

2548.3

1. Considered 3-17, 1976
2. Name of Applicant GENE DEVRIES
3. Post Office Address CAVOUR
4. Amount of water claimed 2.20
5. Source of water supply GROUND WATER (75' WELL)
6. Water to be used for IRRIGATION
Acres to be irrigated 160
7. Water to be diverted and used in BEADLE county
about 5W, 4 1/2 S miles of CAVOUR
8. Proof of Publication
Received 3-10-76
Not received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 2548-3
 Map No. 1910-3 Water Division No. 3 JAMES RIVER District _____
 (Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant N. Gene DeVries
 Postoffice address RR 28+1/2 Carver State South Dakota
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct labor
3. Name of diversion work N. Gene DeVries, Unit No. 1.
4. Amount of water claimed (cubic feet per second) 212 cfs
5. Source of water supply ground water
6. Location of point of diversion A POINT IN THE NW¹ NW¹, SECTION 25 T10N, R61W

- County Beadle
7. Annual period or periods during which water is to be used April - October
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.
<u>N.W. 1/4 S25 - 110-61</u>	<u>160</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Daily Plainsman, Huron, SD 57350
12. Principal Features of the Proposed Water Supply System.

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

Bowl Pump

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

Main line

C. Works proposed to apply water to beneficial use.

Center PivotEstimated Total Cost \$ —
 Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County BeadleI, N. Gene DeVries 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 N. Gene DeVriesSubscribed and sworn to before me this 17 day of January, 1976Shirley A. Gentry
Notary Public (or other qualified officer)Commission Expires 11-6-76

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2548-3
GENE DE VRIES P.R.#1 CAYOUR
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57324 With the following modifications:
 (State)

The irrigation well approved under this Permit will be located near domestic wells and other irrigation 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 or in irrigation wells having prior water rights.

Date of first receipt of application FEBRUARY 10, 1976
 Date of return to applicant for correction, amendments or changes required —, 19—
 Date of receipt of corrected application —, 19—
 Approved MARCH 17, 1976, Recorded in Book 14 Page 328

WATER RIGHT PERMIT NO. 2548-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2548-3 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 a applicant may claim right is FEBRUARY 10, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 17, 1978
3. The whole of said work is to be completed on or before MARCH 17, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 17, 1983
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 2.2 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 MARCH 17, 1983; said water to be used during the following described annual period: APRIL - OCTOBER

Witness my hand this 23RD day of MARCH, 1976

WATER RIGHTS COMMISSION

By:

[Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued January 24, 1979

Water License Issued January 24, 1979

HURON DRILLING INC. DRILLERS LOG

PAGE NO.

Gene DeVries

N.W. 25-110-61 Beadle Co. 1/5/76

15

Lloyd Peters

JOB NAME

LOCATION

DATE _____

RIG NO.

FOREMAN

[illegible]

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. *Log will be furnished by driller.*

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

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

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

On same owner's property 180 rds. On property owned by others 110 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.

[Signature]

Signature of Applicant

SOUTH DAKOTA STATE UNIVERSITY
BROOKINGS, SOUTH DAKOTA 57006

WATER RESOURCES RESEARCH INSTITUTE

February 3, 1976

Mr. Gene DeVries
R.R. #1
Cavour, SD 57324

Dear Mr. DeVries:

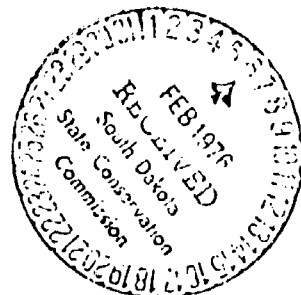
We have completed the analysis of the water sample you sent about a week ago. It has been given the laboratory number 76-046. The original copy of the report of analysis for this sample is enclosed for your keeping.

I have plotted the approximate quality of this water for irrigation by means of a red cross on the outside back cover of extension circular 654 enclosed for your use and keeping, also.

This water is definitely marginal for the kind of soils which you have. You are already aware that there are 3 small areas of Tetonka soil which have a claypan sub-soil within the quarter section you propose to irrigate. This Tetonka soil will hold up the water and will result in very poor performance of crops in those areas. They should either be drained by means of a channel leading to the roadside ditch or some other drain, or they should be filled by means of grading and levelling operations.

You are also aware that the delineation #101A, Houdek-Prosper loams, contains within it, small depressional areas with claypan sub-soils and salts. These salts will rise to the surface because the claypan beneath will not allow water to penetrate fast enough to keep salts from accumulating in the root zone of crops. As a result, these areas also should be either drained or filled by levelling operations.

I note that you intend to use a center pivot system for the irrigation of this quarter. With water as high in salt as this, there will be some accumulation of salt in a relatively short period of time, perhaps 6 or 7 years, and salt injury may occur sooner than that under certain circumstances. The reason that salt will become a problem with this type of irrigation is that there is a normal tendency to irrigate frequently and with small quantities of water. Under these circumstances, the water which is added allows all of the salt, or practically all of it, brought in by irrigation to accumulate in the active root zone of crops, in other words, the upper 1 1/2 to 2 feet. Thus, there is very little opportunity for drainage to occur. If, however, infrequent irrigations and large quantities are added, there is an increased chance that natural precipitation will cause drainage or that you will irrigate sufficient to allow water to move beyond the

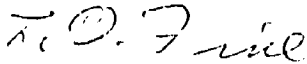


Mr. DeVries
February 3, 1976
Page 2

root zone. Therefore, I recommend very strongly that if you pursue the development of this water supply, you irrigate as seldom as possible and in as large quantities as possible. Also, you should follow the recommendations above as to the Tetonka and the enclosed depressions within the Prosper-Houdek soil association.

A copy of this letter, and the water analysis, and the WI-1, and the soil information materials are being sent to the State Conservation Commission for their formal action.

Sincerely yours,



L. O. Fine
Water Quality Lab

LOF:ckb

Enclosures

cc: State Conservation Commission

D. Pahl

Dick Fadgen, County Extension Agent
Huron Drilling Co.

