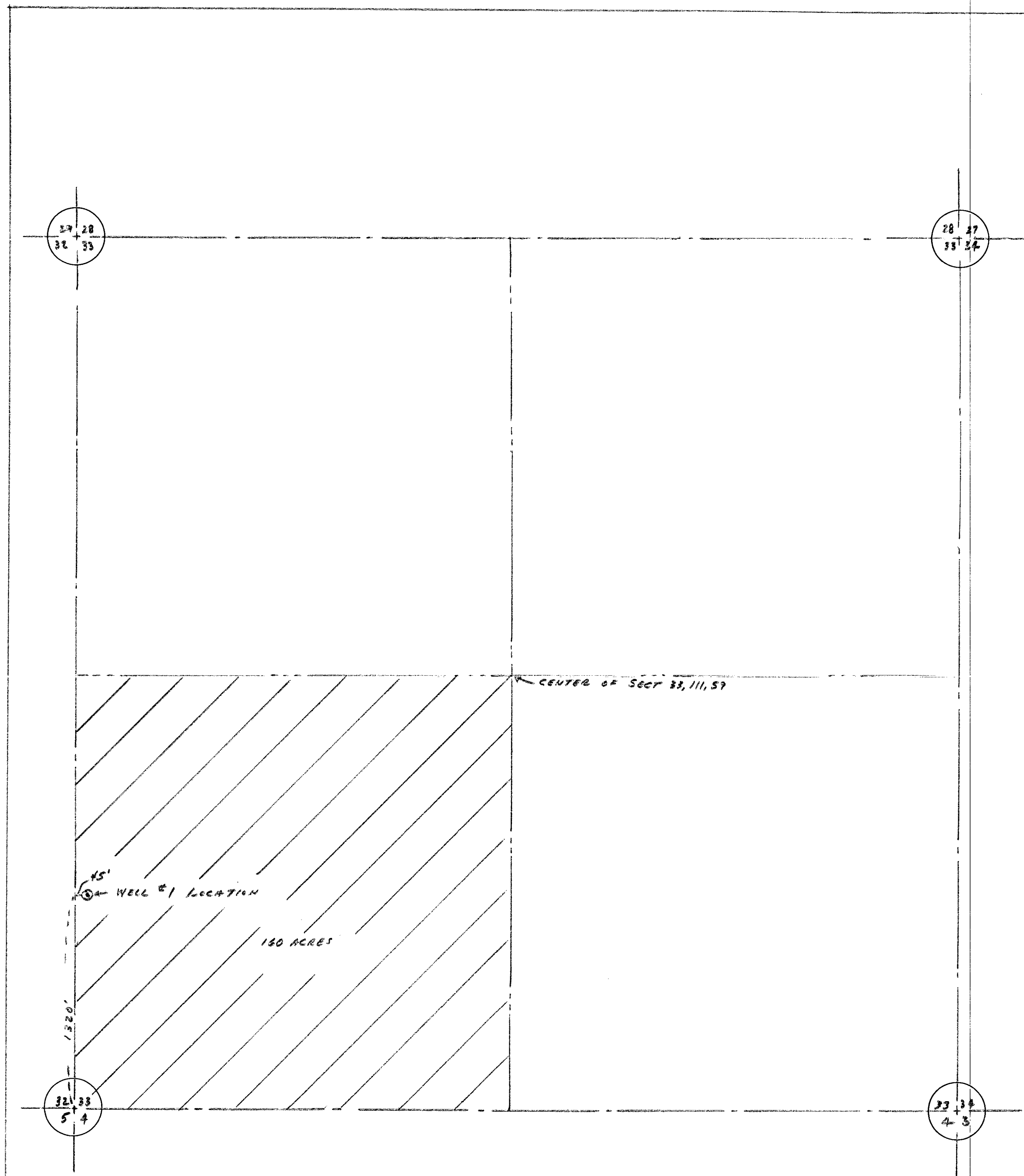
AREA BY LEGAL SUBDIVISION
160 ACRES SW 1/4 OF SECTION 33, T.11N, R.59W, S.4R.

SURVEYOR'S CERTIFICATE
STATE OF SOUTH DAKOTA)
COUNTY OF BENDLE)
I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
CERTIFY THAT AT THE REQUEST OF VICTOR J. & BETTY L. GRAUEL
SOLE OWNERS, I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED
WITHIN THEIR OWNERSHIP BOUNDARIES ON JULY 16, 1971 FOR WHICH
APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND
THIS MAP IS A TRUE REPRESENTATION OF THE SAME.
WITNESS MY HAND AND SEAL THIS 16TH DAY OF JULY 1971
Harlan W. Meyer
REGISTERED LAND SURVEYOR # 495



VICTOR J. & BETTY L. GRAUEL IRRIGATION PROJECT #1
SHOWS AREA TO BE IRRIGATED & WELL LOCATION WHERE
WATER WILL BE DIVERTED FOR PERMIT TO APPROPRIATE WATER.

OWNER
SURVEYOR
VICTOR J. & BETTY L. GRAUEL
HARLAN W. MEYER
JULY 1971



AREA BY LEGAL SUBDIVISION
160 ACRES SW 1/4 OF SECTION 33, T111N, R 59N, 59M.

