

Recorded 3-23-78

8-25-2

56' deep well - 15' Chlorine 10' Chlorine

Longer Nelson's Seal "Lion" Pump 2" Pump

Removal of Dirty Diesel Tank
28 HP

Well 25' by 25' 10' deep 10' Chlorine
8" line to CP - 8" concrete PVC to 2' out

Granite 4' from CP 10' Nelson = 100 feet gun

Granite 3' from CP 10' Nelson = 200 feet gun

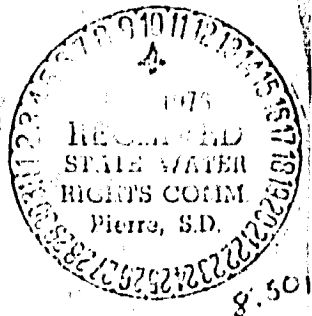
Nelson = 200 feet in granite

3d12-3 FRANCIS VAN LITH
151076 BIG STONE CITY, S.D. 57216

Water Right Number 3412-3

1. Considered 1-26, 19 77
2. Name of Applicant FRANCIS VAN LITH
3. Post Office Address BIG STONE CITY
4. Amount of Water claimed 2.0
5. Source of Water supply 55' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 320
- Water to be diverted and used in GRANT County
about 7E, 2N miles of MILBANK
8. Proof of Publication Received 1-17-77
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 3412-3Map No. 2694-3 Water Division No. 3 MINNESOTA 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 Francis Van Lith
Postoffice address Big Stone City, State S.D. 57216
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
3. Name of diversion work _____
4. Amount of water claimed (cubic feet per second) 2 cu ft / sec.
5. Source of water supply well
6. Location of point of diversion SW 1/4 of NW 1/4 of Sec 36 range 47 of Big Stone Township

7. Annual period or periods during which water is to be used May 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 320

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.
NE 1/4 of NW 1/4 of T-121-R-47	40	SE 1/4 Sec 36, T121N, R47W	160
NW 1/4 of NW 1/4 of T-121-R-47	40		
SE 1/4 of NW 1/4 of T-121-R-47	40		
SW 1/4 of NW 1/4 of T-121-R-47	40		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use None years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Grant County Review
12. Principal Features of the Proposed Water Supply System.

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

well pump

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

200' of pipe

C. Works proposed to apply water to beneficial use.

None other than well drillingEstimated Total Cost \$ 17,000.00Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of GrantI, Francis Van Lith 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 Francis Van LithSubscribed and sworn to before me this 3rd day of December, 1976

Notary Public (or other qualified officer)

GLADYS KELLER
Notary Public, GRANT COUNTY, S. Dak.
My Commission Expires Jan. 5, 1982

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3412-3
FRANCIS VAN LITH BIG STONE CITY
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57216 With the following modifications:
 (State)

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

Date of first receipt of application DECEMBER 10, 1976
 Date of return to applicant for correction, amendments or changes required DECEMBER 29, 1976
 Date of receipt of corrected application DECEMBER 29, 1976
 Approved JANUARY 27, 1977, Recorded in Book 17 Page 156

WATER RIGHT PERMIT NO. 3412-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3412-3 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 DECEMBER 10, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 27, 1978
3. The whole of said work is to be completed on or before JANUARY 27, 1980
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 27, 1980
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 2.0 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 JANUARY 27, 1980; said water to be used during the following described annual period: MAY THRU SEPTEMBER

Witness my hand this 11TH day of APRIL, 1977

WATER RIGHTS COMMISSION

By:

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued February 9, 1977
 Water License Issued February 9, 1977

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 16", Depth 55'
(2) Casing, Type steel (wood, concrete, steel, etc) Diameter 16" Thickness
(3) Perforated Screen.
Type stainless steel, Diameter 16", Length 15 to 20'
(4) Gravel Pack. Thickness 2", Length of gravel pack 55'

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

Depth to top of water bearing material 15'

Depth to bottom of water bearing material 55'

Thickness of water bearing material 40'

Depth to water (ground surface to water level) 16'

