

Considered:

WATER PERMIT NO. 3532A-C

Phone: 569-3626

Name of Applicant Buchanan's Inc.

Post Office Address RR 1 Box 107A Tyndall, ID 87056

Amount of Water Claimed no add'l

Total Acres (if add'l)

Source of Water Supply groundwater

Water to be used for irrigation

About 7 miles SW

County Bonanza

of Tyndall

Not Received

PROOF OF PUBLICATION: Received

APPLICATION: Approved

Subject to

R.F. & C.V.L. Adopted

Not Approved

Deferred

PRIORITY

Date Received 4/24/90

Fee \$50.00

Remarks this amendment

specifies to correct location of the well

Corrected Application Received

Period of Annual Use

WATER QUALITY APPROVAL RECEIVED 8/18/75

APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES

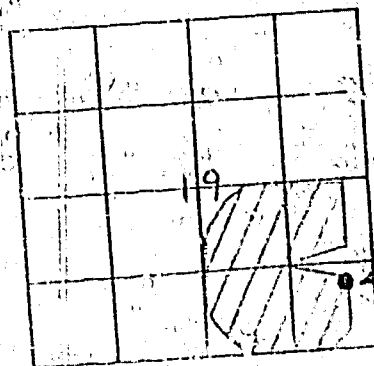
NO

REMARKS

Diversions Point NW1/4 NE1/4 SE1/4 SE1/4 Section 19

T94N, R60W

Land to be irrigated SE1/4 Sec. 19, T94N, R60W



Well Log: Driller

Licensed YES

NO

Depth of Well 211 feet

REMARKS

Type of Map Aerial

PREPARED BY Ken Butler

Reviewed and the Number

Assigned on 5/2/90

By Eric Grenlund

Mail to: Water Rights Div.
523 E. Capitol
Pierre, SD 57501
(605) 773-3352

(See instructions)

No. 3582A-3 Hydrologic Unit 10170101
Basin Missouri
Newspaper Tyndall Tribune & Register Box 520

57066 - Pub Day (W)

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

- Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☒ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____
(permit #3582-3)
1. Name of Applicant Bochmans Inc. Phone No. 589-3426
Post Office Address RR 1, Box 103A Tyndall State SD 57066
(Street, RR or Box) (City) Zip Code
2. Amount of water claimed (c.f.s.) no add'l Total acres irrigated no add'l
3. Source of Water supply ground water (Choteau-Tyndall Aquifer)
4. Location of point of diversion NW 1/4 NE 1/4 SE 1/4 SE 1/4 Sec. 19, T94N-R60W
County Bon Homme
5. Counties where water will be used Bon Homme
6. Annual period during which water is to be used April thru November
7. 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.
NE 1/4 SE 1/4	27
NW 1/4 SE 1/4	36
SW 1/4 SE 1/4	36
SE 1/4 SE 1/4	26 78

Attach sheet if more space is needed

Land Description	No. Acres Irr.
all in Sec. 19, T94N-R60W	

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: x Gun: _____ Other: _____
(Specify)
9. Crops to be Irrigated: corn and beans, alfalfa, small grains and all your crop
10. Give a description of proposed project. (Attach sheet if more space is needed)
System has been completed. For description of system see inspection report for Permit # 3582-3

Attachments: Attach Form 2, if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Bon Homme)^{ss}

I, Bochmans Inc., the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Bochmans Inc.

Subscribed and sworn to before me this 13th day of April 1990

Thomas S. Kellard
Notary Public

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter unknown Depth 211'
- b) Casing Type PVC Diameter 16-inch Thickness unknown
- c) Screen Type PVC Diameter 16-inch Thickness unknown
- d) Gravel Pack Thickness unknown Length of Gravel Pack unknown
- e) Depth to Top of Water Bearing Material unknown
- f) Depth to Water (ground surface to water level) 90 feet
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

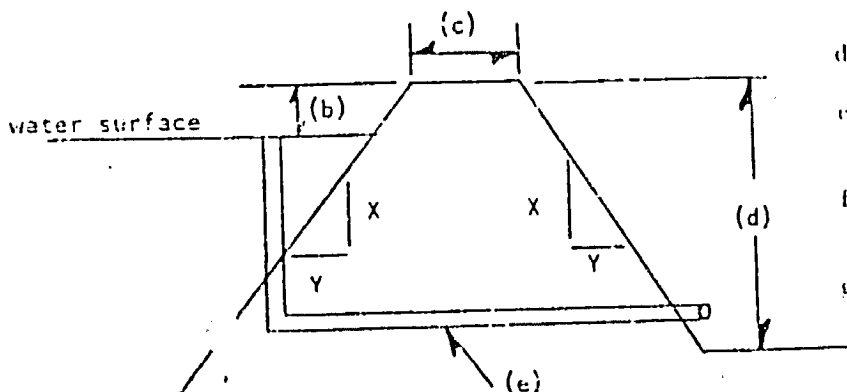
2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address



- b) Faceboard _____
- c) Chest Width _____
- Chest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
- If Pipe, diameter _____
- f) Secondary Spillway Capacity _____
- Spillway width _____
- g) X & Y Slope _____
- Upstream _____
- Downstream _____
- Surface Area of Impoundment _____
- Storage _____ acre feet
- Drainage area above dam _____

Signature of Applicant

SOUTH DAKOTA
WATER PERMIT No. 3582A-3 FOR IRRIGATION

Date of first receipt of application April 24, 1990.

