

Recorded
12-9-76

C

8-1-76

100' deep well 14.6' diameter casing

Logan Poulson 81255K 2"
K. P. Poulson

Powered by US Electric 75 HP 17,000

10' x 10" line to top

Hydraulic Model 4-10 CP 47' end gun

2868-3 KEVIN BERNANIN
Rt #1 Box 2066
ELK POINT, S.D. 57025
8-1-76

2688.3

1. Considered 9-24, 1976
2. Name of Applicant KEVIN BEERMAN
3. Post Office Address ELK POINT
4. Amount of water claimed 2.28
5. Source of water supply 100' DEEP WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 160
7. Water to be diverted and used in UNION County
about 6E, 2S miles of ELK POINT
8. Proof of Publication Received 9-15-76
Not Received
9. Application Approved
Subject to
Not Approved
Action deferred
10. Remarks:

3796-3
2896-3
4393-3
3153-3
2868-3 ✓

NOTE:

All correspondence on this permit should be directed to:

Wayne Heckathorn, Renter
Heckathorn Farms Incorporated
Box 580
Elk Point, SD 57025

Phone: 356-3170 - home
356-2981 - farm

Map No. 2202-3 Water Division No. 3 BIG SIOUX RIVER District
(Links 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 ~~XXXXXXXXXXXXXXXXXXXXXXX~~ Kevin Boermann
 Postoffice address Elk Point Rt 1, Box 70 State South Dakota 57025
 If a corporation show date and place of incorporation NA
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
 3. Name of diversion work ~~XXXXXXXXXX~~ Irrigation Project - Boermann
 4. Amount of water claimed (cubic feet per second) 2.7 cfs
 5. Source of water supply Well
 6. Location of point of diversion 1320' East and 1320' North of the SW Corner
of Section 36, T91N R49W
 County Union
 7. Annual period or periods during which water is to be used June through September
 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.
SW4 of Sec. 36, T91N R49W	160		

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 5 years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Leader-Courier, Elk Point, S. D. 57025
 12. Principal Features of the Proposed Water Supply System.

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

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

C. Works proposed to apply water to beneficial use.

Center Pivot

Estimated Total Cost \$ 10,000.00

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 of Union) ss.

I, KEVIN BOERMANN 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 Kevin A. BoermannSubscribed and sworn to before me this 13 day of July 19 76John J. McInberg
Notary Public (or other qualified officer)My Commission Expires
2-17-76

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2868-3KEVIN BEERMANN
(Applicant)ELK POINT, Dec 666
(Post Office Address)SOUTH DAKOTA 57025 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 AUGUST 19, 1976Date of return to applicant for correction, amendments or changes required , 19 Date of receipt of corrected application , 19 Approved SEPTEMBER 30, 1976, Recorded in Book 16 Page 20WATER RIGHT PERMIT NO. 2868-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2868-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is AUGUST 19, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 30, 1979
3. The whole of said work is to be completed on or before SEPTEMBER 30, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 30, 1981
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 2.28 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is

actually and beneficially applied for irrigation on or before SEPTEMBER 30, 1981; said water to be used during the following described annual period: JUNE THRU SEPTEMBER

Witness my hand this 23RD day of NOVEMBER, 1976

WATER RIGHTS COMMISSION

By:



Chief Engineer, Executive Officer

Certificate of Construction Issued NOVEMBER 26, 1979Water License Issued NOVEMBER 26, 1979

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

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30 inches, Depth 100 feet
- (2) Casing, Type Transite Diameter 16" I.D. Thickness 3/4 inch
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type 1/8 inch slotted, Diameter 16" I.D., Length 20 feet
- (4) Gravel Pack, Thickness 6-9 inches, Length of gravel pack 20+ feet

E. Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

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

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

Character of Water bearing materials Waterbearing gravels and rock

Depth to top of water bearing material 20 feet

Depth to bottom of water bearing material 100 feet

Thickness of water bearing material 80 feet

Depth to water (ground surface to water level) 14 foot drawdown

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

On same owner's property 60 rds. On property owned by others 165 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.