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

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

Francis Van Likh
Signature of Applicant

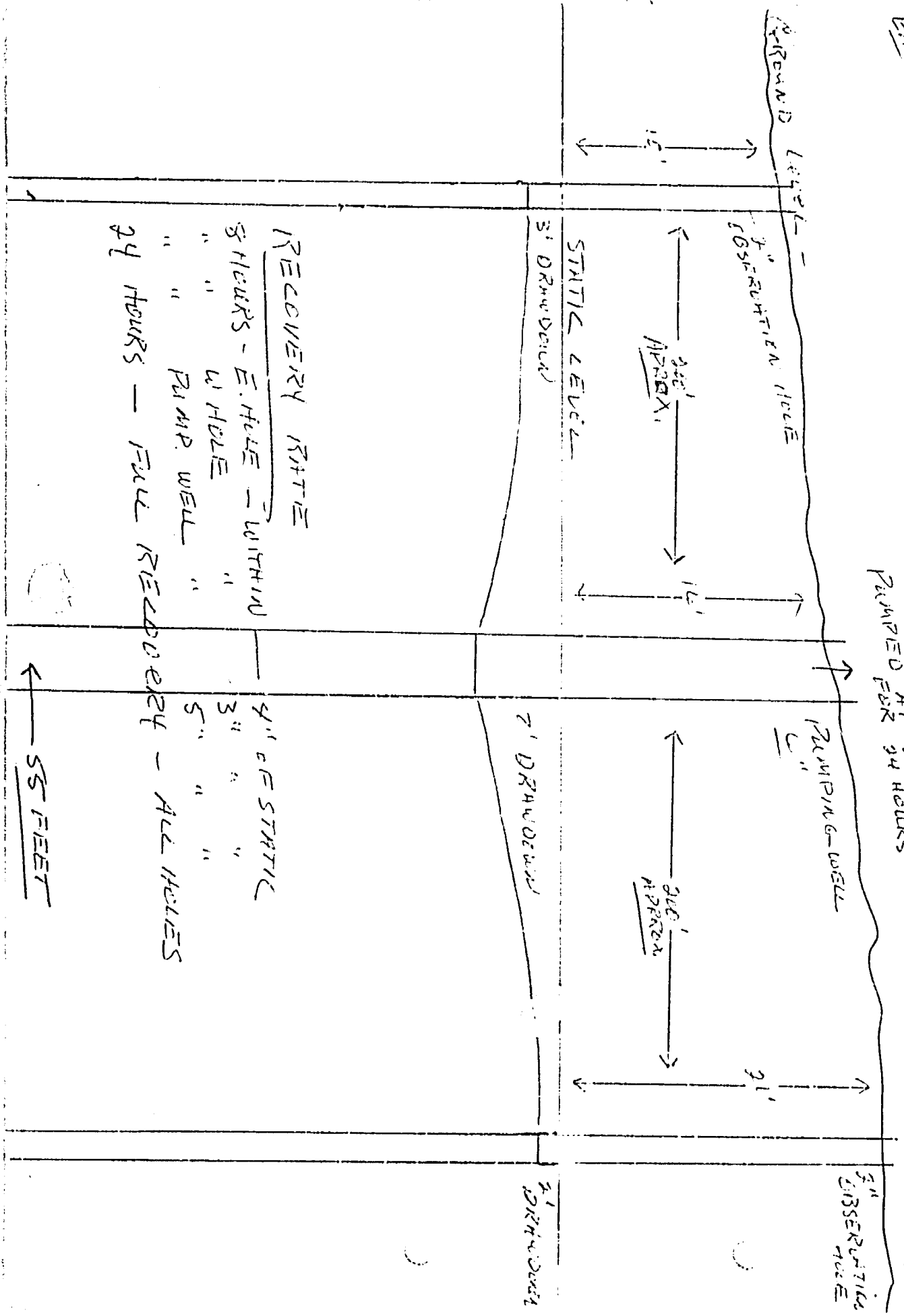
NOT TO SCALE

FRANCIS LANE LITHT
1314 STANLEY CITY, SD.

EAST

PUMPED AT 250 GPM -
FOR 24 HOURS -

WEST



55 FEET

HURON DRILLING INC. DRILLERS LOG

PAGE NO.