SURVEYOR'S CERTIFICATE
STATE OF SOUTH DAKOTA) SS
COUNTY OF BEADLE)
I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
CERTIFY THAT AT THE REQUEST OF VICTOR J. & BETTY L. GRAUEL
SOLE OWNERS, I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED
WITHIN THEIR OWNERSHIP BOUNDARIES ON JULY 16, 1971 FOR WHICH
APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND
THIS MAP IS A TRUE REPRESENTATION OF THE SAME.
WITNESS MY HAND AND SEAL THIS 16TH DAY OF JULY 1971
Harlan W. Meyer
REGISTERED LAND SURVEYOR #425

SCALE 1" = 400'

VICTOR J. & BETTY L. GRAUEL IRRIGATION PROJECT #1
SHOWS AREA TO BE IRRIGATED & WELL LOCATION WHERE
WATER WILL BE DIVERTED FOR PERMIT TO APPROPRIATE WATER

OWNER
SURVEYOR

VICTOR J. & BETTY L. GRAUEL
HARLAN W. MEYER
JULY 1971

MAP NO 1336-3 (APPL NO 1883-3)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1883-3
VICTOR J. & BETTY L. GRAVEL 1330 NORTH 1ST ST., SEWARD
 (Applicant) (Post Office Address)
NEBRASKA 68434 With the following modifications:
 (State)

The irrigation well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

Date of first receipt of application JULY 20, 19 71
 Date of return to applicant for correction, amendments or changes required —, 19 —
 Date of receipt of corrected application —, 19 —
 Approved SEPTEMBER 1, 19 71 Recorded in Book 12 Page 32

WATER RIGHT PERMIT NO. 1883-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1883-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JULY 20, 19 71
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before APRIL 1, 19 72
3. The whole of said work is to be completed on or before SEPTEMBER 1, 19 71
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 1, 19 73
5. The water appropriated shall be used for the purpose of IRRIGATION
6. 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.
7. The amount of the appropriation herein granted shall not exceed 2.28 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and 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 SEPTEMBER 1, 19 73; said water to be used during the following described annual period: SUMMER

Witness my hand this 17TH day of SEPTEMBER, 19 71

WATER RESOURCES COMMISSION

By: [Signature]
 Chief Engineer/Executive Officer

Certificate of Construction Issued APRIL 3, 19 79
 Water License Issued APRIL 3, 19 79

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter _____, Depth _____
- (2) Casing, Type _____, Diameter _____, Thickness _____
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type _____, Diameter _____, Length _____
- (4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy in test well log if available.)

Character of Water bearing materials 0-15 topsoil and clay
Brown gravel 15-22, blue medium sand 22-31 & 72 (with fine gravel)
72-75 shale

Depth to top of water bearing material 16 ft
72 ft.
Depth to bottom of water bearing material _____
Thickness of water bearing material 57 ft.
Depth to water (ground surface to water level) 16 ft

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property 100 rds. On property owned by others 80 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Richard J. Gravel
Richard J. Gravel
Signature of Applicant

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1883-3

(1) WHEREAS, On the 20th day of July A. D. 19 71
Victor J. & Betty L. Gravel

made Water Right Application No. 1883-3 for a permit to use 2.28 cubic feet per second of the waters
of groundwater (one well)
County of Beadle, State of South Dakota, for irrigation
_____ purposes; and

(2) WHEREAS, On the 1 day of September A. D. 19 71
Permit No. 1883-3, with a date of priority of July 20, 1971
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 1 day of September A. D. 19 76 and for the
application to beneficial use of said water on or before the 1 day of September A. D. 19 80

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert 1.73 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,

to irrigate portions of the following described land all in
Section 33, T111N, R59W:

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 26 acres

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 35 "

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 25 "

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 33 "

N $\frac{1}{4}$ SE $\frac{1}{4}$ 1.0 "

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.0 "

TOTAL 121 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 Victor J. & Betty L. Gravel

_____ of Seward, Nebraska

the holder s and owner s of said permit No. 1883-3 a water right, dating from _____

July 20, 1971 to use of 1.73 cubic feet per second of the waters of groundwater (one well)

in the County of Beadle and State of South Dakota, or so much thereof as may be necessary for the purposes hereinafter mentioned, to be diverted at 1320 feet North and 80 feet East

of the SE Corner of Section 33, T111N, R59W

and conduct to and upon portions of Section 33, T111N, R59W more fully described
on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1883-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 3rd day of April A. D.
Nineteen Hundred and seventy-nine

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 1883-3

Water Diversion No. 3 James River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Victor J. & Betty L. Gravel

_____ the holder _____ of
Permit No. 1883-3, issued upon Application No. 1883-3, bearing date of priority of _____
July 20, 1971 authorizing the diversion of 2.28 cu. ft. per second of the waters of _____
groundwater (one well) County of Beadle, State of South Dakota ~~xx~~ _____
1320 feet North and 80 feet East of the SE Corner of Section 33,
T111N, R59W
_____, for irrigation

purposes, have 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. ~~4~~ 2.0 cu. ft. per second of water

Date April 3, 1979


JOHN HATCH, Chief Engineer
Water Rights Commission

..0. 1883-3

Publish first publication, on or before August 5, 19 71

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

July 22, 19 71

Notice is hereby given that Victor J. and Betty L. Gravel
whose post office address is Seward, Nebraska, ~~South Dakota~~, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
2.28 cubic feet of water per second of time from the ground water through the
Gravel Irrigation Project, the point of diversion of which is to be located in the _____

SW $\frac{1}{4}$ SW $\frac{1}{4}$
of Section 33, Twp. 111N, Range 59W. Said water to be used for the purpose
of providing irrigation on the following described land:
SW $\frac{1}{4}$, Section 33, T111N, R59W

This application No. 1883-3 will be considered by the Water Resources Commission at their office at
Pierre upon the 1st day of September, 19 71, at 2:00 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: Victor J. Gravel, 1330 North 1st Street, Seward, Nebraska 68434

PRINTER'S AFFIDAVIT

STATE OF SOUTH DAKOTA,)
COUNTY OF BEADLE) SS.