REPORT OF ANALYSIS¹
Water Quality Laboratory,
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57006

Submitted by: H. Gene D'Amico
Address: Bayview, MD 21284
Huron, Grilling, Inc.
P.O. Box 1442
Huron, MD 21780

Date Rec'd JAN 19, 1976
Sample No. 76-046
Identification 1 Cell-
KOD, Dec. 15, 1100N, 12.61A

WATER ANALYSIS

Calcium (Ca)	210	ppm*	10.50	me/l**
Magnesium (Mg)	60	ppm	4.92	me/l
Sodium (Na)	75	ppm	3.26	me/l
Potassium (K)	12	ppm	0.31	me/l
Sulfate (SO ₄)	440	ppm	9.15	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	6	ppm	0.13	me/l
Bicarbonate (HCO ₃)	306	ppm	6.32	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	316	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1304	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.17			
Sodium	17.16	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.51			

*ppm=parts per million

**me/l=millequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: Total cations 13.99 me/l
Total anions 15.64 me/l

By: Shirley Hitten

Service Performed

Amount Due

Irriation analysis

3.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-046

Amount Enclosed \$

Signed

Conservation
Commission
Form WI 31

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(This Part Required for Proposed Well Irrigation Only)

FOR COMMISSION USE
Irrigation System: _____
Water Quality: _____
Soils Capability: _____
Approved: [Signature]
Disapproved: _____

NAME: N. Gene DeKries
ADDRESS: R. R. 1 Cavour, So. Dakota 57324
COUNTY: Beadle

LEGAL DESCRIPTION

1. WELL LOCATION: N.W. 1/4 S. 25-110-61
2. AREA TO BE IRRIGATED: 180 acres

TYPE OF IRRIGATION

3. GRAVITY _____ SPRINKLER (Indicate Type): Pivot
4. CROPS TO BE IRRIGATED: Corn, alfalfa, small grain

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: attached sheet
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: _____

WATER QUALITY (To Be Completed by Commission)

7. SAMPLE NO: 76-046
8. SALINITY: EC⁺ = 1384 (high)
9. SODIUM: SAR = 1.17 (low)



I do hereby certify that a chemical analysis of the ground water to be
acquired for irrigation from South Dakota State University and:
the land capability for irrigation information has been acquired from

Paul Schenker (SES)

and:

that the legal description for the location of the well and land to be
irrigated is true and correct.

John L. D. Miller

Subscribed and sworn before me this

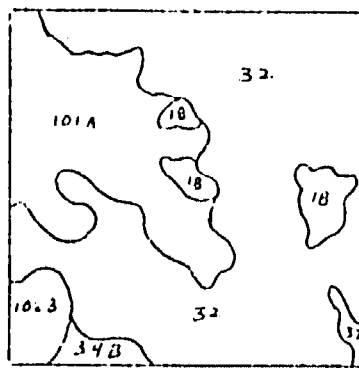
17 day of Nov 1970.

John L. D. Miller

John L. D. Miller

(Title) Notary Public

SOIL MAP



NW 1/4-25-110-61

SOILS LEGEND

18 Tetonka-Hoven silt loams

This unit consists of poorly drained soils in enclosed depressions. Permeability is very slow and surface drainage is lacking. Dense compact subsoils and ponding generally limit these soils for irrigation. Drainage of these soils is desirable under irrigation.

32 Carthage-Blendon sandy loam, 0 to 3 percent slopes

This unit consists of well and moderately well drained soils which have 20 to more than 60 inches of sandy loam materials overlying clay loam glacial till. The depth to the calcareous glacial till is variable within short distances. Permeability is moderately rapid to rapid in the sandy loam material and moderately slow in the clay loam substrata.

34B Forestburg-Doger loamy fine sands, 3 to 6 percent slopes

This unit consists of well and moderately well drained soils which have 20 to more than 60 inches of loamy sand materials overlying clay loam glacial till. The depth to the calcareous glacial till is variable within short distances. Permeability is rapid in the loamy sand material and moderately slow in the clay loam substrata.

37 Doger loamy fine sand

This unit consists of deep, sandy, well drained soils. Permeability is rapid. Calcareous clay loam material is at depths below 40 inches.

101A Houdek-Prosper loams, 0 to 2 percent

This unit consists of deep well and moderately well drained loamy soils with calcareous substratums. The subsoils contain 30-35% clay. Depth to the calcareous clay loam substratum ranges from 18 to 30 inches. Permeability is moderately slow. Included within these areas are small depressions and small areas of soil with claypan subsoils which contain salts. Drainage or fill of these included areas may become desirable to prevent ponding and excessive wetness.

Gene DeVries

102B Houdek-Prosper loams, 2 to 6 percent slopes

The Houdek and Prosper soils are described in the 101A mapping unit. The unit differs primarily in the degree of slope.

Gene DeVries unit

Soil Conservation Service
Beadle County

WATER LICENSE NO. 2548-3

(1) WHEREAS, On the 10th day of February A. D. 19 76
Gene DeVries
 made Water Right Application No. 2548-3 for a permit to use 2.2 cubic feet per second of the waters
 of groundwater (one well)
 County of Beade State of South Dakota, for Irrigation
 purposes; and

(2) WHEREAS, On the 17th day of March A. D. 19 76
 Permit No. 2548-3 in a date of priority of February 10, 1976
 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 17th day of March A. D. 19 81 and for the
 application to beneficial use of said water on or before the 17th day of March A. D. 19 83

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 1.89 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 land all in Section 25-T110N-R61W

Description	Acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$	33
NE $\frac{1}{4}$ NW $\frac{1}{4}$	33
SW $\frac{1}{4}$ NW $\frac{1}{4}$	33
SE $\frac{1}{4}$ NW $\frac{1}{4}$	33
TOTAL	132

(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 Gene DeVries

of Cavour

the holder 2548-3 and owner February 10, 1976

of said permit No. 1.89 a water right, dating from

groundwater (one well) to use of 1.89 cubic feet per second of the waters

of Beadle

in the County of South Dakota and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinafter mentioned to be directed at a point 1320 feet South and 1305 feet East of the

SW corner, Section 25-T110N-R61W

portions of land in Section 25-T110N-R61W more fully described on the

and conducted to and upon face of this license

Irrigation

for the purpose of

2548-3

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

WITNESSE My hand and seal of _____ at Pierre, South Dakota

this 27th day of January A. D.

Nineteen Hundred and Seventy-nine

WATER RIGHTS COMMISSION

By:

JOHN HATCH

Chief Engineer, Executive Officer

Permit No. 2548-3

Water Diversion No. 3 James River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Gene DeVries

_____ the holder _____ of
Permit No. 2548-3, issued upon Application No. 2548-3, bearing date of priority of February 10,
1976 authorizing the diversion of 2.2 cu. ft. per second of the waters of _____
groundwater (one well) County of Beadle, State of South Dakota at _____
a point 1320 feet South and 1305 feet East of the NW corner, Section 25-
T11CH-R61W
_____ 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 2.23 cu. ft. per second of water.