Francis Van Lith		N.E.-36-121-36	Grant Co.	3/9/77	14	Stanley LeGrand
JOB NAME		LOCATION		DATE	FIG NO.	FOREMAN
JL No	DEPTH	TIME	REMARKS			
	0-12		Top soil-yellow clay			
	12-22		Yellow gravel			
	22-32		Gravel coarse sand			
	32-42		Gravel-coarse sand			
	42-52		Gravel-coarse sand			
	52-58		Gravel-coarse sand			
	58-60		Blue clay			
			Cased to 58 Ft.			
			20 Ft. 16" Stainless Steel Screen 50 Slot			
			38 Ft. Solid Plastic			
			Farmer Farnished gravel			

Francis Van Lith

1977

Big Bone City

Phone - 432-6948

Grant County

165

WELL REPORT

HURON
DRILLING CO.
Huron, S. D.

Francis Van Lith
OWNER

N.E.-36-121-36 Grant County March 10, 1977
DESCRIPTION DATE

CASING LOG

Depth 58 ft.
Flows gpm 38 ft 15" PVC Plastic pipe to 38 ft.
Pumps gpm 20 ft 16" Stainless pipe to 58 ft.
Head ft. Steel Screen 50 Slot
20 Ft. Stainless Steel Screen ft. pipe to ft.
Perforations 50 Slot ft. pipe to ft.

REMARKS

Pressure 1 day
Drill Time 1 - 20 Ftl length of 16" Stainless Steel Screen 50 Slot
Fig No. 14 Farmer furnished gravel
Stanley LeGrand Foreman
DM

FIELD PUMPING TEST Water Level Measurements

Well No. E 1

Francis Van Lih
Location: Box of 56-121-86
Date: 3-23-77 47

Bruce Engel 8" Pipe, 6" Orifice

Time of Measurement	Elapsed Time - Minutes	Tape Measurement		Elec. Elev. of Marker Inches	Depth of Water Feet	Draw-down Feet	Pumping Rate GPM	REMARKS
		Mark Held Ft	Wetted Port. Inches					
					Static		35"	Cloudy
7:15	5				15'		925	Clear
7:20	"				21'3"		"	"
7:25	"				27'6"		"	"
7:30	"				28'7"		"	"
7:35	"				31'2"		"	"
7:40	"				33'1"		"	"
7:45	"				33'6½"		"	"
7:50	"				34'		"	"
7:55	"				34'4"		"	"
8:00	"				34'8"		"	"
8:05	"				35'1"		"	"
8:10	"				35'1"		"	"
8:15	10				35'1"		"	"
8:20	"				35'1"		"	"
8:30	"				35'2"		"	"
8:40	"				35'2"		"	"
8:50	"				35'2"		"	"
9:00	"				35'2"		"	"
9:15	15				35'2"		"	"
9:30	"				35'3"		"	"
9:45	"				35'3"		"	"
10:00	"				35'4"		"	"
10:30	30				35'5"		"	"

FIELD PUMPING TEST Water Level Measurements

Weil No. # 1

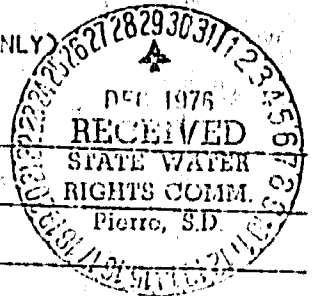
Francis Van Lih
Location: NW 1/4 of 36-121-46
Date: 3-23-77 47

Bruce Engel 8" Pipe, 6" Orifice

[illegible]

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)

NAME Francis Van Lilla
ADDRESS Big Stone 57216
COUNTY Grant



LEGAL DESCRIPTION

1. WELL LOCATION SW 1/4 of NW 1/4 of T-121-R47
2. LOCATION OF AREA TO BE IRRIGATED SE 1/4 + NW 1/4 of T-121-R-47 ^{sec. 36}

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED CORN alfalfa

WATER QUALITY

5. SAMPLE NUMBER 76-2008
6. SALINITY (EC X 10⁶) 63 (med)
7. SODIUM (SAR) 0.21 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and: the soils information has been acquired from Grant County Conservation District, County Extension office or Soil Conservation Service.

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

Francis Van Lilla
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
3rd DAY OF December 19 76.