Date Soil/Water Compatibility Permit received September 1, 1976.

The Water Management Board approved Water Permit Application No. 3582A-3 on July 25, 1990 for Bochmans, Inc., RR #1, Box 103A, Tyndall, SD 57066 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 3582A-3 amends Water Permit No. 3582-3 to specify the correct location of an existing irrigation well. Water Permit No. 3582-3 appropriates 4.4 cubic feet of water per second from two wells to be located near the centers of the SE1/4 and NW1/4 to irrigate 320 acres located in the NW1/4 and SE1/4; all in Section 19 T94N-R60W. The correct location of the one existing well is the NE1/4 SE1/4 of Section 19 T94N-R60W. Water Permit No. 3582A-3 does not authorize any increase in the diversion rate.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - November 30.
3. The date from which applicant may claim right is August 19, 1976.
4. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: _____

Chief Engineer, Water Rights Division
Department of Water and Natural Resources

NOV 7 1990

(date)

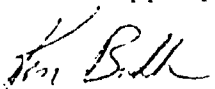
REPORT FOR APPLICATION No. 3582A-3 to
AMEND WATER PERMIT No. 3582-3
BOCHMAN'S INC.
JUNE 14, 1990

Application No. 3582A-3 proposes to specify the correct location of an existing irrigation well. Water Permit No. 3582-3 authorizes irrigation of the SE 1/4 Sec. 19, from one well that was to be located near the center of the SE 1/4 Sec. 19; all in T94N-R60W. The well used to supply water for the permit is located in the NE 1/4 SE 1/4 SE 1/4 of Sec. 19, T94N-R60W. This amendment stems from an inspection to license Water Permit No. 3582-3. No increase in the diversion rate is authorized by this application.

The well used to supply water to this irrigation system (Water Permits No. 3582-3 and No. 3582A-3), is completed into the Choteau-Tyndall Aquifer (CH-T). The original advertisement specifies the location of this well was to be the center of the quarter. The well was constructed approximately 900 feet from the center of the center of the quarter. The well has been in existence since 1976 with no reported controversy.

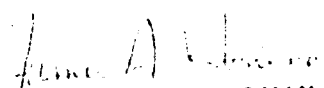
CONCLUSIONS:

1. This application was filed following an inspection of Water Permit No. 3582-3, and will correct the discrepancies that exist between the system proposed in the application and the constructed system.
2. This application does not authorize an increase in appropriation from the Choteau-Tyndall Aquifer.


KEN BUHLER

Natural Resources Engineer

approved by


JAMES A. GOODMAN, P.E.

Natural Resources Engineer

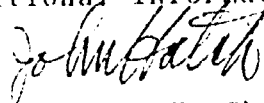
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 3582A-3, Bochman's Inc.

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 3582A-3, Bochman's Inc., RR 1, Box 1C3A, Tyndall SD.

The Chief Engineer is recommending APPROVAL of Application No. 3582A-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
June 15, 1990

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3101

June 19, 1990

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

Merlon Bochman
Bochmans Inc.
RR #1 Box 103A
Tyndall, SD 57066-9606

Dear Mr. Bochman:

Water Permit Application No. 3582A-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Tribune & Register printed at Tyndall SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

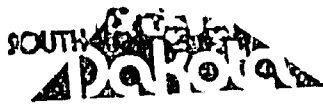
Be sure to contact the above newspaper to authorize publication of your Notice of Intent to Appropriate Water and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,



Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



Department of Water & Natural Resources

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

June 19, 1990

Tyndall Tribune & Register
Box 520
Tyndall, SD 57066-0520

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 3582A-3 to be published twice. Please publish the first notice on or before June 27, 1990 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Bochmans Inc., RR #1 Box 103A, Tyndall, SD 57066-9606.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Eric Gronlund

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

FIRST TRANSMITTAL NOTICE

TO:

Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to
Appropriate Water by Application No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper _____

Instruction to Newspaper - Publish first Notice on or before June 27, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 3582A-3
to Amend Water Permit No. 3582-3

Notice is given that Bochmans Inc., RR #1 Box 103A, Tyndall, SD 57066-9606 has filed an application for a water permit to specify the correct location of an existing irrigation well. Water Permit No. 3582-3 authorizes irrigation of the SE1/4 from one well that was to be located near the center of the SE1/4; all in Section 19-T94N-R60W. The correct location of the existing well is in the NE1/4 SE1/4 of Section 19-T94N-R60W. This amendment does not authorize any increase in the diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 3582A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water and 3) it is in the public interest. This application will be considered by the Water Management Board in Room 216, Joe Foss Bldg., 523 E Capitol, Pierre SD on July 25, 1990 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by July 13, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by July 13, 1990.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Bon Homme) ss.