Date January 24, 1979

JOHN HATCH, Chief Engineer
Water Rights Commission

No. 2548-3Publish first publication, on or before March 4, 1976NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 20, 1976Notice is hereby given that N. Gene De Vrieswhose post office address is Cavour, 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 use2.2 cubic feet of water per second of time from ~~the~~ ground water through theN. Gene DeVries Unit #1, the point of diversion of which is to be located in theNW $\frac{1}{4}$, NW $\frac{1}{4}$ of Section 25, Twp. 110N, Range 61W. Said water to be used for the purpose of providing irrigation on ^{portions of} the following described land:NW $\frac{1}{4}$, Section 25, T110N, R61W

This application No. 2548-3 will be considered by the Water Rights Commission at their office at Pierre upon the 17th day of March, 1976, at 1:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc:

N. Gene De Vries, R.R. #1, Cavour, S.D. 57328

Permit No. 2548-3Water Division 3 Jennies 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 N. Gene DeVries of RR #1, Cavour, South Dakota. 57324 holder of Permit No. 2548-3, bearing date of priority of February 10, 1976 authorizing the diversion of 2.2 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 - Neuman, Frame # 404TP/DD 3122 PB, No 51187403
100 HP, 1775 RPM.
Pump - Aurora, Verti-Line, No 25672044, 12-RH,
4 stage, Pumping 1000 gpm

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

8" Aluminum Pipe. 1517' long

C. Works used to apply water to beneficial use.

Lockwood Center Pivot, Model 2236, Ser# 340477

The system is in the following condition: GoodThe point of diversion is located 1320' South and 1305 ft East of the NW corner of Section 25, T110N R61WThe works are capable of diverting and conveying to the place of use 2.23cu. 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 25, T110N R61W
NW 1/4 N 1/4 - 33 Ac, NE 1/4 N 1/4 - 33 Ac, SW 1/4 N 1/4 - 33 Ac,
SE 1/4 N 1/4 - 33 Ac.

comprising a total of 132 acres of land.

Well depth 73 ft.
Static 35 ft.
Pumping 1000 gpm
Capacity over 1000 gpm

Date January 9, 1977
Leroy J. Munn
(Signature)

2548

W. Gene DeVries

Walt apt 73 Hite 350 ft

Quincy 1000 gms 1000 gms

Motor Humors 140 H.P. 1713 H.P.

Trans 404TR/DD3722 PB

No 51187473

Clamp down Vert. Fuel

No 35672949, 12RH

4 Hops

Lockwood CP Model 2286

Lot 340000

Walt Hite apt

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 6730

PIERRE, January 23, 1979

RECEIVED OF Gene DeVries, RP #2, Box 11, Cavour, SD
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and issuing Cert. of Construction No. 2548-3	50	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. 2548-3		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH By



Department of Natural Resource Development

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

January 25, 1979

Gene DeVries
RR2, Box 11
Cavour SD 57324

Dear Mr. DeVries:

Enclosed herewith are, Water License No. 2548-3 and Certificate of Construction.

Water License No. 2548-3 is the final water right document completing your process of obtaining 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.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH: kJW

Enclosures

NOTE. Your pump capacity is 2.23 cfs (1000 gpm) and based upon the acreage actually irrigated you are entitled to only divert 1.89 cfs (849 gpm). Any diversion in excess of 1.89 cfs would be a violation of your Water Right.

South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

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

2548-3

February 1, 1991

GENE DE VRIES
RR #3 BOX 19
CAVOUR SD 57324

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) 2547-3, 2548-3, 3085-3. 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) 2547-3, 2548-3, 3085-3 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.

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,

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

2548-3



DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 14, 1991

2547-3

2548-3

3085-3

Gene De Vries
RR #3 Box 19
Cavour, SD 57324

Dear Mr. De Vries:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires for Water Permit Nos. 2547-3, 2548-3 and 3085-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire. 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



GENE DEVRIES
RR #3 BOX 19
CAVOUR SD 57324

257/8-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

RE: Violation of Requirement to Submit 1991 Irrigation Questionnaire

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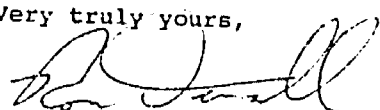
The hearing will be held at 9:15 am, March 4, 1992, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2547-3, 2548-3, & 3085-3 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 4th hearing date, your name will be deleted from the Board agenda.

Very truly yours,



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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 1992

2547-3

2548-3

3085-3

Gene DeVries
RR #3 Box 19
Cavour, SD 57324

Dear Mr. DeVries:

I am writing to acknowledge receipt of your 1991 irrigation questionnaires for Water Right Nos. 2547-3, 2548-3 and 3085-3. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaires were received prior to the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division



2548-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

GENE DE VRIES
RR 3 BOX 210
CAVOUR SD 57324

NOTICE

RE: Violation of Requirement to Submit 1994 Irrigation Questionnaire

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit Nos. 2547-3, 2548-3 & 3085-3. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 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 9:30 am, March 8, 1995, in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 220 S 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit Nos. 2547-3, 2548-3 & 3085-3 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 questionnaires are received in this office on/or before March 3, 1995 your name will be deleted from the Board agenda.

Very truly yours,

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



2548-

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 1995

2547-3

2548-3

3085-3

Gene DeVries
RR #3 Box 210
Cavour, SD 57324

Dear Mr. DeVries:

I am writing to acknowledge receipt of your 1994 irrigation questionnaires. You may disregard the February 7, 1995, Notice of Violation of the Requirement to Submit the 1994 irrigation Questionnaire.

The questionnaires were 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



2548-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 30, 1996

NOTICE

TO: GENE DE VRIES, RR 3 BOX 210, CAVOUR, SD 57324

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Requirement to Submit 1995 Irrigation Questionnaire

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 2547-3, 2548-3 & 3085-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 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 9:45 am, March 6, 1996, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2547-3, 2548-3 & 3085-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1996 your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

2548-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 6, 1996

2547-3

2548-3

3085-3

Gene DeVries
RR 3 Box 210
Cavour, SD 57324

Dear Mr. DeVries:

I am writing to acknowledge receipt of your 1995 irrigation questionnaires. You may disregard the January 30, 1996, Notice of Violation of the Requirement to Submit the 1995 Irrigation Questionnaires.