Gladys Kuller
(TITLE OR SEAL)
GLADYS KULLER

Notary Public, GRANT COUNTY, S. D.
My Commission Expires Jan. 5, 1977 (SOILS INFORMATION ON REVERSE SIDE)

Albert J. Thiffault
APPROVED/DISAPPROVED

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

Submitted by: Francis Van Lith Date Rec'd: December 10, 1976
 Address: Big Stone City, SD 57216 Sample No. 76-2008
 Identification: 1-11
RA, Sec. 36, T. 12N, R. 47W

WATER ANALYSIS

Calcium (Ca)	84	ppm*	4.20	me/l**
Magnesium (Mg)	34	ppm	2.29	me/l
Sodium (Na)	9	ppm	0.39	me/l
Potassium (K)	3	ppm	0.03	me/l
Sulfate (SO ₄)	154	ppm	3.20	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	12	ppm	0.04	me/l
Bicarbonate (HCO ₃)	259	ppm	4.24	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)	212	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	634	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.21			
Sodium	5.22	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.88			

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 7.46 me/l
 Total anions 7.48 me/l

By: Shirley Litten

Service Performed	Amount Due
Irrigation analysis	\$8.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-2008

Amount Enclosed 13

Signed _____

December 22, 1976



Mr. Francis Van Lith
Big Stone City, SD 57216

Dear Mr. Van Lith:

Your water sample (Lab. No. 76-2000) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

I am also enclosing a copy of AES pamphlet #13 for your use. The quality of your water for irrigation use is plotted approximately by means of the red cross in the chart on the outside back cover.

Your water, as indicated by this analysis, is satisfactory for use on the soils you indicate will be irrigated. If a salt problem or a water table problem should develop, contact extension personnel for assistance.

The WI-1, soils information, and a copy of the water analysis are being forwarded 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
P.S. The 3 considerable areas of depression soils (Farnell, #46) must not be irrigated. Pondered water, drowned crops, getting stuck, and salt accumulation will follow if you do. Avoid them at all costs.

STATE OF SOUTH DAKOTA

WATER LICENSE No. 3412-3

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

Francis Van Lich

made Water Right Application No. 3412-3 for a permit to use 2.0 cubic feet per second of the waters of groundwater (one well)

County of Grant State of South Dakota, for Irrigation purposes; and

(2) WHEREAS, On the 27th day of January A. D. 19 77

Permit No. 3412-3 with a date of priority of December 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 27th day of January A. D. 19 80 and for the application to beneficial use of said water on or before the 27th day of January A. D. 19 80

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.33 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 the following land all in

Section 36, T-121N, R-47W

SW $\frac{1}{4}$, NW $\frac{1}{4}$ --- 36 acres

SE $\frac{1}{4}$ NW $\frac{1}{4}$ ----- 36 acres

NW $\frac{1}{4}$ SE $\frac{1}{4}$ ----- 12 acres

SW $\frac{1}{4}$ SE $\frac{1}{4}$ ----- 35 acres

SE $\frac{1}{4}$ SE $\frac{1}{4}$ ----- 30 acres

TOTAL 149 acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Francis Van Lith

_____ of Big Stone City, South Dakota
the holder _____ and owner _____ of said permit No. 3412-3 a water right, dating from December 10, 1976
_____ to use of 1.33 cubic feet per second of the waters
of groundwater (one well)

in the County of Grant and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 660' East and 635' North of the W. corner,
Section 36, T-121N, R-47W

and conducted to and upon portions of Section 36, T-121N, R-47W more fully
described on the face of this license.

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 3412-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 9th day of February A. D.
Nineteen Hundred and Eighty-two

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 3412-3

Water Diversion No. 3 Minnesota River Water District
07020001

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Francis Van Lith

_____ the holder _____ of
Permit No. 3412-3, issued upon Application No. 3412-3, bearing date of priority of _____
December 10, 1976 authorizing the diversion of 2.0 cu. ft. per second of the waters of _____
groundwater (one well) County of Grant, Stat. of South Dakota at _____
a point 660' East and 635' North of the W $\frac{1}{2}$ Corner, Section 36, T-121N, R-47W

_____, for Irrigation

purposes, has 5 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 1.33 cu. ft. per second of water.

Date February 9, 1982



JOHN HATCH, Chief Engineer
Water Rights Division

Form 6 - Notice of Intent to Appropriate Water

No. 3412-3

Publish first publication, on or before January 12, 19 77

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

January 2, 19 77

Notice is hereby given that Francis Van Lith
whose post office address is Big Stone City, 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

2.0 cubic feet of water per second of time from the ground water through the
Van Lith # 1, the point of diversion of which is to be located in the

SW 1/4

of Section 36, Twp. 121N, Range R47W. Said water to be used for the purpose
of providing irrigation on portions of the following described land:

NW 1/4 & SW 1/4, Section 36, T121N, R47W

This application No. 3412-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 26th day of January, 19 77, 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:

Francis Van Lith, Big Stone City, South Dakota 57215

No. 3412-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Grant) ss.