I, Wayne L. Beckman

certify that the attached printed Notice was taken from the Tyndall Tribune Register

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 Tyndall of Tyndall

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

June 27, 1990
July 4, 1990

Wayne L. Beckman
(Signature)
Publisher
(Title)
7-4-90
(Date Signed)

Cost of Printing: 627-90 81 hours @ 26.2 - 14.2 = 22.72
7-4-90 100 22.72 2.10 10.23
24.72 91.50

NOTICE OF HEARING
on Application No. 3582A-3
to Amend Water Permit No. 3582-3
Notice is given that Beckmans Inc., RR 1 Box 103A, Tyndall, SD 57066-9606 has filed an application for a water permit to specify the correct location of an existing irrigation well. Water Permit No. 3582-3 authorizes irrigation of the SE1/4 from one well that was to be located near the center of the SE1/4; all in Section 19-T94N-R60W. The correct location of the existing well is in the NE1/4 SE1/4 of Section 19-T94N-R60W. This amendment does not authorize any increase in the diversion rate.
Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 3582A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water and 3) it is in the public interest. This application will be considered by the Water Management Board in Room 215, Joe Foss Building, 523 E. Capitol, Pierre, SD on July 25, 1990 at 10 a.m. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by July 13, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by July 13, 1990.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-6-3, 46-6-3.1, 46-6-8.1, 46-6-10, 46-8-12, 46-6-14, and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.
(June 27 & July 4)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, April 24, 1990

RECEIVED OF Bochman's Inc., RR #1 Box 104A, Tyndall, SD 57066
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>35841-3</u> to Appropriate Water, to construct works 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		
Fee for Filing Extension Request		
Fee for Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for _____ (Any Other Work Provided by Law)		
Total	50	00

By [Signature]
Chief Engineer

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 3582A-3

(1) Bochmans Inc. of RR #1 Box 103A, Tyndall SD 57066 made Application No. 3582A-3, April 24, 1990 for a water permit to appropriate no add'l cubic feet of water per second from groundwater (one well), Bon Homme County, South Dakota for irrigation purposes. Permit No. 3582A-3 with a priority date of August 19, 1976 was approved July 25, 1990 and issued to applicant(s) for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Permit No. 3582A-3 amended Water Permit No. 3582-3 to specify the correct location of the existing irrigation well. No. 3582A-3 does not authorize an increase in the diversion rate or acres irrigated.

The applicable portions of Water Permit No. 3582-3 are incorporated into this Water License No. 3582A-3. An August 19, 1976 priority date is retained.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is: 1250 feet N23°W from the SE corner of Section 19, T94N, R60W (NE1/4 SE1/4 SE1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T94N, R60W Section 19	NE1/4 SE1/4	27 acres
	NW1/4 SE1/4	36 "
	SW1/4 SE1/4	36 "
	SE1/4 SE1/4	26 "
	Total	125 acres

(4) Pursuant to Section 46-5-30.1 Bochmans Inc. of RR #1 Box 103A, Tyndall SD 57066 the holder(s) and/or owner(s) of Incorporated No. 3582A-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater (one well) with a priority date of August 19, 1976 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated No. 3582A-3 and subject to South Dakota State Law.


NOV 7 1990
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Water and Natural
Resources

Water District

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Boehmans Inc.
1,354 105
of RR #4, Tyndall, SD holder of

Permit No. 3582-3, bearing the priority of August 19 1976 authorizing
the diversion of 4.4 cu. ft. per second of the waters of ground water
for irrigation purposes, in Bon Homme County.

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

A. Works used to divert the water: The system consists of one well 211 feet deep constructed by Dakota Boring Co., (SD License No. 234). A well log is not available for this well. The well has 171 feet of 16-inch Dia. casing with 40 feet of 16-inch Dia. PVC screen. The pump is a National 8-inch pump with 7 stages capable of 800 gpm. The motor is an Allis-Chalmers electric 100 HP, with a rating of 37HP.

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

The distribution line is an 8-inch Dia. PVC pipeline 820 feet long.

C. Works used to apply water to beneficial use: Water is applied to beneficial use through a Olson Center Pivot system. The system has 10 towers, with a span of 115 feet between towers. The overall length of the pivot is 1212 feet. The pivot has an end gun, operates at 40 psi with 800 gpm.