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

c: Jeff DeVries, RR 3 Box 205, Cavour, SD 57324

2548-3



February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: GENE DE VRIES, RR 3 BOX 210, CAVOUR, SD 57324

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 2547-3, 2548-3 & 3085-3. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 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 2:30 pm, March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2547-3, 2548-3 & 3085-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 1997, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 19, 1997

2547-3

2548-3

3085-3

Gene DeVries
RR 3 Box 210
Cavour, SD 57324

Dear Mr. DeVries:

I am writing to acknowledge receipt of your 1996 irrigation questionnaires. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaires.

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



January 22, 1999

2548-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

www.state.sd.us/denr

NOTICE

TO: GENE DE VRIES, RR 3 BCX 210, CAVCUR, SD 57324

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire has not been submitted for Permit No(s) 2547-3, 2548-3 & 3085-3. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 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 9:45 am, March 3, 1999, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2547-3, 2548-3 & 3085-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1999, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



2548-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 19, 1999

2547-3
2548-3
3085-3

Gene De Vries
40545 213th St
Cavour, SD 57324

Dear Mr. De Vries:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right Nos. 2547-3, 2548-3 and 3085-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



2548-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 19, 2001

NOTICE

TO: GENE DE VRIES, 40545 213TH ST, CAVOUX, SD 57324

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

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaires

Our records indicate that the 2000 Irrigation Questionnaire has not been submitted for Permit Nos. 2547-3, 2548-3 & 3085-3. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 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 7, 2001, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit Nos. 2547-3, 2548-3 & 3085-3 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 questionnaires are received in this office on/or before March 2, 2001, 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.



2548-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 9, 2001

NOTICE OF AMENDMENT OF WATER RIGHTS

TO: Gene DeVries, 40545 213th St, Cavour, SD 57324

FROM: Garland Erbele, Chief Engineer
Water Rights Program *Garland Erbele*

SUBJECT: Amendment to Water Right Nos. 2547-3, 2548-3 and 3085-3

Pursuant to the provisions of the notice dated January 19, 2001, and following the hearing March 7, 2001, the Water Management Board has amended Water Right Nos. 2547-3, 2548-3 and 3085-3 to add the following qualification:

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

This action was taken for failure to return the 2000 Irrigation questionnaire. The addition of this qualification to your Water Rights means that failure to submit the required Irrigation questionnaire in the future could result in suspension of the water rights with no use of water for up to one year for the first violation.

Please contact Genny McMath (605) 773-3352, if you have any questions.



2548-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: GENE DE VRIES, 40545 213TH ST, CAVOUR, SD 57324

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

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire(s)

Our records indicate that the 2002 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2547-3, 2548-3 & 3085-3. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2547-3, 2548-3 & 3085-3 qualification:

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

The hearing will be held at 8:30 am, March 5, 2003 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 2547-3, 2548-3 & 3085-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 2003, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



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 27, 2003

2547-3
2548-3
3085-3

Gene De Vries
40545 213th St
Cavour SD 57324

Dear Mr. De Vries:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right Nos. 2547-3, 2548-3 and 3085-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



2548-3
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 14, 2004

NOTICE

TO: GENE DE VRIES, 40545 213TH ST, CAVOUR, SD 57324
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2547-3, 2548-3, 3085-3 & 6381-3. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2547-3, 2548-3, 3085-3 & 6381-3 qualification:

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

The hearing will be held at 8:30 am, March 3, 2004 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) 2547-3, 2548-3, 3085-3 & 6381-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 27, 2004, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



2548-3

**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 2, 2004

2547-3
2548-3
3085-3
6381-3

Gene DeVries
40545 213th St
Cavour SD 57324

Dear Mr. DeVries:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Permit or Right Nos. 2547-3, 2548-3, 3085-3 and 6381-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



2548-3

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: GENE DE VRIES, 40545 213TH ST, CAVOUR, SD 57324
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire(s)

Our records indicate that the 2004 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. 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(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 qualification:

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

The hearing will be held at 8:30 am, March 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. 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) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 25, 2005, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



2548-3

**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 24, 2005

2547-3
2548-3
3085-3
6381-3
6440-3

Gene DeVries
40545 213th St
Cavour SD 57324

Dear Sir:

I am writing to acknowledge receipt of your 2004 irrigation questionnaires. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Permit/Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 and 6440-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

1305'

147.8 *Henry De Vries*

F. Lundberg

NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 33A0

NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 33A0

5-55B

Well CP

SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 33A0

SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 33A0

25

57.4

64.9

112.1

19.7

Henry DeVries

110-61

18.6

37.0

5.5

5.7

Henry DeVries

62.0

5-55B

Raymond Bloodgood

W/R 2548-3

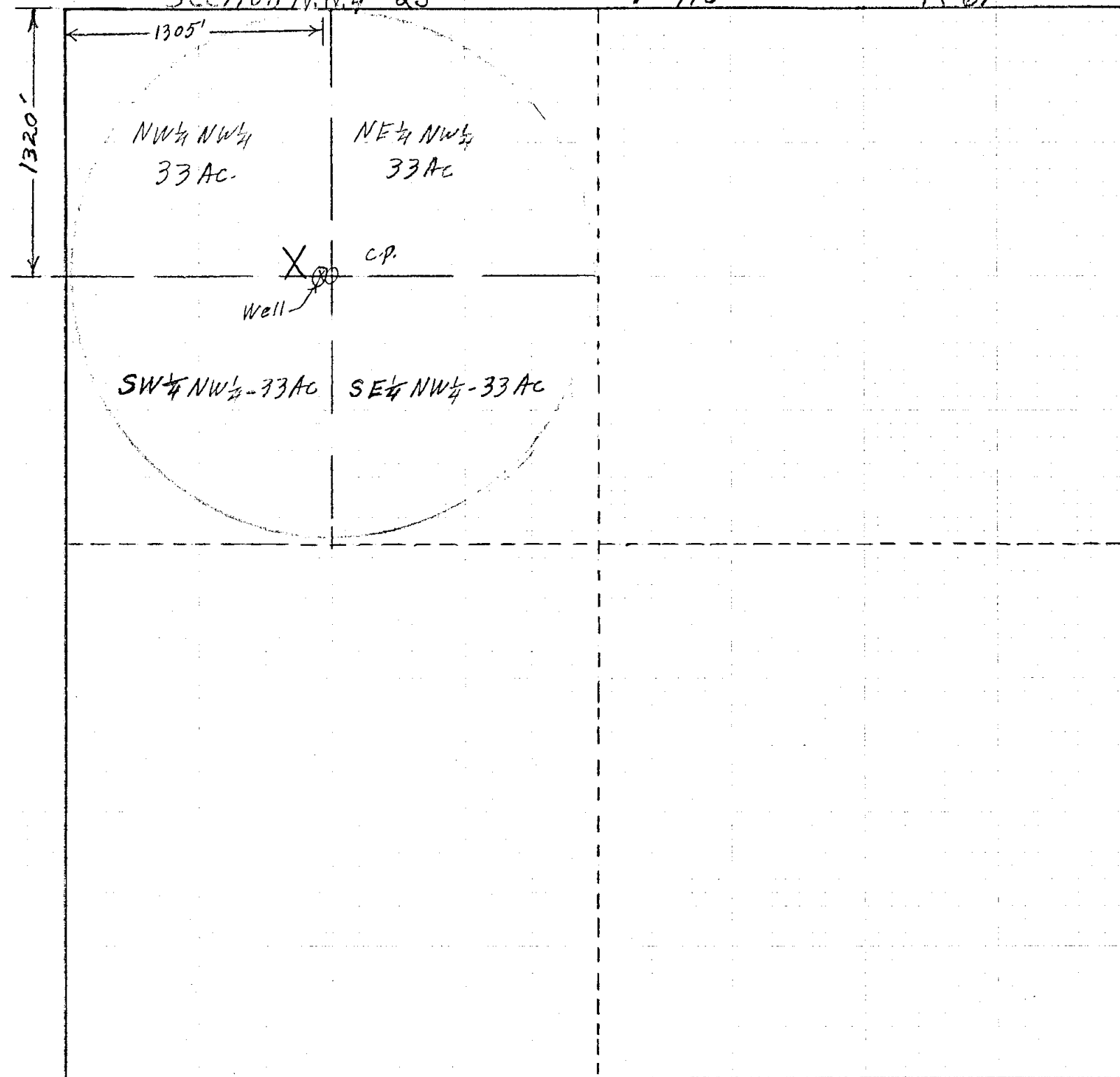
Prepared by Dick Fadden, Beadle Co. Extension Agent