I, Clarence Justice hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Grant County Review

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 Milbank

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

Jan. 5, 1977

Jan. 12, 1977

Clarence Justice
(Signature)

foreman
(Title)

1-15-77
(Date Signed)

NOTICE OF INTENT
TO APPROPRIATE WATER
Notice is hereby given that
Francis Van Lith, whose post
office address is Big Stone City,
South Dakota, has made applica-
tion in accordance with the pro-
visions of the water laws of South
Dakota for a permit to appropri-
ate for beneficial use 2.0 cubic
feet of water per second of time
from ground water through the
Van Lith No. 1, the point of
diversion of which is to be located
in the SW 1/4 NW 1/4 of Section 36,
T12N, R47W, Range 47W. Said
water to be used for the purpose
of providing irrigation on por-
tions of the following described
land: NW 1/4 & SW 1/4, Section 36,
T12N, R47W, Range 47W.
This application No. 3412-3 will
be considered by the Water
Rights Commission at their office
at Pierre upon the 26th day of
January, 1977, at 10:00 A.M. All
interested persons may appear
and be heard.
Water Rights Commission
Burton F. Jones
Water Rights Specialist
Jan. 5 Jan. 12



3412
Permit No. 3135-3

Water Division 3 MINNESOTA RIVER Water District
07020001

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by FRANCIS
VAN LITH of BIG STONE CITY holder
of Permit No. 3135-3, bearing date of priority of DECEMBER 10, 1976
authorizing the diversion of 2.0 cu. ft. per second of the waters of GROUNDWATER
for IRRIGATION purposes, in GRANT 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:

58' DEEP WELL WITH 16" PLASTIC CASING - 20' SS SCREEN
BYRON JACKSON - VERTILINE PUMP - 8" - #771H7349
POWERED BY 88HP DEUTZ DIESEL MOTOR

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

8" ALUMINUM LINE TO PIVOT PAD IN SW⁴NW⁴
1200' 8" BURIED PVC TO PIVOT PAD IN SE⁴NW⁴
2930' 8" BURIED PVC TO PIVOT PAD IN SW⁴SE⁴
1256' 6" BURIED PVC TO PIVOT PAD IN SE⁴SE⁴

C. Works used to apply water to beneficial use.

4 TOWER ZIMMATIC CENTER PIVOT WITH NELSON #100 END GUN
3 TOWER ZIMMATIC CENTER PIVOT WITH NELSON #200 END GUN
TRAILER MOUNTED TOWABLE NELSON #200 GUN

The system is in the following condition: GOOD

The point of diversion is located 660' E & 635' N OF THE W¹/₄ CORNER,
SECTION 36, T12N, R47W

The works are capable of diverting and conveying to the place of use 1.33 (600 GPM)
cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows: ALL IN SECTION 36, T12N, R47W

SW ⁴ NW ⁴	36 ACRES	SE ⁴ SE ⁴	30 ACRES
SE ⁴ NW ⁴	36 "		
NW ⁴ SE ⁴	12 "		
SW ⁴ SE ⁴	35 "		

comprising a total of 149 acres of land.

Date AUGUST 25, 1981

[Signature]
(Signature)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8631

December 31

31

PIERRE,

19

RECEIVED OF Francis Van Lith, RR 1, Box 48, Bix Stone City SD 57216

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. 3412-3)		
Fee for Inspecting Beneficial Use, and Issuing Water License No. 3412-3)	50	00
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 H. Hetch
Chief Engineer, Executive Officer

#3112-3

 **Department of
Water & Natural Resources**

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

February 17, 1989

Francis Van Lith
Rt 1, Box 48
Big Stone City, SD 57216

Dear Mr. Van Lith:

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 chenigation are enclosed for your information.