I, Jeannette C. Lusk
being duly sworn on oath, say that THE DAILY PLAINSMAN
is a daily paper published at Huron, Beadle County, South
Dakota, and that said newspaper has a bonafide circulation
of at least 250 copies daily; that said newspaper has been
published within said county for fifty-two consecutive weeks
immediately prior to this date; that said newspaper is printed
in whole or in part, in an office maintained at said place of
publication; that I am publisher

_____ of said newspaper
and know the facts herein stated. The annexed notice headed

Notice Intent to Appropriate Water

was published for 4 successive weeks once each
week, the same day each week, in said newspaper, and not in
any supplement of the said newspaper, the first publication on
the 5 day of August, 19 71, and the last
publication on the 26 day of August, 19 71.
That the full amount of the fee charged for publishing the
same, to-wit:

Eighteen and 90/100 Dollars inures to the benefit of
the publisher of said newspaper; that no agreement or under-
standing for the division thereof has been made with any
other person, and that no part thereof has been agreed to be
paid to any person whomsoever.

Jeannette C. Lusk

Subscribed and sworn to before me this 26 day of
August, 19 71.

a. J. [Signature]
Notary Public, South Dakota

My term expires 7-21-75.

AFFIDAVIT OF AGENT OR ATTORNEY

STATE OF SOUTH DAKOTA,)
COUNTY OF _____) SS.

I, _____
being duly sworn on oath, say that I am the authorized attor-
ney for the party foreclosing the mortgage described in the
annexed notice; that no agreement or understanding for any
division of the fees therefore has been made with any person
whomsoever, and that no part thereof has been refunded or
rebated by the party publishing this notice.

Subscribed and sworn to before me, _____ day of
_____, 19 ____.

FP 4-71 LP 8-71
No. 102-1

NOTICE INTENT TO APPROPRIATE WATER
Pierre, South Dakota 57501
July 22, 1971
Notice is hereby given that Victor
J. and Betty L. Gravel, whose post
office address is Seward, Nebraska, has
made an application in accordance with
the provisions of the water laws of
South Dakota for a permit to appropriate
for beneficial use 2.28 cubic feet of
water per second of time from ground
water through the Gravel Irrigation Proj-
ect, the point of diversion of which
is to be located in the SW 1/4, SW 1/4
of Section 22, Twp. 11N, Range 39W,
said water to be used for the purpose
of providing irrigation on the following
described land:
SW 1/4, Section 22, T11N, R39W
This application No. 1843-A will be
considered by the Water Resources Com-
mission at their office at Pierre upon
the 1st day of September, 1971, at
2:00 p.m. All interested persons may
appear and be heard.
WATER RESOURCES COMMISSION
Barton F. Jones,
Water Rights Specialist
X-1-102187-1P-90 No. 330 (adv.)

RECEIVED
SEP 1 1971
STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

May 25, 1971

South Dakota Water Resources Commission
Pierre, South Dakota

Dear Sirs:

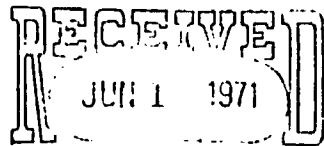
Would like to inquire about application for water rights on a farm I own in Beadle County (S¹/₂-33-111-59). We are just in the process of investigating irrigation possibilities on the SW¹/₄ of this farm. Have not yet dug a test well.

Any information you can give us would be appreciated. We understand that one of the first steps is to secure water rights, however, and so this inquiry.

Sincerely,

Victor J. Gravel

Victor J. and Betty L. Gravel
1330 North 1st Street
Seward, Nebraska 68434



STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTA

June 1, 1971

Mr. Victor J. Gravel
1330 North 1st Street
Seward, Nebraska 68434

Dear Mr. Gravel:

Your letter of May 25, 1971 inquires about making applications for water rights and states you are investigating the possibility of drilling an irrigation well in the SW $\frac{1}{4}$, Section 33, T111N, R59W.

Ground water irrigation has not been developed to any extent in the immediate vicinity of your location. Several irrigation wells have been drilled six or seven miles west. Therefore it is advisable for you to do test hole drilling before you make a water right application.

Enclosed are two information sheets showing the procedures to be followed in obtaining water rights. Information about the shallow aquifers and responsibilities of irrigation well owners are also enclosed.

If you decide you want to make a water right application, please so notify this office and the application forms will be sent to you.

Sincerely,

DONALD DRISCOLL
Deputy Chief Engineer

DD/bv
Encl: As stated

November 7, 1975

South Dakota Water Resources Commission
State Office Building #2
Pierre, South Dakota 57501

Dear Sirs:

In the summer of 1971 we applied for water rights permit for irrigation in the SW $\frac{1}{4}$, Section 33, T111N, R59W. Because we do not farm the land ourselves and had not found a renter ready to go into irrigation, we have not yet completed the project. We did get a successful test well.

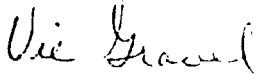
As I understand it, when the system is completed, your department would inspect the completed project and give the permit. Is this true? How long do we have to complete the project?

Being residents of an area of Nebraska where irrigation is so widely accepted, it is hard for us to understand the reluctance to irrigate in the area where our farm is. I will enclose a copy of the test results and would appreciate your comments on this.

We now have renters who are expressing an interest in the project, but before proceeding, we wanted to check to see that we have the legal right, etc. Please advise.

Thanks much.