The system is in the following condition GOOD

The point of diversion is located 1250 feet N 23°W from the SE corner of Sec. 19, T94N-R60W;
(NW 1/4 NE 1/4 SE 1/4 SE 1/4 Sec. 19, T94N-R60W)

The works are capable of diverting and conveying to the place of use 1.78
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: NE 1/4 SE 1/4 - 27 acres, NW 1/4 SE 1/4
- 36 acres, SW 1/4 SE 1/4 - 36 acres, SE 1/4 SE 1/4 - 26 acres; all in Sec. 19, T94N-R60W

comprising a total of 125 acres of land and the license should be issued for 1.78 cfs

Applicable permit qualifications have been complied with Yes No Inspected Sept 14, 1987

Exceptions to compliance are: _____ Date Dec 8, 1989

K. A. Bulth
is engineer.

LICENSE FOR PERMIT NUMBER 3582-3

1. Legal location of wells: 1250 feet N 23° W from the SE corner of Sec. 19, T94N-R60W
(NW 1/4 NE 1/4 SE 1/4 SE 1/4 Sec. 94N-R60W)
dams & structures: _____
2. Well Information: Well Drilling Firm Dakota Boring Co. (SD License #234),
No. of wells one Depth 211
Casing a) diameter 16-inch Screen a) type PVC
b) length 171' b) length 40'
c) type PVC Static Water Level 90'
Pump a) make National Pump Pumping Level 85.5'
b) model N260-3 Motor a) make Allis-Chalmers
c) size 8-inch b) model no. type HSRG
d) capacity 800 GPM c) horsepower rating 100 HP
e) turbine pump d) motor efficiency rating
no. of stages 7 87 HP
SN 577-854 SN 1-5123-07325-1-2
3. Distribution lines:
a) size of lines 8-inch
b) type PVC with a steel gooseneck
c) length 820 feet
4. Dam information:
a) height to crest _____ i) Outlet tubes:
b) height to spillway _____ 1) diameter _____
c) crest width _____ 2) type _____
d) crest length _____ 3) valued (Y/N) _____
e) spillway length _____ 4) valve type _____
f) spillway width _____ 5) location on structure _____
g) approx. storage _____
h) Distribution lines or canals:
1) size _____
2) type _____
3) length _____
5. System Type: a) sideroll: b) towline:
1) length _____ feet 1) length _____ feet
2) diameter of pipe _____ 2) make, model & number of sprinklers _____
3) make, model & number of sprinklers _____
4) spacing of sprinklers _____ 3) spacing of sprinklers _____
5) nozzle size _____ 4) nozzle size _____

5. System Type: c) center pivot d) Gate Pipe
- 1) make Olson Serial # 4034
model # 103P
- 2) number of towers 10
- 3) distance between towers
115 feet
- 4) overall length 1212 feet
- 5) End gun ☒ Nelson 100
- 6) high or low pressure high
- 7) make & size of nozzles
Nelson nozzles
- 8) PSI reading while system is
running 40 psi
- 9) GPM 800
- e) Siphons
- 1) number _____
- 2) size _____
- f) Portable boom
- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- g) Gun
- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____
- h) Hydromatic
- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES	NO	Check Items
☒	☐	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.
☐	☐	2. Special Qualifications to permit being abided by.
☐	☐	3. All Structures, wells and lands on map.

REMARKS:



Department of Water & Natural Resources

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

3582A-3

NOV 7 1990

Merlon Bochman
Bochman's Inc.
RR #1 Box 103A
Tyndall SD 57066

Dear Mr. Bochman:

Enclosed is Water Permit No. 3582A-3 and Water License No. 3582A-3. These is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412054 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 3582A-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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. If you have any questions, please contact our office.

Very truly yours,

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

enclosures

NOTE: The applicable portions of Water Permit No. 3582-3 are incorporated into Water License No. 3582A-3.

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

Pierre, January 23, 1990

RECEIVED OF Dochow, Inc., RR #1 Box 3058 Tyndall, SD 57086

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>Water Permit No. 3587A3</u>		50 00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By J. H. [Signature]
Chf. Engineer

3582A-3



SECURITY STATE BANK

P.O. Box 9, Tyndall, South Dakota 57066 • 605/589-3313



October 16, 1990

SD Department of Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Dear Sirs:

Enclosed please find a copy of the "Quit Claim Deed" between Eochman's Incorporated and Security State Bank, PO Box 9, Tyndall, SD.

Security State Bank has obtained in interest in the land described in the deed and wishes to transfer the water permit. Enclosed is a copy of what we believe is the current permit number for Eochman's Inc.

Please send us a "Notice of Transfer of Water Permit" so we may complete this process.