The new standards include:

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



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

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

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

Very truly yours,

John Hatch
for JOHN HATCH, Chief Engineer
Water Rights Division



Department of Water & Natural Resources

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

February 9, 1990

FRANCIS VAN LITH
RT 1, BOX 48
BIG STONE CITY, SD 57216

NOTICE

RE: Violation of Requirement to Submit 1989 Irrigation Questionnaire

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 3412-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted 1989 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 8:30 am, March 7, 1990 at the Howard Johnson's, Jefferson-Roosevelt Room, I-90 at LaCrosse, Rapid City 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). 3412-3 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 March 7th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

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

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

February 23, 1990

3412-3

Francis Van Lith
Rt 1, Box 48
Big Stone City SD 57216

Dear Mr. Van Lith:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit No. 3412-3. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Sincerely,

Ron Duvall

RON DUVALL
Natural Resources Engineer
Water Rights Division



3412-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: FRANCIS VAN LITH
RT 1, BOX 48
BIG STONE CITY SD 57216

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Violation of Requirement to Submit 1992 Irrigation Questionnaire

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 3412-3. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 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 3, 1993, 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) 3412-3 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. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, your name will be deleted from the Board agenda.

Is your RETURN A

- Complete in

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

- Consult postmaster for fee.**

3412-3

Article Number

PA06 559 996

4b. Service Type

- 7. Date of Delivery**

1-30-95

5. Signature (Addressed)

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

6. Signature (Agent)

PS Form 3811, December 1991 ☆ U.S.G.P.O. : 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



3412-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 3, 1993

3412-3

Francis Van Lith
RR #1 Box 48
Big Stone City, SD 57216

Dear Mr. Van Lith:

I am writing to acknowledge receipt of your 1992 irrigation questionnaire for Water Right No. 3412-3. You may disregard the January 29, 1993 Notice of "Violation of the Requirement to Submit the 1992 Questionnaire".

The questionnaire was received in our office prior to the Water Management Board Meeting and your name has been deleted from the agenda. If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352

SENDER:

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

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

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

FRANCIS VAN LITH
RT 1 BOX 48
BIG STONE CITY SD 57216

3412-3

4a. Article Number

P 378 081 406

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

2-6-97

5. Received By: (Print Name)

Francis Van Lith

6. Signature: (Addressee or Agent)

X Mark Van Lith

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



3412-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 1997

NOTICE

TO: FRANCIS VAN LITH, RT 1 BOX 48, BIG STONE CITY, SD 57216

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) 3412-3. 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) 3412-3 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 Gerny 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 10, 1997

3412-3

Francis Van Lith
147 1/2 485th Ave
Big Stone City, SD 57216

Dear Mr. Van Lith:

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

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



3412-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: FRANCIS VAN LITH, 14771 485TH AVE, BIG STONE CITY, SD 57216

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire has not been submitted for Permit No(s) 3412-3. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 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, February 25, 1998, 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) 3412-3 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.

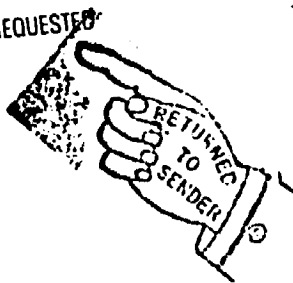
If the questionnaire(s) is(are) received in this office on/or before February 20, 1998, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

RETURN SERVICE REQUESTED



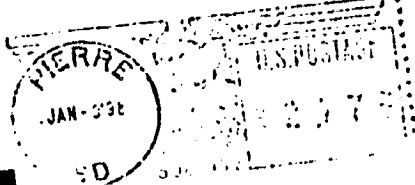
CERTIFIED

Z 119 141 175

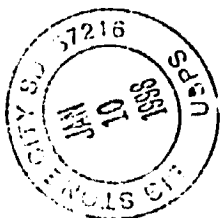
MAIL

RETURN RECEIPT REQUESTED

FRANCIS VAN LITH
14771 485TH AVE
BIG STONE CITY SD 57216



unclaimed



88 52-1
1-16-91-1



PS Form 3811, December 1984
102595-97-B-0179
Domestic Return Receipt

Thank you for using Return Receipt Service

3. Article Addressed to: FRANCIS VAN LITH 14771 485TH AVE BIG STONE CITY SD 57216		6. Signature: (Addressee or Agent) X
5. Received By: (Print Name)		8. Addressee's Address (Only if requested and fee is paid)
4a. Article Number 2119141175		7. Date of Delivery
4b. Service Type ☒ Certified ☐ Registered ☐ Express Mail ☐ Return Receipt for Merchandise ☐ COD		8. Addressee's Address (Only if requested and fee is paid)
1. ☐ Addressed to Addressee 2. ☐ Restricted Delivery Consult postmaster for fee.		4. Article Addressed to: FRANCIS VAN LITH 14771 485TH AVE BIG STONE CITY SD 57216

Is your RETURN ADDRESS completed on the reverse side?