Sincerely,



Victor J. Gravel
1330 North 1st Street
Seward, Nebraska 68434

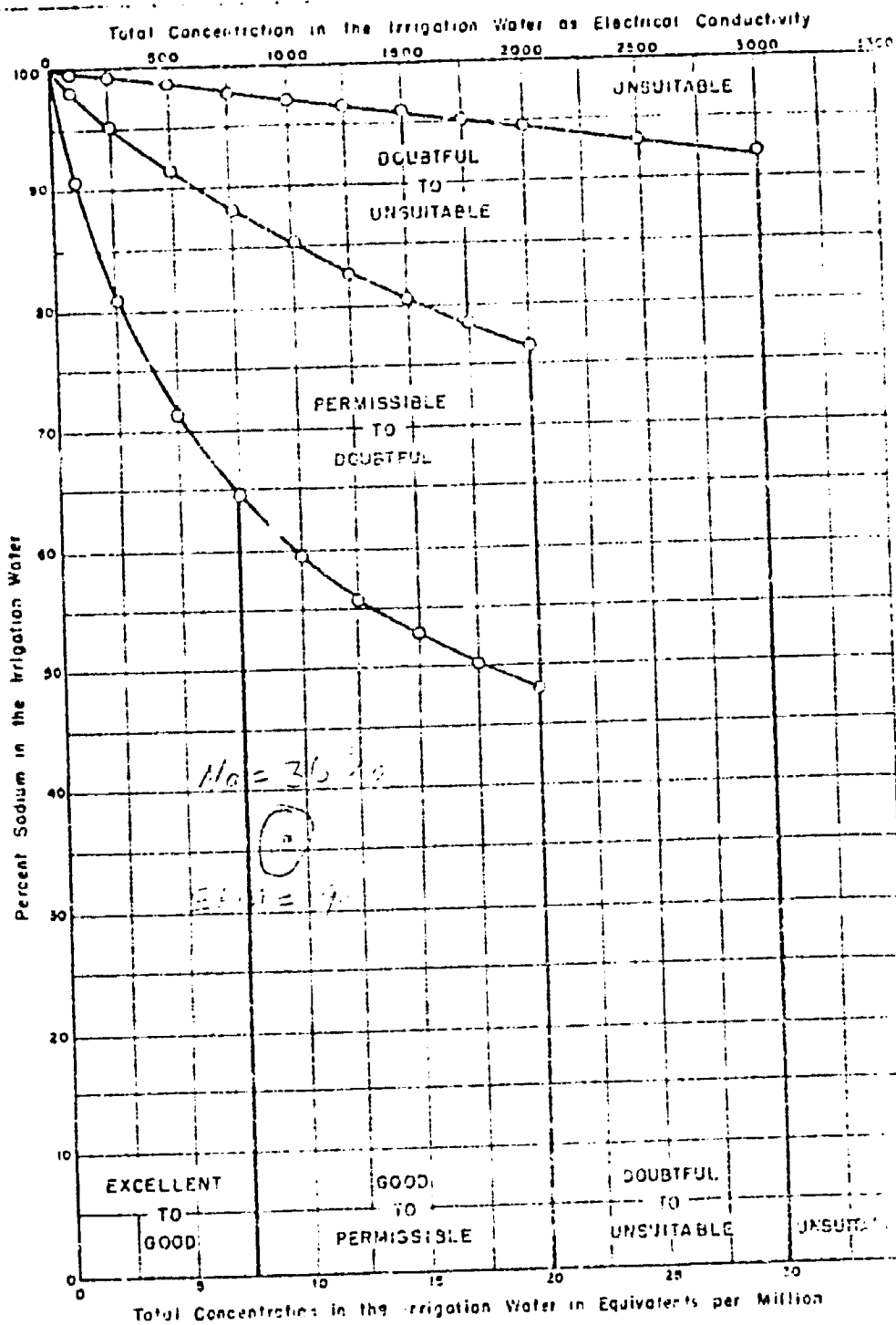


Diagram for use in interpreting the analysis of an irrigation water

DATE 7-2-71
 SODIUM 36.7
 E.P.M. 7.0

COLLECTOR Engel
 DESCRIPTION SW 111-51
 OWNER V.I.

GRAPH PREPARED BY UNITED STATES DEPARTMENT OF AGRICULTURE, REGIONAL LABORATORY, RIVERSIDE, CALIFORNIA

December 4, 1975

Mr. Victor Gravel
1330 North First Street
Seward, Nebraska 68434

Dear Mr. Gravel:

We are enclosing our Form 18, Application for Extension of Time on your irrigation Permit No. 1883, which you are requested to sign and return with a fee of \$1.00. This will allow you until September 1, 1976 to construct the system, and an additional four years for refinement to the system. These two dates reflect the statutory time limits.

Your water analysis indicates that you have fairly good water for irrigation, provided your land does not contain clay or hardpan spots.

Sincerely yours,

Button F. Jones
Water Rights Specialist

BFJ:nlm

Enclosure: Form 18

APPLICATION FOR EXTENSION OF TIME

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

Date December 3, 1975

Dear Sirs:

In Water Right Permit No. 1883-3 it is specified that the water diversion system is to be completed by September 1, 1972 and that the water is to be put to the limit of beneficial use by September 1, 1973.

I hereby request that the date for completing the diversion system be extended to September 1, 1976 and that the date for putting the water to the limit of beneficial use be extended to September 1, 1980.

The extension of time for the completion of these works is requested for the following reasons: Not enough time requested on original application

Enclosed herewith is a fee of \$1.00 to pay the cost of filing this request for extension of time.