If you have any questions, please let me know.

Sincerely,

Thomas S. Laird
Vice President

TSL/ljt

Enc.

cc: Roger Damgaard

QUIT CLAIM DEED

Bochman's, Inc., a corporation, and Merlon N. Bochman and Carol Kathleen Bochman, husband and wife. Grantors, of Rural Route 1, Box 103, Tyndall, South Dakota, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, convey and quit claim to Security State Bank of Tyndall, South Dakota 57066 P.O., the Grantee, all of their right, title and interest including without limitation all after acquired title and homestead rights in the following described real estate in the County of Bon Homme in the State of South Dakota:

Northwest Quarter (NW1/4) of Section Nineteen (19) in Township Ninety-four (94), North of Range Sixty (60), West of the Fifth Principal Meridian, in Bon Homme County, South Dakota

The Southeast Quarter (SE1/4) of Section Nineteen (19) in Township Ninety-four (94), North of Range Sixty (60), West of the Fifth Principal Meridian, in Bon Homme County, South Dakota, excepting highways of record AND the north 1540 feet of the south 1590 feet of the east 453 feet.

Exempt from transfer fee. SDCL § 43-4-22(6).

This conveyance is not intended as a merger of the lien of the Mortgage with the title of the Grantee.

Dated this 10th day of October, 1990.

BOCHMAN'S, INC.

(SEAL)

By [Signature]
Its _____

[Signature]
Merlon N. Bochman

[Signature]
Carol Kathleen Bochman



STATE OF SOUTH DAKOTA)
: SS
COUNTY OF BON HOMME)

On this the 10th day of October, 1990, before me,
Thomas S. Reid, the undersigned officer, personally
appeared Merlon N. Bochman, who acknowledged himself
to be the President of Bochman's, Inc., a
corporation, and that he, as such President, being
authorized so to do, executed the foregoing instrument for the
purposes therein contained, by signing the name of the corporation
by himself as President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Thomas S. Reid
Notary Public - South Dakota

My Commission Expires: 12-12-97

STATE OF SOUTH DAKOTA)
: SS
COUNTY OF BON HOMME)

On this the 10th day of October, 1990, before me,
Thomas S. Reid, the undersigned officer, personally
appeared Merlon N. Bochman and Carol Kathleen Bochman, known to me
or satisfactorily proven to be the persons whose names are
subscribed to the within instrument and acknowledged that they
executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Thomas S. Reid
Notary Public - South Dakota

My Commission Expires: 12-12-97





DEPARTMENT OF WATER & NATURAL RESOURCES

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

January 22, 1991

3582A--3

Thomas S Laird, Vice President
Security State Bank
PO Box 9
Tyndall, SD 57066

Dear Mr. Laird:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 3582A-3. The water right is currently listed in the name of Bochman's Inc.

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

I apologize for the length of time it has taken me to get the "Transfer of Ownership" form mailed to you. I ran across your October 16, 1990 letter today and realized no followup had been done.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3332

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

No. 3582A-3

TO: Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, SD 57501-3181

Date: 3-12-91

I/We request that Water Permit/Right No. 3582A-3

formerly owned by: Bockman's Inc

P.O. Box 9

be transferred to: (name & address) Security State Bank - Tyndall, SD 57066

(telephone No.) (605)589-3313

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

SE 1/4 Section 19, T94N, R60W

I/We understand that the validity of Water Permit/Right No. 3582A-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 at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA

County of Bon Homme

I/We Thomas S. Laird being first duly sworn on my oath depose and say in relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Thomas S. Laird
(Signed)

Subscribed and sworn to before me this 12 day of March, 1991.

Notary Public

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water 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.



DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 12, 1991

No. 3582A-3

Security State Bank
P.O. Box 9
Tyndall, SD 57066

Dear Sirs:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 3582A-3.

Our records now show you as the owner of Water Right No. 3582A-3.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
605 773-3352

enclosure

RECEIPT
Division of Water Rights
South Dakota Department of Water and Natural Resources

Pierre, March 18, 1991

RECEIVED OF Security State Bank, FD No. 9, Tyndall, SD 57060

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right 3502A-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By [Signature]
Chief Engineer

3582A-3



SECURITY STATE BANK

PO Box 9, Tyndall, South Dakota 57066

Ph. 605-589-3313

FAX 605-589-3315



December 15, 1993

Water Rights Division
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181

RE: Irrigation Questionnaires

Enclosed is our completed questionnaire for water permit number 3582A-3.

In the past, we have also filled out a questionnaire for permit number 3583-3. This was land that was in the bank's name until being sold on a Contract for Deed to Aaron Hellmann.

It is my understanding that Mr. Hellmann received the questionnaire this year and has completed it. Please send me a copy of the completed questionnaire for my files.

If you have any questions, please feel free to give me a call.