W. A. B. ...
Signature of Applicant

July 27, 1976



Mr. Kevin Beermann
Box 70
Elk Point, SD 57025

Dear Mr. Beermann:

We have completed the analysis of the water sample received here July 6. It is reported to you on the original sheet of analysis for your use and keeping. It has a high salt load and is moderately low in sodium. I have plotted the approximate value of this water for irrigation uses by means of the red cross in the chart on the outside back cover of AES publication #13 enclosed for your use. Please read this carefully.

Inasmuch as this water carries about 1.6 tons of salt for each acre foot of water you pump, it should be used with considerable caution, especially on clay soils such as you intend to irrigate. The reason for this is that these clay soils are slow draining and will let the salts and salty water on down through and past the bottom of the root zone only very slowly. Thus, there will be a great tendency for the salt which the water carries to be accumulated in the root zone of crops. This tendency is accelerated by such practices as frequent, light irrigation and irrigating often in the warm part of the year. Thus, to prolong the life of your soil, you should use this water only in substantial amounts, such as 3 inches each irrigation and use it as seldom as possible in the hot part of the summer. It would be well to consider thorough irrigation in the late fall just before freeze-up and to occasionally let a summer go by only using it once or twice. It should never be used more than 4 times in any summer.

If salt accumulations tend to build up, as indicated by grayish crusts on your soil surface, you should contact us for further information on management and leaching procedures.

A copy of this letter is accompanying your application materials and a copy of the water analysis to the State Conservation Commission for their action.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab
LOF:ckb
Enclosures

cc: State Conservation Commission
Louie DeSmet, County Extension Agent
D. Pahl

CONSERVATION
COMMISSION
WL #2



STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION

FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED WELL IRRIGATION ONLY)

FOR COMMISSION USE ONLY

IRRIGATION SYSTEM _____

WATER QUALITY _____

SOILS CAPABILITY _____

APPROVED [Signature]

DISAPPROVED _____

NAME He Van Beermann
ADDRESS RR Box 70 Elk Point SD, Dak 57025
COUNTY Union

LEGAL DESCRIPTION

1. WELL LOCATION SW 1/4 36 - Elk Point Twp 59 N 10 W
2. AREA TO BE IRRIGATED 160.

TYPE OF IRRIGATION

3. GRAVITY _____ SPRINKLER (INDICATE TYPE) Center Pivot
4. CROPS TO BE IRRIGATED Corn

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE _____
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION Wahsah clay
Suitable for irrigation

WATER QUALITY

(TO BE COMPLETED BY COMMISSION)

7. SAMPLE NUMBER 76-760
8. SALINITY EC = 1864 μ mhos/cm (high)
9. SODIUM SAR = 1.45 (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

SCS and Extension

AND:

THAT THE LEGAL DESCRIPTION FOR THE LOCATION OF THE WELL AND LAND TO BE
IRRIGATED IS TRUE AND CORRECT.

Kevin Zimmerman

SUBSCRIBED AND SWORN BEFORE ME THIS

2nd DAY OF July 19 76.

[Signature]

Notary Public, South Dakota

(TITLE)

F. G. SHICKNEY

Notary Public, Union County, So. D&P.
My Commission Expires August 29, 1976

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

Submitted by: Kevin Peormann Date Rec'd July 6, 1976
 Address: Rt. Box 70 Sample No. 76-760
Elk Point, SD 57025 Identification Well-
SW4, Sec. 36, T. 91N, R. 50E

WATER ANALYSIS

Calcium (Ca)	230	ppm*	11.50	me/l**
Magnesium (Mg)	69	ppm	5.66	me/l
Sodium (Na)	98	ppm	4.26	me/l
Potassium (K)	18	ppm	0.48	me/l
Sulfate (SO ₄)	700	ppm	14.56	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	41	ppm	1.14	me/l
Bicarbonate (HCO ₃)	342	ppm	5.60	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)		ppm		
Alkalinity (Methyl Orange)	230	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1894	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.45	% of cations		
Sodium	19.45	me/l		
Residual sodium carbonate	0.00			
pH	7.22			
Others:				

*ppm=parts per million
 **me/l=millequivalents per liter
 ***g.p.g.=grains per gallon