Victor Gravel
(Signed)
Holder of Permit No. 1883-3

APPROVED:

WATER RIGHTS COMMISSION

By:

George and Henry (old) for [unclear]

1893-3 Betty Miller Grand

8-24-78 Well depth 75 ft water 18 ft

Pumping 900 gpm Capacity 1000 gpm

Motor G.F. 60 HP - 1770 RPM

included

Model 5K6257XH1A

52 ft

Ser # FMS 602421

1/2 inch

Jump Water Level 100 ft

1/2 inch

3-24-78

C.P. 100%

C.P. appears to be 100% of 2 ft

1/2 inch

3 ft

1/2 inch

Electropump C.P.

Model 2-685

Nett 57663244

8' Underground pipe

See [unclear]

May [unclear] on [unclear]

(over)

Seal by John Arthur De Laet
formed by B.C. Aughenbaugh
of Proquers. Price about 5 lbs 50
of Proquers



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501
Phone 605/773-3151

December 12, 1978

Betty & Victor Gravel
1330 N. First St.
Seward, NE 68434

Dear Mr. & Mrs. Gravel:

On August 24, 1978, I made a final inspection on your Water Right Permit No. 1883-3 in the SW $\frac{1}{4}$ of Section 33, T111N, R59W in Beadle County. This is necessary in order to comply with the South Dakota Water Laws and issue you a Water License. Mr. B.C. Aughenbaugh gave me most of the information I needed. However, I did find that the Center Pivot was not located in the SW $\frac{1}{4}$ of Section 33, but was located in my estimation, to be about 170 feet east of the center. This allowed the system to also irrigate some acreage in the SE $\frac{1}{4}$ of Section 33 that is not included in this permit. At the time of the inspection the corn was so high it was impossible to get an accurate plot on the location of the center pivot pad.

Could you tell me how far east of the center of the SE $\frac{1}{4}$ the center pivot pad is located. Also how many acres the center pivot covers. Normally it is 132 acres but often the center pivot may cover more or less than this. We need this information to properly process the Water License to make it as accurate as possible. If you are irrigating portions of the SE $\frac{1}{4}$ of the section you may need a permit to cover the acreage. The South Dakota Water Laws specify that all land irrigated must be covered by a Water Right Permit.

I would appreciate hearing from you on this matter. I am enclosing a map I drew of the acres to show in my best judgement, where the center pivot was located and the area covered. If you have any questions, please feel free to contact this office.

Sincerely,

LEROY J. MEKNAUGH
Water Resources Engineer

LJM/gy

encl



1330 North 1st Street
Seward, Nebraska 68434
January 18, 1979

Mr. Leroy J. Mernaugh
Water Resources Engineer
Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

RE: Water Permit 1883-3

Dear Mr. Mernaugh:

I'm sorry for the delay in answering your letter. We had planned to get up to South Dakota to check into the questions you raised before now, however, we have had illness in the family, weather has been risky for travel, and we have had other commitments that we couldn't break.

I have written to Anderson Irrigation at De Smet to see if they have the information you need. I know there was talk at the time they put the pivot in of moving a little east. There were two reasons: when the highway was widened, land was taken from the south borders making the quarters narrow, and there was a low pocket. I guess Vic and I aren't aware that any of the SE $\frac{1}{4}$ was getting water, however. We aren't even sure how much land is being irrigated and plan to get an accurate measurement for our own sake.

We will get the information to you as soon as possible. In the event that we will need to get a permit for the SE $\frac{1}{4}$ would you please advise us of the proper procedures. I believe you already have aerial pictures of the entire farm.

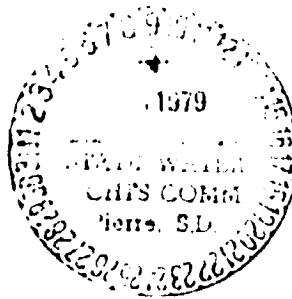
We are very sorry if there has been a mix up...and surely hope there hasn't. The whole thing is quite frustrating after years of trying to get everything approved.

I will get all the information to you as soon as I can.

Sincerely,

Betty Gravel

Betty Gravel



1330 North 1st Street
Seward, Nebraska 68434
March 5, 1979

Mr. Leroy J. Mernaugh
Water Resources Engineer
Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Dear Mr. Mernaugh:

We are finally getting the promised figures to you regarding our Water Right Permit No. 1883-3. You will find our map and measurements enclosed.

The field is short north to south because of Highway 14 where land was taken by the state to widen the highway. This makes the center offset greater than the overlap east of the quarter line. Snow cover made it difficult to get around on foot but the measure from the east quarter line to the last corn row is quite accurate. The acreage covered by the chord of this arc is not as great as it appears it would be when the center is offset by 160 feet. The end gun covers a little more, depending on which way the wind is blowing and how strong it is. There is also quite an area forming a drainage ditch on which no crops can be raised, so this means there is considerable less than 120 acres of crop land here.

Will we have to expand our permit to take care of these 2 or 3 acres? It would seem unfair that we would since the reason for the overlap is because land was taken off the south by the state for the highway. (My aunt didn't want to sell that land nor move her house and all. It was all very hard for an elderly lady to have to go through.)

South Dakota appears to be 20 years behind the times in irrigation when compared to Nebraska. It is hard for us to believe. We also can't believe why the state lets the railroads get by with not providing enough cars to move the grain at harvest time. People with no storage really take a loss. Nebraska has been wielding a heavy hand on the railroads here and getting results.

We read an article from the Huron paper stating that a study is being made regarding piping water to Huron from the aquifer that we are evidently on. What would this do to us? Would the state take the water away from those using it for irrigation and break these people?

Please let us know your decision soon regarding the permit. We would also appreciate specific information as to what we would need to do if we must get an expanded acreage permit. What will be the cost? Would we apply for a certain amount of acres or for the quarter?

We anxiously await your reply and thank you for your patience and consideration.