N. Gene DeVries, Unit No. 1.

Dick Fadden
Section NW 1/4 - 25

T-110

R-61



X-Proposed Well
Location



2548-3

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 24, 2006

NOTICE

TO: GENE DE VRIES, 40545 213TH ST, CAVOUR, SD 57324

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 qualification:

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

The hearing will be held at 10:30 am, March 2, 2006 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) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 24, 2006, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



**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 24, 2006

Gene De Vries
40545 213th St
Cavour SD 57324

RE: Water Permit or Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 and 6440-3

Dear Mr. De Vries:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Permit or Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 and 6440-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



2548-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2007

NOTICE

TO: GENE DE VRIES, 40545 213TH ST, CAVOUR, SD 57324

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(s) has not been submitted for Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. 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(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 qualification:

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

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. 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) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before 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.

2548-3



**DEPARTMENT of ENVIRONMENT
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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 28, 2007

Gene De Vries
De Vries Inc
40545 213th St
Cavour SD 57324

RE: Water Permit or Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3

Dear Mr. De Vries:

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. 2547-3, 2548-3 & 3085-3 and Water Permit Nos. 6381-3 & 6440-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



DEPARTMENT of ENVIRONMENT
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www.state.sd.us/denr

January 18, 2008

NOTICE

TO: GENE DE VRIES, 40545 213TH ST, CAVOUR, SD 57324

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 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 11, 2008** 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) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **March 3, 2008**, 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/E0455V6-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.



**DEPARTMENT of ENVIRONMENT
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PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

March 4, 2008

Gene DeVries
DeVries Inc
40535 213th St
Cavour SD 57324

RE: Water Right or Permit Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3

Dear Sir:

I am writing to acknowledge receipt of your 2007 irrigation questionnaires. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right or Permit Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2009

NOTICE

TO: GENE DE VRIES, 40545 213TH ST, CAVOUR, SD 57324

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 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 11, 2009** 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) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, 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/E0455V7-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.



**DEPARTMENT of ENVIRONMENT
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www.state.sd.us/denr

March 5, 2009

Gene De Vries
40545 213th St
Cavour SD 57324

RE: Water Permit/Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3

Dear Mr. De Vries:

I am writing to acknowledge receipt of your 2008 irrigation questionnaires. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Permit or Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



DEPARTMENT of ENVIRONMENT and NATURAL RESOURCES

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PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 22, 2010

NOTICE

TO: GENE DE VRIES, 40545 213TH ST, CAVOUR, SD 57324

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 qualification:

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

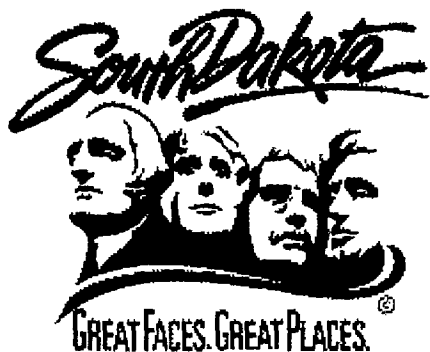
The hearing will be held at **10:00 am, March 10, 2010** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According 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) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 5, 2010**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq/aspx>

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



**DEPARTMENT of ENVIRONMENT
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www.state.sd.us/denr

March 8, 2010

Gene DeVries
40545 213th St
Cavour SD 57324

RE: 2009 Irrigation Questionnaires for Water Permit or Right Nos. 2547-3, 2548-3, 3085-3,
6381-3 & 6440-3

Dear Mr. DeVries:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Permit or Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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



2548-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2013

NOTICE

TO: GENE DE VRIES, 40545 213TH ST, CAVOUR, SD 57324

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 qualification:

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

The hearing will be held at **8:30 am, March 7, 2013** 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) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, 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
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March 8, 2013

2547-3, 2548-3, 3085-3, 6381-3 & 6440-3

GENE DE VRIES
40545 213TH ST
CAVOUR, SD 57324

Dear Mr. DeVries:

I am writing to acknowledge receipt of your 2012 irrigation questionnaires.

You may disregard the January 24, 2013, "Notice" concerning reporting requirements for Water Permit Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. The information was received in our office prior to the Water Management Board meeting and your name was 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



2548-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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PIERRE SOUTH DAKOTA 57501-3182
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January 24, 2014

NOTICE

TO: GENE DE VRIES, 40545 213TH ST, CAVOUR, SD 57324

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

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaire(s)

Our records indicate that the 2013 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. The request for the Questionnaire was dated October 18, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 qualification:

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

The hearing will be held at **9:00 am, March 6, 2014** 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) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 3, 2014**, 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.