COMMENTS: Total cations 21.90 me/l
 Total anions 21.30 me/l

By: Shirley Mitten

Service Performed	Amount Due
Irrigation analysis	\$8.00

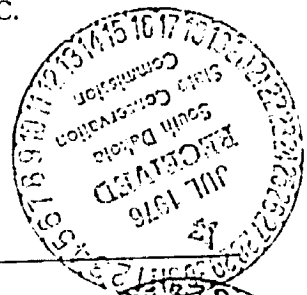
Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-760

Amount Enclosed \$

Signed



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2868-3

(1) WHEREAS, On the 10th day of August A. D. 19 76
Rovin Beerman

made Water Right Application No. 2868-3 for a permit to use 2868-3 cubic feet per second of the waters
of groundwater (one well)

County of Union, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 30th day of September A. D. 19 76

Permit No. 2868-3, with a date of priority of August 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 30th day of September A. D. 19 81 and for the
application to beneficial use of said water on or before the 30th day of September A. D. 19 81

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 1.94 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 a 100 acre circle in the SW 1/4, Section 36, T9N, R9W

(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 Kevin Beerman

_____ of Elk Point SD
the holder _____ and owner _____ of said permit No. 2868-3 a water right, dating from August 10, 1976
_____ to use of 1.24 cubic feet per second of the waters
of groundwater (one well)
in the County of Union and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at the center of the SW corner, Section 20, T91N, R66W

and conduct/flow upon a 130 acre circle in the SW, Section 20, T91N, R66W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2868-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 26th day of November A.D.
Nineteen Hundred and Seventy-Nine

Board of Water Management

By:

John Hatch
Chief Engineer, JOHN HATCH

Permit No. 2868-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

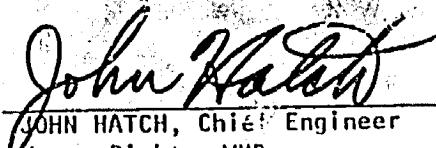
This is to Certify, That Kevin Beerman

_____ the holder _____ of
Permit No. 2868-3, issued upon Application No. 2868-3, bearing date of priority of August 19,
1976 authorizing the diversion of 2.28 cu. ft. per second of the waters of _____
groundwater (one well) County of Union, State of South Dakota at _____
the center of the SW corner, Section 36, T91N, R49W

_____, 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 2.0 cu. ft. per second of water.

Date November 26, 1979


JOHN HATCH, Chief Engineer
Water Rights, WND

Form 6 - Notice of Intent to Appropriate Water

2868-3

Publish first publication, on or before September 10, 19 76

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

August 20, 19 76

Kevin Beerman

Notice is hereby given that _____

whose post office address is Elk Point, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use

2.28 cubic feet of water per second of time from the ground water through the Beerman #1, the point of diversion of which is to be located in the _____

Center of the SW $\frac{1}{4}$

of Section 36, Twp. 91N, Range 49W. Said water to be used for the purpose of providing irrigation on ^{portions of} the following described land:

SW $\frac{1}{4}$, Section 36, T91N, R49W

This application No. 2868-3 will be considered by the Water Rights Commission at their office at Pierre upon the 29th day of September, 19 76, at 10:00 A. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

**BURTON F. JONES
Water Rights Specialist**

BFJ/bw

cc:

Kevin Beerman, Elk Point, S.D. 57025

Et 1, By 70

No. 2808-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Leuter E. Emerson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Leader Courier

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

City of Elk Point, South Dakota

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

August 26, 1976

September 2, 1976

Leuter E. Emerson
(Signature)

Publisher
(Title)

Sept. 4, 1976
(Date Signed)

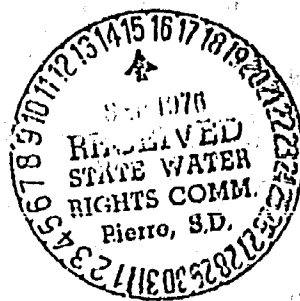
NOTICE INTENT TO
APPROPRIATE WATER

Notice is hereby given that
Kevin Beerman, whose post office
address is Elk Point, South Dak-
ota, has made an application in
accordance with the provisions
of the water laws of South Dakota
for a permit to appropriate for
beneficial use 2.28 cubic feet of
water per second time from grou-
nd water through the Beerman
#1, the point of diversion of which
is to be located in the Center
of the SW 1/4 of Section 36, T91N,
R49W, Range 49W. Said water to
be used for the purpose of pro-
viding irrigation on portions of
the following described land:
SW 1/4, Section 36, T91N, R49W.
This application No. 2808-3
will be considered by the Water
Rights Commission at their off-
ice at Pierre upon the 29th day
of September, 1976, at 10:00
A.M. All interested persons
may appear and be heard.