Sincerely,

Thomas S. Laird
President

TSL/ljt

Enclosure



3582A-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 21, 1993

3582A-3
3583-3

Thomas S Laird, President
Security State Bank
PO Box 9
Tyndall, SD 57066-0009

Dear Mr. Laird:

Thank you for returning the irrigation questionnaire for Water Permit No. 3582A-3. Enclosed, as you requested, is a copy of the irrigation questionnaire for Water Permit No. 3583-3, listed in the name of Aaron Hellman.

If you have any questions, please contact me.

Sincerely,

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

encl

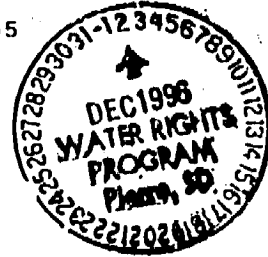


SECURITY STATE BANK

PO Box 9, Tyndall, South Dakota 57066

Ph. 605-589-3313

FAX 605-589-3315



November 25, 1996

Water Rights Division
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

RE: Irrigation Questionnaire

Dear Sirs:

Enclosed please find the completed questionnaire forms for the 1996 irrigation year. These irrigation systems are being run by customers of ours that are in the process of purchasing the real estate they are attached to. Therefore, we have contacted the customers for their usage of the systems.

One of the irrigators was not used in 1996. The other irrigation system was used and I have attached the farmers report of usage on the irrigator. If you have any questions, please feel free to contact me and I will then contact the individual that reported to us.

Sincerely,

Lois J. Tjeerdsma
AVP/Asst. Cashier

Enclosures

2005 Water Management Board Irrigation Questionnaire

Please fill out and return before December 2, 2005

Jim
3582A-3

REMEMBER! Return of this questionnaire is required whether or not you irrigated this year.

Return the completed form(s) to the Water Rights Program at 523 E Capitol, Pierre, SD 57501-3181 (605) 773-3352 or send your form(s) electronically over the internet at <https://www.state.sd.us/eforms/secure/eforms/E0455V4-IQ.pdf>

Permit No. 3582A-3
THOMAS S LAIRD, PRES
SECURITY STATE BANK
PO BOX 9
TYNDALL SD 57066 0009

Any address/ownership corrections?

Telephone No. _____

1. Is the system constructed? *yes X no _____

*Type of system used (check all that apply):

center pivots X towlines _____ big gun _____
flood _____ sprinklers _____ other _____

3. Is the land enrolled in CRP? *yes _____ no X
*If yes, through what year? _____

4. Did you apply chemicals or fertilizer through the system in 2005? yes _____ no X

2. Did you irrigate in 2005? *yes _____ **no X

*If yes, number of acres irrigated _____

**If no, list reason(s) in comment box and answer No. 3:

Comment Box

Pivot and wiring are in poor repair.



BB	BA	AB	AA
(B)		(A)	
BC	BD	AC	AD
CB	CA	DB	DA
(C)		(D)	
CC	CD	DC	DD

1 square mile

Office use only

RECEIVED

DEC - 5 2005

WATER RIGHTS
PROGRAM

Acreage permitted for irrigation under No. 3582A-3 (see above section map for help reading legal descriptions)

sec 19-T094N-R60W, DA -- 27.00 acres

sec 19-T094N-R60W, DB -- 36.00 acres

sec 19-T094N-R60W, DC -- 36.00 acres

sec 19-T094N-R60W, DD -- 26.00 acres

Please provide your 2005 water use to irrigate the above acreage on the REVERSE side of this form.

For an updated example questionnaire, please refer to the reverse side of your cover letter.

Reported Water Use

12/14/2005

Permit No	Year	Name	Not Irrig	Not Constr
3582A-3	1990	SECURITY STATE BANK		
3582A-3	1991	SECURITY STATE BANK		
3582A-3	1992	SECURITY STATE BANK		
3582A-3	1993	SECURITY STATE BANK	X	
3582A-3	1994	SECURITY STATE BANK	X	
3582A-3	1995	SECURITY STATE BANK		
3582A-3	1996	SECURITY STATE BANK		
3582A-3	1997	SECURITY STATE BANK		
3582A-3	1998	SECURITY STATE BANK		
3582A-3	1999	SECURITY STATE BANK		
3582A-3	2000	SECURITY STATE BANK		
3582A-3	2001	SECURITY STATE BANK	X	
3582A-3	2002	SECURITY STATE BANK		
3582A-3	2003	SECURITY STATE BANK	X	
3582A-3	2004	SECURITY STATE BANK	X	



December 15, 2005

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

3582A-3

Thomas S Laird, President
Security State Bank
PO Box 9
Tyndall SD 57066-0009

Dear Mr. Laird:

I am writing in regard to your Water Right No. 3582A-3 and to ensure that you are aware of water use requirements. The water right authorizes irrigation of the SE ¼ Section 19-T94N-R60W. On your 2005 irrigation questionnaire you indicated the pivot and wiring are in poor repair.