SEND:

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

I also wish to receive the following service for an extra fee:



3412-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 1998

3412-3

Francis Van Lith
14771 485th Ave
Big Stone City, SD 57216

Dear Mr. Van Lith:

I am writing to acknowledge receipt of your 1997 irrigation questionnaire. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit No. 3412-3.

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



January 22, 1999

NOTICE

3412-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: FRANCIS VAN LITH, 14771 485TH AVE, BIG STONE CITY, SD 57216

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) 3412-3. 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) 3412-3 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.

3412-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

RETURN SERVICE REQUESTED

RETURNED TO SENDER
NO SUCH OFFICE IN 57501
NO SUCH OFFICE IN THE OFFICE
DO NOT REPLY IN THE OFFICE

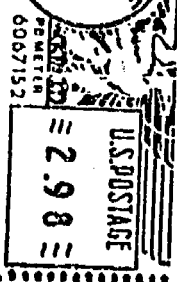


1-2-3-99
1-28-99
2-7-99

CERTIFIED

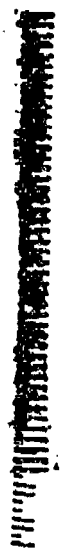
P 378 080

MAIL



FRANCIS VAN LITH
14771 485TH AVE
BIG STONE CITY SD 57216

57216-6002



3412-3

seal the flap with tape or glue. Do not use staples or paper clips.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

3. Article Addressed to:

FRANCIS VAN LITH
14771 485TH AVE
BIG STONE CITY SD 57216

4a. Article Number

P 378 680 710

4b. Service Type

- ☐ Registered
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☐ COD
- ☒ Certified
- ☐ Insured
- ☐ Date of Delivery

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

- 1. ☐ Addressed Delivery
- 2. ☐ Restricted Delivery

Consult postmaster for fee.

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X

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

PS Form 3811, December 1994

102595-90-8-0220

Domestic Return Receipt

Thank you for using Return Receipt Service.





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1999

3412-3

Francis Van Lith
14771 485th Ave
Big Sioux City, SD 57216

Dear Mr. Van Lith:

I am writing to acknowledge receipt of your 1998 irrigation questionnaire. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right No. 3412-3

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

3412-3

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:

FRANCIS VAN LITH
14771 485TH AVE
BIG STONE CITY SD 57216

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) Francis Van Lith B. Date of Delivery 1-20-01

C. Signature [Signature] Agent ☒ Addressee

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

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

7000 0600 0026 9814 2843

PS Form 3811, July 1999

Domestic Return Receipt

102595-00 M-0952



3412-3
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: FRANCIS VAN LITH, 14771 485TH AVE, BIG STONE CITY, SD 57216

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

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire(s)

Our records indicate that the 2000 Irrigation Questionnaire has not been submitted for Permit No(s) 3412-3. 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 No(s) 3412-3 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 2, 2001, 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 57501-3182
www.state.sd.us/denr

January 29, 2001

3412-3

Francis Van Lith
14771 485th Ave
Big Stone City, SD 57216

Dear Mr. Van Lith:

I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right No. 3412-3.

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



3412-3
**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: FRANCIS VAN LITH, 14771 485TH AVE, BIG STONE CITY, SD 57216

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire

Our records indicate that the 2004 Irrigation Questionnaire has not been submitted for Permit No. 3412-3. 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 be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 2, 2005, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No. 3412-3 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 is received in this office on/or before February 25, 2005, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire, 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

January 25, 2005

3412-3

Francis Van Lith
14771 485th Ave
Big Stone City SD 57216

Dear Mr. Van Lith:

I am writing to acknowledge receipt of your 2004 irrigation questionnaire. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 3412-3.