WATER RIGHTS COMMISSION

By: Burton F. Jones
Water Rights Specialist
(Pub. Aug. 26, Sept. 2)

(31)



Form 10.

to. 2868-3



NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office Elliot Point SD

Date July 1

TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 28163-3.

Water Right Permit No. 28163-3 states that the diversion system is to be constructed by _____, 19____ and that the water is to be put to beneficial use by _____, 19____.

The diversion system was completed on January, 1977.
Applying the water to beneficial use was completed on June, 1977.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Kevin S. Deerman
(Signature)

Permit No. 2868-3Water Division 3 Big Sioux River Water District

REPORT 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 KEVIN
BEERMAN of ELK POINT holder
of Permit No. 2868-3, bearing date of priority of AUGUST 19, 1976
authorizing the diversion of 2.28 cu. ft. per second of the waters of GROUND WATER
for IRRIGATION purposes, in UNION 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:
100' DEEP WELL WITH 16" TRANSITE CASING
LAYNE BOWLER 8" PUMP #81255K - 3-STAGE KEH BOND
POWERED BY 75HP U.S. ELECTRIC MOTOR
- B. Works used to transport water to place of use,
10' OF 10" MAINLINE TO CENTER OF PIVOT
- C. Works used to apply water to beneficial use.
ZIMMATIC CENTER PIVOT - MODEL 410 - ELECTRIC DRIVE
WITH END GUN

The system is in the following condition: GOODThe point of diversion is located AT THE CENTER OF THE SW CORNER,
SECTION 36, T91N, R49WThe works are capable of diverting and conveying to the place of use 2.0
cu. ft. per second of water which is to be used for IRRIGATION

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

FOR IRRIGATING A 136 ACRE CIRCLE IN THE
SW¹ SECTION 36, T91N, R49Wcomprising a total of 136 acres of land.

- 194

Date AUGUST 9, 1979

Anton Jones
(Signature)

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7112

PIERRE, November 6, 1979

RECEIVED OF Kevin E Barbara Boermann, Box 666, Elk Point, SD 57025
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 filling) _____		
Fee for inspecting Construction, and issuing Cert. of Construction No. 2060-2 _____		50.00
Fee for inspecting Beneficial Use, and issuing Water License No. 2060-2 _____		
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 99

**South Dakota Department of
Water & Natural Resources**

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

February 17, 1989

Kevin Beerman
PO Box 666
Elk Point, SD 57025

Dear Mr. Beerman:

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

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

The new standards include:

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

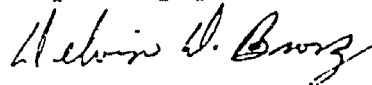


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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

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

Very truly yours,



for JOHN HATCH, Chief Engineer
Water Rights Division



2868-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3102
www.state.sd.us/denr

January 16, 2002

NOTICE

TO: KEVIN BEERMANN, PO BOX 666, ELK POINT, SD 57025 0666

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire has not been submitted for Permit No(s) 2868-3 & 3153-3. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 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 13, 2002, in the Visitor Center (west bank of Capitol Lake), 650 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2868-3 & 3153-3 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 8, 2002, 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.

2868-3

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

KEVIN BEERMANN
PO BOX 666
ELK POINT SD 57025 0666

COMPLETE THIS SECTION ON DELIVERY

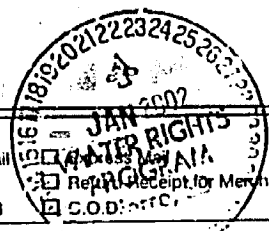
A. Received by (Please Print Clearly) B. Date of Delivery
01/17/02

C. Signature ☐ Agent
Sandra Rosenbaum ☐ Addressee

D. Is delivery address different from item 1? ☒ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Registered
☐ Insured Mail ☐ Return Receipt for Merchandise
☐ C.O.D. (Extra Fee)

4. Restricted Delivery? (Extra Fee) ☐ Yes





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2002

2868-3
3153-3

Kevin Beermann
PO Box 666
Elk Point SD 57025-0666

Dear Mr. Beermann:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right Nos. 2868-3 and 3153-3.