2548-3



**DEPARTMENT of ENVIRONMENT
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523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

March 4, 2014

Gene DeVries
40545 213th St
Cavour SD 57324

RE: Water Permit or Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3

Dear Mr. DeVries:

I am writing to acknowledge receipt of your 2013 irrigation questionnaires.

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Permit or Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



2548-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 16, 2015

NOTICE

TO: GENE DE VRIES, 40545 213TH ST, CAVOUR, SD 57324

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. 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(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 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) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office 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
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JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182

March 4, 2015

Gene DeVries
40535 213th St
Cavour SD 57324

RE: Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3

Dear Mr. DeVries:

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

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for the above listed water rights. 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



2548-3
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 15, 2016

NOTICE

TO: GENE DE VRIES, 40535 213TH ST, CAVOUR, SD 57324
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(s) has not been submitted for Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. 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(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 qualification:

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

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. 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) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office 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

March 3, 2016

2547-3
2548-3
3085-3
6381-3
6440-3

Gene De Vries
40535 213th St
Cavour SD 57324

Dear Mr. De Vries:

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. 2547-2, 2548-3, 3085-3, 6381-3 and 6440-3. The information was received in our office prior to the Water Management Board meeting and your name was 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



2548-3
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 20, 2017

NOTICE

TO: GENE DE VRIES, 40535 213TH ST, CAVOUR, SD 57324

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

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 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. 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) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 1, 2017** 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
www.denr.sd.gov

March 2, 2017

NOTICE OF ENTRY OF ORDER FOR ONE YEAR SUSPENSION OF WATER RIGHTS

TO: Gene DeVries, DeVries Inc., 40535 213th St, Cavour SD 57324

FROM: Jeanne Goodman, Chief Engineer
Water Rights Program 

SUBJECT: One Year Suspension of Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 and 6440-3

On March 1, 2017, the Water Management Board ordered:

Effective April 1, 2017, Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 and 6440-3 be suspended for the 2017 irrigation season for failure to submit the 2016 irrigation questionnaires.

If the 2016 irrigation questionnaires are received prior to April 1, 2017, the suspensions will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2017 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2017 unless the 2016 irrigation questionnaire is submitted by April 1st.

After April 1st, you may petition the Water Management Board to rescind the suspension. You will need to submit the 2016 irrigation questionnaire and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May 10-11, 2017, in Pierre, SD. The letter should include your reasons for not completing the 2016 irrigation questionnaire. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

Please contact Genny McMath (605) 773-3352, if you have any questions.



2548-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 7, 2017

Gene De Vries
40535 213th St
Cavour SD 57324

RE: Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3

Dear Mr. De Vries:

On March 1st the Water Management Board ordered Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 suspended if the 2016 irrigation questionnaires were not received prior to April 1, 2017. The questionnaire information for your water rights has been received.

Since the irrigation questionnaires are on file, no violations have occurred and no suspensions will take place. You may irrigate during the 2017 irrigation season.

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

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program



2548-3
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 26, 2018

NOTICE

TO: GENE DE VRIES, 40535 213TH ST, CAVOUR, SD 57324
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 qualification:

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

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 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. 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) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 7, 2018** 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.

2548-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 12, 2018

Gene DeVries
40535 213th St
Cavour SD 57324

RE: Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3

Dear Mr. DeVries:

I am writing to acknowledge receipt of your 2017 irrigation questionnaires for the above listed water rights.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. The information was received in our office prior to the Water Management Board meeting and your name was 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



2548-3
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 25, 2019

NOTICE

TO: GENE DE VRIES, 40535 213TH ST, CAVOUR, SD 57324

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

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 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. 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) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 6, 2019** 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.

2548-3



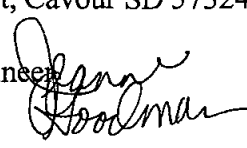
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 7, 2019

NOTICE OF ENTRY OF ORDER FOR ONE YEAR SUSPENSION OF WATER RIGHTS

TO: Gene DeVries, 40535 213th St, Cavour SD 57324

FROM: Jeanne Goodman, Chief Engineer
Water Rights Program 

SUBJECT: One Year Suspension of Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3
& 6440-3

On March 6, 2019, the Water Management Board ordered:

Effective April 6, 2019, Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 be suspended for the 2019 irrigation season for failure to submit the 2018 irrigation questionnaires.

If the 2018 irrigation questionnaires are received prior to April 6, 2019, the suspensions will not take effect.

Suspension of a water right means water may not be pumped during the 2019 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2019 unless the 2018 irrigation questionnaires are submitted by April 6th.

After April 6th, you may petition the Water Management Board to rescind the suspensions. You will need to submit the 2018 irrigation questionnaires and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May 8-9, 2019, in Pierre, SD. The letter should include your reasons for not completing the 2018 irrigation questionnaires. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

Please contact Genny McMath (605) 773-3352, if you have any questions.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 24, 2019

Jeff De Vries
40545 213th St
Cavour SD 57324

Dear Mr. De Vries:

Just a note to remind you that before we can schedule a hearing for the suspended water rights held by Gene De Vries or De Vries Inc., we still need the 2018 irrigation questionnaires and a written request from you to be placed on the agenda for the Water Management Board meeting July 17th.

I have tried calling and have been unable to get through to you. Please send in the questionnaires and something in writing for the agenda and I can get the issue scheduled. Everything needs to be in to us no later than July 8th.

If you have questions, please give me a call.

Sincerely,

Genny McMath
Water Rights Program
605 773-5455 (desk)
605 773-3352 (main office phone)

Dear Water Usage Board,

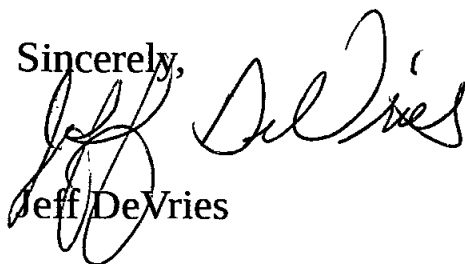
We are writing this letter in regards to the water permits that are in Gene DeVries's name. At the present time, they are suspended. We have had permits since 1976. This is the first occurrence of having our permits suspended in 43 years.

The circumstances surrounding the suspension of these permits are; dad's (Gene DeVries) health and the subsequent re-routing of the mail. In November, my dad had several blood clots in his lungs that led to several mini heart attacks. We found him in his house in a comatose state of mind (nearly dead) and brought him back and called the ambulance. He was in the Huron hospital for 1 week then went on to stay in Avera Sioux Falls for 3 ½ weeks.