Sincerely,

Betty L. Gravel

SW $\frac{1}{4}$ Sec 33 111-59

N. 1/2 Sec 33 26 N.

N ↑

SE $\frac{1}{4}$ 33-111-9

128' chord
= 2.26 acres

1254' Radius

160'

SW $\frac{1}{4}$ Sec 33 25 N.

S. 25 N. - 25 N.

1155'

105'

$156.8^2 \text{ Radius} = 24568 \times .7854 = 19310 \text{ Area in square feet}$

area/160 grds = 120.68 acres

Scale 1" = 330'

66' square

Ch. S. 1/4 Sec 33 111-59

Permit No. 1883-3Water Division 3 James River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by Betty + Victor Gravel
1330 North 1st Street
 of Seward, Nebraska, 68434 holder
 of Permit No. 1883-3, bearing date of priority of July 20, 1971
 authorizing the diversion of 2.28 cu. ft. per second of the waters of One Well
 for Irrigation purposes, in Beadle County.

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

The Water Use System consists of,

- A. Works used to divert the water:
 Motor - GE Model 5K625TXH1A, Ser # FMJ602421
 60 HP. 1770 RPM.
 Pump - Western Land Roller
 Pumping 900 gpm
- B. Works used to transport water to place of use,
 1400 ft. 8" dia. P.V.C. Pipe.
- C. Works used to apply water to beneficial use.
 Electrogator Center Pivot
 Model 2-GE5, Ser # 57663295

The system is in the following condition: GoodThe point of diversion is located 1320 ft N and 80 ft E of the SE corner
of Section 33, T111N R59WThe works are capable of diverting and conveying to the place of use 2.0
 cu. ft. per second of water which is to be used for Irrigation

Water has been put to beneficial use to the maximum extent as follows:

All in Section 33 T111N R59W: NW 1/4 SW 1/4 - 26 Ac.
NE 1/4 SW 1/4 - 35 Ac. SW 1/4 SW 1/4 - 25 Ac. SE 1/4 SW 1/4 - 33 Ac.
NW 1/4 SE 1/4 - 1.0 Ac. SW 1/4 SE 1/4 - 1.0 Ac.

comprising a total of 121 acres of land.

Well depth - 75 ft.
 Static - 18 ft.
 Pumping - 900 gpm
 Capacity Tested to 2000 gpm

Date March 7, 1974
Leroy J. McLaughlin
 (Signature)

March 9, 1979

Betty L. Gravel
1330 North 1st Street
Seward, Nebraska 68434

Dear Ms. Gravel:

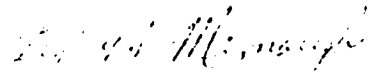
We received your letter and map of March 5, 1979 and it contained the information we need to process your Permit No. 1883-3 for a water license. The fact that the centerpivot covers but about two acres into the SE $\frac{1}{4}$ of Section 33 it will not be necessary to submit a permit for this acreage. At the time of the inspection I was unable to determine how far into the SE $\frac{1}{4}$ the irrigation covered due to the tall corn. Had it been a considerable acreage then a new permit would have been necessary to cover the added acreage.

We are now processing your Water License and it will be forth coming. Enclosed is a map of your land and the acreage that will be shown on the Water License. The License stays with the land and if the land is ever sold the License must be transferred to the new owner.

In regards to the City of Huron making a study of the aquifer you are on, Huron has made a study in your area; however, Huron has not made an application to this office for water. Any application they would make would be junior to your permit. In other words you would still have first priority on the water.

If you have any questions regarding the matter please feel free to contact this office.

Sincerely,



LeRoy J. Mernaugh
Water Resources Engineer

LJM:kjw

enclosure: map
Form 14 - Notification of fee

1330 North 1st Street
Seward, Nebraska 68434
March 19, 1979

Betty Westlund
Water Rights Specialist
Water Rights Commission
Pierre, South Dakota 57501

Dear Ms. Westlund:

We received your letter indicating that the final water right document can be issued under permit No. 1883-3 upon payment of the \$12.00 fee. I believe if you will check your records you will find that I paid this fee when we submitted the form requesting the inspection. I have enclosed the cancelled check.

I wrote several times during the past couple years asking why the inspection hadn't been made as the check had been cashed. I was told inspections were running far behind.

If I am in error regarding this matter please advise and I will send the fee.

Sincerely,

Betty L. Gravel

Betty L. Gravel





Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/773-3151

March 27, 1979

Victor J. Gravel
1330 N 1st Street
Seward, NE 68434

Dear Mr. Gravel:

This will acknowledge your letter of March 19, 1979 concerning the payment of the water license fee.

In checking our records, we find that payment for Water License No. 1883-3 was previously received and we are returning your cancelled check to you.

Your Water License and Certificate of Construction will be issued as soon as time permits.

We are sorry for any inconvenience caused by the delay. We appreciate your consideration in this matter. If you have any further questions, please contact this office.

Sincerely,

GENNY YOUNG
Staff Assistant

gy

encl

File No. 1883-3

Water Rights Division -DENR

Conversation or File Documentation

NAME OF PERSON OR FILE: Victor & Betty Gravel - B.C. Aughenbaugh
leases the land, spoke with his son.

ADDRESS: RR2 Iroquois, SD 57353 COUNTY: Kingsbury

DATE: 7/31/91 TELEPHONE: (605) 546-2404

RE: Land irrigated under permit no. 1883-3.

COMMENTS:

B.C. Aughenbaugh leases the land under permit no. 1883-3 in Beadle Co. owned by Victor and Betty Gravel. Mr. Aughenbaugh's son believed the aerial photo to depict the lands that are irrigated. He said that they irrigate approximately 130 ac. I have found the actual irrigation to be 121 ac. as stated on the license.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.