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



3412-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8516 1930

Your item was delivered at 10:11 am on January 28, 2005 in BIG STONE CITY, SD 57216. The item was signed for by F VANLITH.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email

[What is this?](#)

[Go >](#)

▶ Request Proof of Delivery

[What is this?](#)

[Go >](#)



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Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8516 1930

FRANCIS VAN LITH
14771 485TH AVE
BIG STONE CITY SD 57216

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

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PS Form 153, July 2001

(See Reverse)

NOT TO SCALE

121-47

9.6

25 135.9

154.1

108D

*Tom R. Bear
Estimate Agent*

WELL
Location

Land to be
irrigated

3L

73.6

10.8

40.1

25.1

54.8

8.3

67.8

2.8

121-47

Land
be to
irrigated

APR 11 1964 3 APR 12 3412-3

NOT TO SCALE

3412-3



McMath, Genny

34/2-3

From: Conrad, Darwin
Sent: Wednesday, January 06, 2010 4:13 PM
To: McMath, Genny
Subject: RE: land ownership in Grant County
Genny,

attention:
Steve Wenzl

RE: Francis Van Lith

NW1/4 except part sold 36-121-47; 139.98 acres
Current owner; First Bank & Trust, PO Box 110, Milbank, SD 57252

Lot 1 Van Lith Subdivision in SE1/4 36-121-47; 41.22 acres (building site)
Current owner; First Bank & Trust, PO Box 110, Milbank, SD 57252

SE1/4 except right-of-way of 4.50 acres & except Lot 1 Van Lith Subdivision 36-121-47; 114.28 acres
Current owner; First Bank & Trust, PO Box 110, Milbank, SD 57252

If you have any other questions contact me.

Darwin Conrad, CAA
Director of Equalization
Grant County
South Dakota

From: McMath, Genny
Sent: Wed 1/6/2010 9:50 AM
To: Conrad, Darwin
Subject: land ownership in Grant County

Mr. Conrad:

I am in the process of reviewing a water right we have listed in the name of Francis Van Lith, Big Stone City SD. He has notified us that the bank took over his land due to a business failure. I am not sure when this occurred but I need to find out if the bank (and which one that would be)...still has control of the land or if it was sold to someone else.

The legal description is as follows:

S ½ NW ¼ Section 36, T121N, R47W

W ½ SE ¼ and SE ¼ SE ¼ Section 36, T121N, R47W

Any information you could provide would be most helpful.

Thank you in advance for your help.

Genny McMath

DENR

Water Rights Program

phone: 605.773.3352

01/06/2010



**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 7, 2010

3412-3

Steve Wenzl
First Bank & Trust
PO Box 110
Milbank SD 57252

Dear Mr. Wenzl:

Thank you for visiting with me regarding Water Right No. 3412-3 and the land formerly owned by Francis Van Lith.

It is my understanding that the land may be sold as soon as February. Enclosed are the "Notice of Transfer of Ownership" form and a copy of the water right to give to the realtor who will be handling the sale.

The new owner will need to complete the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

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

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Steve Wenzl, First Bank & Trust, PO Box 110, Milbank SD 57252

DATE: October 12, 2010

TELEPHONE: 432-5111

RE: ownership of land described in Water Right No. 3412-3, Francis Van Lith

COMMENTS:

In January, 2010, I contacted Mr. Wenzel with First Bank and Trust regarding ownership of land described in No. 3412-3. They had repossessed the land from Francis Van Lith.

Nothing was received back from Mr. Wenzel so I contacted him again by phone and he indicated the bank still had possession of the land. Currently the land is scheduled for public auction on November 1st. He indicated he gave the information I sent to him to the realtor and would follow up with us after the sale.

For purposes of the annual irrigation questionnaire, no irrigation was done on the land in 2010 due to sufficient natural moisture.



Genny McMath
Environmental Scientist

FILE DOCUMENTATION

DIVISION OF NO. 3412-3 INTO NOS. 3412A-3 & 3412B-3

Water Right No. 3412-3 authorizes diversion of 1.33 cfs to irrigate 149 acres in portions of the S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 36, T121N, R47W from one well located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36.

See chart below for breakdown:

Section 36, T121N, R47W	SW $\frac{1}{4}$ NW $\frac{1}{4}$	36 acres	Owned by Dana Johnson 3412A-3: 72 acres/0.64 cfs
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	36 acres	
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	12 acres	Owned by Mark & Niki Rethke 3412B-3: 77 acres/0.69 cfs
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	35 acres	
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	30 acres	
	Total	149 acres	