Water rights must be used in order to maintain them. Under South Dakota Water Law, water must be placed to beneficial use for the purpose it was appropriated, at least once every three years, unless legal excuse exists for not irrigating. Enclosed are excerpts of our water laws and Water Management Board Rules dealing with these issues.

If you decide to discontinue irrigation as authorized by Water Right No. 3582A-3, please contact us. At that time we can schedule the water right for cancellation consideration.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
email: karen.schlaak@state.sd.us

enclosure

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Lois w/Security State Bank in Tyndall

DATE: December 21, 2005

TELEPHONE: 605589-3313

RE: status of 3582A-3

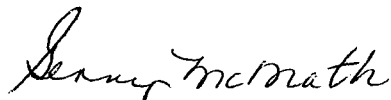
COMMENTS:

In response to the 2005 irrigation questionnaire which had a comment about pivot and wiring were in poor repair, Karen wrote the bank to make them aware of the requirements for maintaining a water right and asked them if they had decided to abandon irrigation.

Lois (no last name given) called regarding the letter. She indicated they are currently selling the land on a contract for deed and that person is the one who supplies them with information for the annual questionnaire. We discussed the three year – lose it or lose it plan and I indicated to her that our records show it's only been a couple years since the land was irrigated. We were not trying to pursue cancellation at this time and depending on the reasons for non-use the last couple years, the buyer of the land may or may not have had legal excuse.

Our letter to the bank was to make them aware ahead of time the criteria for maintaining a water right. She said she would visit with the person buying the land and find out if they were going to be repairing the pivot or not and if they wanted to maintain the water right.

Nothing needs to be done with the water right at this time.



Genny McMath
Environmental Scientist

SEP 04 2007

WATER RIGHTS
PROGRAM

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

Water Right/Permit No. 3582A-3Date: 7-31-07

I/We request that Water Right/Permit No. 3582A-3 formerly owned by:
Security State Bank of Tyndall, P.O. Box 9, Tyndall, SD 57006 be transferred to:

New Owner Name: Douglas E. Van Gerpen and Darla R. Van Gerpen
Address: 40930 305th St.
City, State, Zip Avon SD 57315 Telephone No. (605) 286-3735

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

The Northwest Quarter (NW¼) of Section Nineteen (19), Township Ninety-four (94) North, Range Sixty (60), West of the Fifth Principal Meridian; and

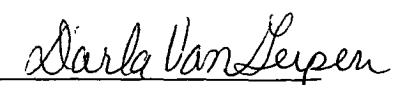
The Southeast Quarter (SE¼) of Section Nineteen (19), Township Ninety-four (94) North, Range Sixty (60), West of the Fifth Principal Meridian; excepting highways of record and the North 1,540 Feet of the South 1,590 Feet of the East 453 Feet, Bon Homme County, SD.

☒ I understand that the validity of Water Right/Permit No. 3582A-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 Two Dollars and Fifty Cents (\$2.50) is included to cover the filing fee as required by SDCL 46-2-13.

I, Douglas E. Van Gerpen & Darla R. Van Gerpen, the new owner, certify that the above information is true and correct.

 
(Signed by new owner) 7/31/07

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 September 4, 20 07

RECEIVED OF Douglas Van Gorpel 40930 305th St. Brook SD 57315

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>3587A-2</u>	2	50
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	2	50

No.

By

Harold Enck

Chief Engineer

20



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 4, 2007

3582A-3

Douglas E & Darla R Van Gerpen
40930 305th St
Avon SD 57315

Dear Mr. & Mrs. Van Gerpen:

I am writing to acknowledge receipt of the ownership change and filing fee you submitted for transferring Water Right No. 3582A-3. The transfer has been completed. The water right, formerly listed in the name of Security State Bank is now listed in your names.

I note from the transfer form that you included both the NW $\frac{1}{4}$ and SE $\frac{1}{4}$ of Section 19, T94N, R60W. The water right only authorizes irrigation of the SE $\frac{1}{4}$ of Section 19. I didn't know if you were aware of that or not.

An additional item I wanted to make you aware of is that in order to maintain water rights, they need to be used. I am including excerpts of our water laws and Water Management Board rules dealing with this issue.