After his release, he moved to Sunquest Health Village, an assisted living center in Huron, SD. Therefore, his mail was re-routed to Sunquest and ended up delayed by several weeks. My sister was also taking care of the mail and when this letter did come through, she didn't realize that this was something that needed a reply.

In closing, we would very much appreciate your consideration of our dilemma with the Irrigation questionnaires.

Sincerely,



Jeff DeVries

RECEIVED

JUL 08 2019

WATER RIGHTS
PROGRAM

IRRIGATION QUESTIONNAIRE VIOLATIONS
WATER RIGHT NOS. 2547-3, 2548-3, 3085-3 - GENE DE VRIES
WATER RIGHT NOS. 6381-3 & 6440-3 – DE VRIES INC

BRIEF DESCRIPTION AND HISTORY OF IRRIGATION QUESTIONNAIRE SUBMISSIONS

Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 and 6440-3 collectively authorize diversion of 8.58 cubic feet of water per second from the Floyd East James Aquifer to irrigate 908 acres in Beadle County.

Year	Date forms returned	Year	Date forms returned
2000	None (AMENDED)	2010	November 18, 2010
2001	January 9, 2002	2011	December 23, 2011
2002	February 27, 2003	2012	on line (between January 24 th & March 7, 2013)
*2003	February 2, 2004	2013	on line (received prior to January, 2014 notice)
2004	February 23, 2005	2014	on line (between January 16 th & March 4, 2015)
2005	February 23, 2006	2015	March 3, 2016
2006	February 27, 2007	2016	March 6, 2017
2007	March 4, 2008	2017	on line (between January 26 th & March 7, 2018)
2008	March 4, 2009	2018	July 8, 2019
2009	March 5, 2010		

* Questionnaires for Water Right Nos. 6381-3 and 6440-3 were not mailed until 2003 and 2004 respectively (based on approval date of permits).

REPORTING SUMMARY FOR 2018:

October 30, 2018: Irrigation questionnaires for Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 and 6440-3 were sent to: Gene De Vries, 40535 213th St, Cavour SD 57324.

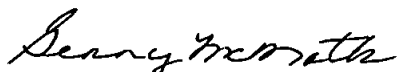
January 25, 2019: A "Notice" of hearing was sent by Certified Mail to above name & address. The "Notice" indicated the forms had not been received and a hearing was scheduled for March 6, 2019. The "Notice" explained if the irrigation questionnaires were received, the hearing to consider the violations would not be held. Tracking information shows the "Notice" was delivered February 7, 2019.

March 6, 2019: The Water Management Board ordered Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 and 6440-3 suspended for the 2019 irrigation season for failure to submit the 2018 irrigation questionnaires. The Board granted a 30 day grace period allowing the questionnaires to be submitted up until April 6, 2019 to avoid suspension.

March 7, 2019: A "Notice" was sent by Certified Mail to Gene De Vries, 40535 213th St, Cavour, SD 57324 outlining the Board's order and requirement to submit the questionnaires prior to April 6, 2019 to avoid suspension. The "Notice" also outlined the procedure for coming back before the Board should the forms be submitted after April 6th.

March 18, 2019: The March 7, 2019 notice was returned by the post office and was then re-mailed with the tracking information showing delivery to an individual at that address on March 22, 2019.

July 8, 2019: Irrigation Questionnaires for all water rights were received along with a letter requesting time on the Board agenda for reconsideration of the suspensions.



Genny McMath
Water Rights Program



2548-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 8, 2019

NOTICE

TO: Jeff De Vries, 40545 213th St, Cavour SD 57324

FROM: Jeanne Goodman, Chief Engineer
Water Rights Program *Jeanne Goodman*

SUBJECT: Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 and 6440-3

The 2018 irrigation questionnaires have been received along with your petition to have the Water Management Board consider rescinding suspensions of Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 and 6440-3.

The matter has been scheduled for **11:00 am, Wednesday July 17, 2019 (central time) in the LRC Conference Room 414, State Capitol Building, 500 E Capitol Avenue, Pierre SD.**

It is ultimately a Board decision on whether to rescind the one year suspension for each of the above listed water rights or to let the suspensions stand. It is very important that you plan to attend the hearing.

For informational purposes, enclosed is the report that will be presented to the Water Management Board concerning the irrigation questionnaire violations. Also enclosed are the partially completed transfer of ownership forms you requested to get the water rights listed in your name. The water rights are currently listed under Gene De Vries or De Vries Inc. A \$50 filing fee is required for filing each transfer.

If you have any questions, please contact Genny McMath or Eric Gronlund at 605 773-3352.

CERTIFICATION

I hereby certify that on July 8, 2019, I have personally deposited with the United States mail at Pierre, South Dakota, a first class postage prepaid envelope containing a Notice dated July 8, 2019 regarding the scheduling of a hearing for Suspended Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 and 6440-3 addressed as stated below:

Jeff De Vries, 40545 213th St, Cavour SD 57324



Eric Gronlund
Water Rights Program
Environment and Natural Resources

STATE OF SOUTH DAKOTA)

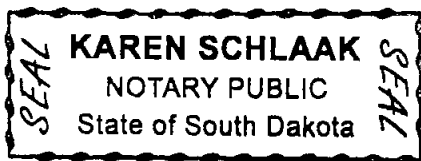
) SS

COUNTY OF HUGHES)

Sworn to, before me, this 8th day of July, 2019.



Karen Schlaak
Notary Public
My Commission expires April 1, 2025





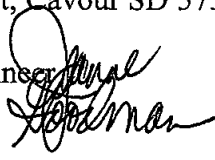
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 18, 2019

NOTICE

TO: Jeff De Vries, 40545 213th St, Cavour SD 57324

FROM: Jeanne Goodman, Chief Engineer
Water Rights Program 

SUBJECT: Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 and 6440-3

On July 17, 2019, the Water Management Board passed a motion to lift the suspension of Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 and 6440-3. **The Board's action allows irrigation to take place in 2019.**

The Board's action took into consideration the 2018 irrigation questionnaires were now on file with the Water Rights Program. They also took into consideration your letter and testimony explaining circumstances happening this past season.

Please be aware that under SDCL 46-1-12, the Board has the authority to suspend a water right for a period of up to one year for the first violation; for up to three years for the second violation and may cancel a water right for a third violation. **If the questionnaires are late in the future, it would be the second violation and the Board could suspend your water rights for up to three years.**

The 2019 irrigation questionnaires will be directed to you in October, 2019 and will be due by December 1st. If you have any questions concerning the reporting requirements, please contact Genny McMath at 605 773-3352.