Lynn Beck

Natural Resources Engineer III
DENR, Water Rights Division



February 16, 1994

VICTOR GRAVEL
1330 N 1ST ST
SEWARD NE 68434

1883-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-1201

NOTICE

RE: Violation of Requirement to Submit 1993 Irrigation Questionnaire

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 1883-3. The request for the Questionnaire was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Ave, Lead, 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1883-3 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 April 1, 1994, your name will be deleted from the Board agenda.

Very truly Yours,

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☒ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

1683-3

4a. Article Number

9837 692 557

VICTOR GRAVEL
1330 N 1ST ST
SEWARD NE 68434

4b. Service Type

☐ Registered ☐ Insured

☒ Certified ☐ COD

☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

2-18-79

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

1883-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 22, 1994

1883-3

Victor Gravel
1300 N 1st St
Seward, NE 68434

Dear Mr. Gravel:

I am writing to acknowledge receipt of your 1993 irrigation questionnaire. I have completed an irrigation questionnaire for you based upon my February 18th telephone conversation with Alan Aughenbaugh. You may disregard the February 16, 1994, **Notice of Violation of the Requirement to Submit the 1993 Irrigation Questionnaire.**

The questionnaire 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 Division
(605) 773-3352

NOT TO SCALE

7-1813

37.3

41.4

Prepared by:

Lynn Beck

Lynn Beck
Natural Resource Engineer
Division of Water Rights
DENR

8/7/91

34.5

15.4

NHEL

(5)

68.3

NHEL

(3)

NHEL

(4)

7 SW 1/4 Sec. 33 T11N R59W

19.4

NW 1/4 26 ac

122.4

NE 1/4 35 ac

147.7

SE 1/4 Sec. 33 T11N R59W

NW 1/4 1 ac.

SW 1/4 1 ac.

NHEL

(1)

NHEL

(2)

NHEL

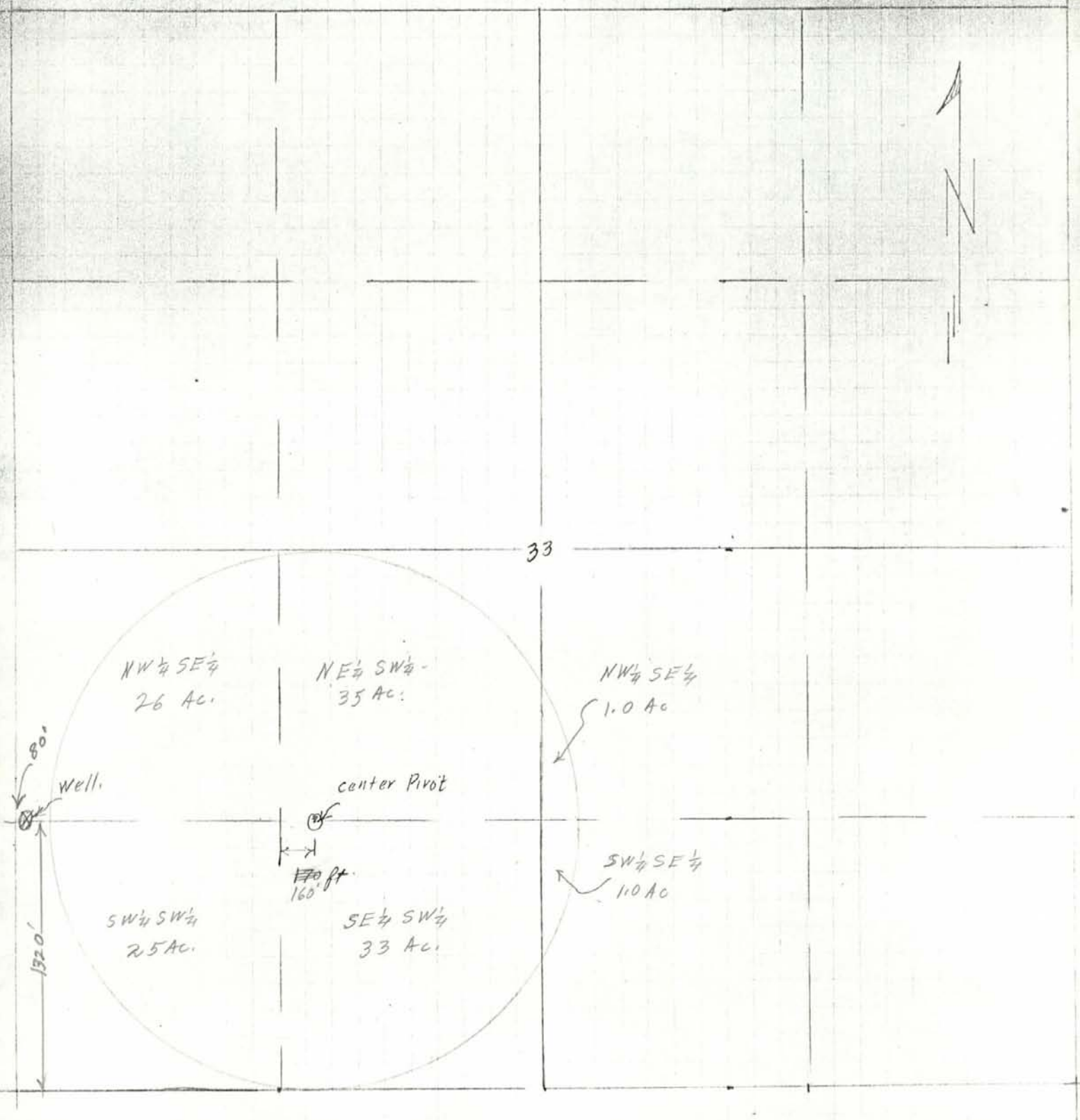
(3)

111-59

Total Acres = 121

1883-3

Appl. # 1883-3



T 111N R 59W Beadle Co.