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



2868-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 28, 2004

2868-3
3153-3

Kevin Beerman
122 Green Court Dr
Elk Point SD 57025-2135

Dear Mr. Beerman:

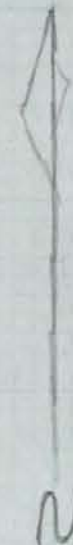
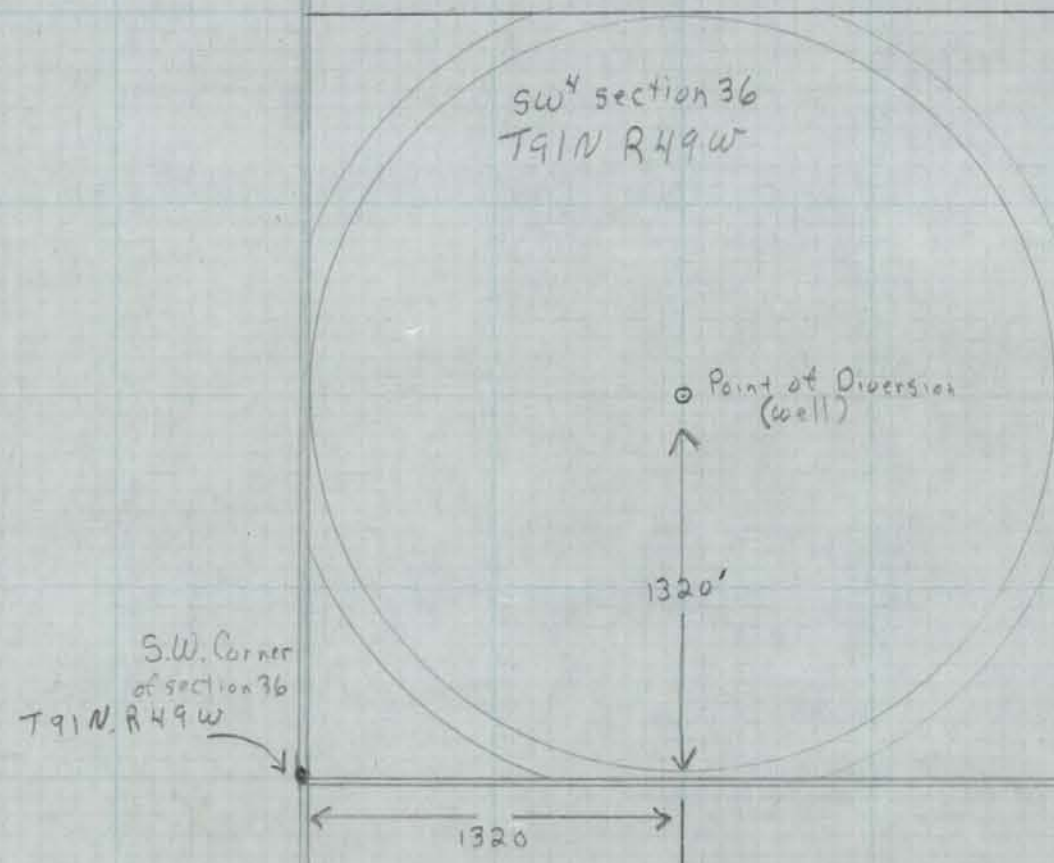
Enclosed is a "Notice" dated October 22, 2004 concerning your 2004 irrigation questionnaires. The notice was originally mailed to PO Box 666, Elk Point SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



scale 8 inches = 1 mile

Kevin G. Deermann RR1 Box 90 Elk Point, South Dakota Irrigation Project - Deermann			
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE			
Designed .. Dave Davis 7/6/76	Date 7/6/76	Approved by .. J. M. Bolin Title .. Acting S.C.	
Drawn .. Dave Davis 7/6/76		Title .. 7/6/76	
Traced ..		Sheet No.	Drawing No.
Checked ..		No. of	