CERTIFICATION

I hereby certify that on July 18 2019, I have personally deposited with the United States mail at Pierre, South Dakota, a first class postage prepaid envelope containing a Notice dated July 18, 2019 regarding the Reinstatement of Suspended Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 and 6440-3 addressed as stated below:

Jeff De Vries, 40545 213th St, Cavour SD 57324

Vickie Maberry

Vickie Maberry
Water Rights Program
Environment & Natural Resources

STATE OF SOUTH DAKOTA)

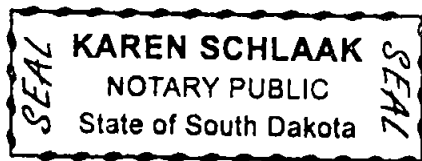
) SS

COUNTY OF HUGHES)

Sworn to, before me, this 18th day of July, 2019.

Karen Schlaak

Karen Schlaak
Notary Public
My Commission expires April 1, 2025



RECEIVED

NOV 08 2019

NOTICE OF TRANSFER OF OWNERSHIP

PAID

NOV 08 2019

Ck# 2917

WATER RIGHTS
PROGRAM

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

No. 2548-3

Date: 9/26/19

I/We request that Water Right No. 2548-3

formerly owned by: Gene De Vries

be transferred to: (name & address)

Jeff De Vries

40545 213th St.

Cavour 50 57324

Telephone No. 605 352-8486

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

132 acres - NW 1/4 Section 25, T110N, R61W

I/We understand that the validity of Water Right No. 2548-3 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 Jeff De Vries, the new owner, certify that the above information is true and correct.

Jeff De Vries
(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 8, 20 19

RECEIVED OF Jeff/Kimberly DEVries 40545 213th St Cavour SD 57324

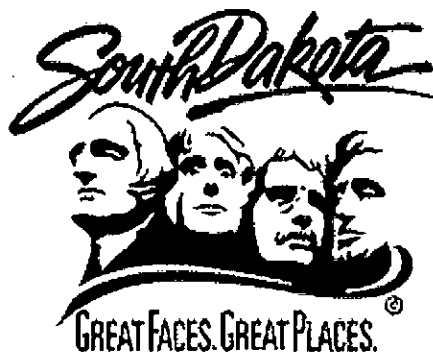
The following amount in fees for services rendered as provided for by law:

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>2548-3</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. **09243**

By Jeanne Goodman
Chief Engineer vm

2548-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 12, 2019

Jeff DeVries
40545 213th St
Cavour SD 57324

RE: Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3

Dear Mr. DeVries:

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

The ownership changes have been completed. Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 and 6440-3, formerly held by DeVries Inc or Gene DeVries are now listed in your name.

Enclosed for your records are receipts for the filing fees you paid. If you have any questions, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Genny McMath". The signature is fluid and cursive, with the first name "Genny" being more prominent than the last name "McMath".

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

enclosures



2548-3
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 23, 2020

NOTICE

TO: JEFF DEVRIES, 40545 213TH ST, CAVOUR, SD 57324

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(s) has not been submitted for Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. 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(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 qualification:

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

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. 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) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 in accordance with applicable provisions of SDCL 46-1-12; **Based on previous violations, the Board may consider a three-year suspension of each water permit or right;**
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: EYHTDY**

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.

2548-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 28, 2020

Jeff Devries
40545 213th St
Cavour SD 57324

RE: Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3

Dear Mr. Devries:

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

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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

2548-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING

523 EAST CAPITOL

PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

January 22, 2021

NOTICE

TO: JEFF DEVRIES, 40545 213TH ST, CAVOUR, SD 57324

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 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. 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) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 in accordance with applicable provisions of SDCL 46-1-12; ; **(Due to a previous suspension, the recommendation to the Board will be for a three year suspension on all permits listed above)**
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, 2021** 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: KDZHTJ**

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.



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 1, 2021

Jeff DeVries
40545 213th St
Cavour SD 57324

RE: Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3

Dear Mr. DeVries:

I am writing to acknowledge receipt of your 2020 irrigation questionnaires.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for the above listed water rights. 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, appearing to read "Genny McMath".

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

2548-3



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2022

NOTICE

TO: JEFF DEVRIES, 40545 213TH ST, CAVOUR, SD 57324
FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 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. 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) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 in accordance with applicable provisions of SDCL 46-1-12; **Due to a past violation, the recommendation to the Board will be for a three year suspension.**
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 2, 2022** 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://danr.sd.gov/iq> using this password: FLUWIF**

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.



2548-3
**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 3, 2022

Jeff DeVries
40545 213th St
Cavour SD 57324

RE: Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3

Dear Mr. DeVries:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. 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
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 20, 2023

NOTICE

TO: JEFF DEVRIES, 40545 213TH ST, CAVOUR, SD 57324

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 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. 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) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 in accordance with applicable provisions of SDCL 46-1-12; **Based on a previous suspension for these water rights, the recommendation to the Board will be for a three year suspension for each of the above listed water rights.**
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 8, 2023** 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://danr.sd.gov/iq> using this password: BZJCGR**

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

March 8, 2023

Jeff Devries
40545 213th St
Cavour SD 57324

RE: Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3

Dear Mr. DeVries:

I am writing to acknowledge receipt of your 2022 irrigation questionnaires.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. 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
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 19, 2024

NOTICE

TO: JEFF DEVRIES, 40545 213TH ST, CAVOUR, SD 57324

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaire(s)

Our records indicate your 2023 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. The request for the Questionnaire was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2024 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. 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) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 6, 2024** 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: SHDMYE**

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 14, 2025

NOTICE

TO: JEFF DEVRIES, 40545 213TH ST, CAVOUR, SD 57324

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(s) has not been submitted for Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. 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(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 qualification:

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

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. 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) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office 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: NXKTQH**

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

March 3, 2025

2547-3, 2548-3, 3085-3
6381-3 & 6440-3

Jeff Devries
40545 213th St
Cavour SD 57324

Dear Mr. Devries:

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). 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. 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

2547-3, 2548-3,
3085-3, 6381-3, 6440-3



**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: JEFF DEVRIES, 40545 213TH ST, CAVOUR, SD 57324

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(s) has not been submitted for Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3. 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(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 qualification:

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

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. 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) 2547-3, 2548-3, 3085-3, 6381-3 & 6440-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office 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: SUHVYZ**

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

April 9, 2026

2547-3, 2548-3, 3085-3, 6381-3, 6440-3

Jeff Devries
40545 213th St
Cavour, SD 57324

Dear Mr. Devries,

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

Shannon Konst
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