Scale. 1" = 660'
8" = 1 mile

12-12-78 by J. J. McNamee

Betty and Victor Gravel.

Permit # 1883-3

~~Permit # 1336-3~~



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 23, 2013

1883-3

Victor Gravel
500 Heartland Park Dr Apt 112
Seward NE 68434 1089

Dear Mr. Gravel:

Enclosed is a "Notice" dated October 18, 2013 concerning the 2013 irrigation questionnaire.

The notice was originally mailed to 1330 N 1st St, Seward NE. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures

McMath, Genny

From: Alan Aughenbaugh <alana@aughenbaughhq.com>
Sent: Wednesday, August 14, 2019 11:27 AM
To: McMath, Genny
Subject: Re: [EXT] Water Right No. 1883-3

Genny:

Victor Gravel's daughter Vikki Kotil now owns the property. Farmers National Company (Rick Gullickson 605 997 5228) is the management firm that is overseeing rent related actions etc.

Vikki Kotil's (spouse) is good to contact in regards to changing what you have mentioned.

Doug Kotil (402 641 8789)

9519 Thornwood Circle

Lincoln, NE 68512

Please contact me if any additional information is needed.

Best----Alan

From: Genny McMath <Genny.McMath@state.sd.us>
Date: Wednesday, August 14, 2019 at 9:47 AM
To: Alan Aughenbaugh <alana@santel.net>
Subject: Water Right No. 1883-3

Mr. Aughenbaugh,

I am sending you a note regarding ownership of land under Water Right No. 1883-3. The water right is still listed in the name of Victor Gravel and I show you as renter of the property.

The water right covers irrigation of the SW ¼ Section 33, T111N, R59W.

I know that Mr. Gravel passed away a couple years ago but the water right was never transferred.

Can you tell me who now owns the land so I can get in contact with them for filing an ownership change? Any help you could provide would be appreciated.

Thank you in advance,

Genny McMath
DENR – Water Rights Program
773-3352 (main phone)
773-5455 (desk phone)
Website: <https://denr.sd.gov/des/wr>

1883-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 15, 2019

1883-3

Vikki & Doug Kotil
9519 Thornwood Circle
Lincoln NE 68512

Dear Mr. & Mrs. Kotil:

Thank you for calling me back Doug concerning ownership of the land described in Water Right No. 1883-3. The water right, copy enclosed, is listed in the name of Victor Gravel.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and complete as needed. Upon completion, please sign and return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

The entire administrative record concerning the water right can be found on-line through our program website at: <https://denr.sd.gov/des/wr/dbwrsearch.aspx> Once you get to the site, you can put in the water right number and hit enter. A page will come up where you can then click on the pdf file of the water right which will show you everything we have on file.

You may keep the copy of the water right. The only thing you will need to return is the completed "Notice of Transfer of Ownership" form and the \$50 filing fee. I have included a postage paid envelope for your use.

If I can answer any questions for you, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Genny McMath". The signature is fluid and cursive, written in a professional style.

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

enclosures

PAID

AUG 23 2019

Ck# 2540

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1883-3

Date: 8-19-19

I/We request that Water Right No. 1883-3

formerly owned by: Victor Gravel

be transferred to: (name & address)

VIKKI L. KOTIL
9519 THORNWOOD CIRCLE
LINCOLN, NE 68512

Telephone No. 402-641-8790

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

121 acres - SW1/4 & W 1/2 SE 1/4 Section 33, T111N, R59W

I/We understand that the validity of Water Right No. 1883-3 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 VIKKI L. KOTIL, the new owner, certify that the above information is true and correct.

VIKKI L. KOTIL
(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 Aug 23, 20 19

RECEIVED OF Vikki L Kotil, 9519 Thornwood Circle, Lincoln NE

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>Water Right No. 1883-3</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. **09186**

By Jeanne Goodman
Chief Engineer
KS



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 26, 2019

1883-3

Vikki L Kotil
9519 Thornwood Circle
Lincoln NE 68512

Dear Ms. Kotil:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 1883-3.

The ownership change has been completed. The water right formerly held by Victor Gravel is now listed in your name.

We send the annual irrigation questionnaire for this water right to Alan Aughenbaugh. He has always been good about sending it back right away. If at some point in time you rent to another person or sell the land, please get in touch with us.

If I can answer any questions for you, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Genny McMath'.

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

enclosure



1883-3
4245-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2026

NOTICE

TO: ALAN M AUGHENBAUGH, OPERATOR, 21024 421ST AVE, IROQUOIS, SD 57353

FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaire(s)

Our records indicate your 2025 Irrigation Questionnaire has not been submitted for Permit No(s) 1883-3 & 4245-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 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 4, 2026 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) 1883-3 & 4245-3 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 before the **March 4, 2026** 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 Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: WBUQHL**

cc: VIKKI L KOTIL, 9519 THORNWOOD CIRCLE, LINCOLN NE 68512

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 3, 2026

4245-3

1883-3

Alan M. Aughenbaugh
21024 421st Ave
Iroquois, SD 57353

Dear Mr. Aughenbaugh,

I am writing to acknowledge receipt of your 2025 irrigation questionnaire(s).

You may disregard the January 20, 2026, "Notice" concerning irrigation reporting requirements for your water permit/right(s). 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,

Shannon Konst
Water Rights Program
605 773-8204
Shannon.konst@state.sd.us