Enclosed is your Receipt No. 03149 in the amount of \$2.50. You may keep this for your records.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: 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: DOUGLAS & DARLA VAN GERPEN, 40930 305TH ST, AVON, SD 57315

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) 3582A-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) 3582A-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) 3582A-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: DSZCBX**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 8, 2024

3582A-3

Douglas & Darla Van Gerpen
40930 305th St
Avon SD 57318

Dear Mr. & Mrs. Van Gerpen:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 3582A-3. The information was received prior to the March 6, 2024, Water Management Board meeting and this permit number has been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@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, 2026

NOTICE

TO: DOUGLAS & DARLA VAN GERPEN, 40930 305TH ST, AVON, SD 57315
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) 3582A-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) 3582A-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) 3582A-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: UCIPIM**

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 6, 2026

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

TO: Doug & Darla Van Gerpen, 40930 305th St, Avon SD 573015

FROM: Adam Mathiowetz, PE, Acting Chief Engineer
DANR - Water Rights Program

SUBJECT: One Year Suspension of Water Right No. 3582A-3

On March 4, 2026, the South Dakota Water Management Board ordered:

- Effective April 3, 2026, Water Right No. 3582A-3 be suspended for the 2026 irrigation season.

This action was taken by the Board for failure to return the 2025 irrigation questionnaire. If the 2025 irrigation questionnaire is received prior to April 3, 2026, the suspension will not take effect.

A one-year suspension of Water Right No. 3582A-3 means water may not be pumped during the 2026 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2026 unless the 2025 irrigation questionnaire is submitted prior to April 3, 2026.

After April 3, 2026, you may petition the Board to rescind the suspension. You will need to submit, to the Water Rights Program, the 2025 irrigation questionnaire and a letter including your reason for not completing the 2025 irrigation questionnaire within the allotted time and requesting time on the agenda for the next Water Management Board meeting. The next Water Management Board meeting is scheduled for May 6, 2026, in Pierre SD.

Decisions made by the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Please contact Amanda Dewell, Water Rights Permitting Administrator (605) 773-3352 with any questions.

NOTE: Water Rights staff will conduct unscheduled compliance checks of suspended water rights to ensure irrigation is not taking place.

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Doug & Darla Van Gerpen
40930 305th St
Avon, SD 57315

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

CERTIFICATION

The undersigned hereby certifies under the penalty of perjury that I have personally mailed a true and correct NOTICE OF ONE- AND THREE-YEAR SUSPENSION OF WATER RIGHT dated March 6, 2026, via certified mail to the following parties.

Chance & Michelle Wientjes
PO Box 96
Mobridge, SD 57601

Vernon & Marlys Walkling
29832 267th Ave
Crookston, NE 69212

Vasgaard Properties
28746 462nd Ave
Centerville, SD 57014

Doug & Darla Van Gerpen
40930 305th St
Avon, SD 57315

John & Bryan Uecker
PO Box 573
Wagner, SD 57380

Twisted Land & Cattle Co.
C/O Brad Peterson
19030 391st Ave
Hitchcock, SD 57348

Tilton Ranch Inc.
C/O Janet Burback
2199 Skinner Rd
Belgrade, MT 59714

Dale Sprague
16221 Twilight Rd
Mud Butte, SD 57758

Greg & Evette Rihanek
814 E State St
Plankinton, SD 57368

Wayne Reiersen
30048 Reiersen Pl
Pollock, SD 57648

Charlotte or Phillip Nichols
7497 Rolling Meadow Dr
West Chester, OH 45069

Wilma Heien (Walter Heien)
PO Box 145
Blunt, SD 57522

David & Jerry Wieber
PO Box 238
Lidgerwood, ND 58053

Vintage Square Estates
PO Box 594
Ft Pierre, SD 57532

Valley View Farms Inc.
17716 458th Ave
Watertown, SD 57201

Kash & Trish Van Dyke
48549 219th St
Elkton, SD 57026

Oscar Inc.
C/O Floyd Peterson
209 27th St NW
Huron, SD 57350

Dan & David Trudeau
33927 478th Ave
Jefferson, SD 57038

Terrill Farms Inc.
C/O Tony Terrill
42099 176th St
Clark, SD 57225

Swan Creek Land Co. Inc
PO Box 435
Akaska, SD 57420

Six Mile Creek Golf Course
20307 483rd Ave
White, SD 57276

Robert Phelps Jr
16220 Spring Valley Rd
Piedmont, SD 57769

GW Evridge
20151 Saddle Ct
Whitewood, SD 57793

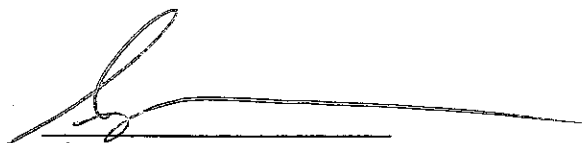
Mark & Melvin Morlock
33820 112th St
Eureka, SD 57437

Laverne Neuharth
33567 109th St
Eureka, SD 57437

Central Valley Golf Club
700 E Hwy 38
Hartford, SD 57033

Dale & Mary Helen Bisson
PO Box 844
Ft Pierre, SD 57532

Ryan Edwards
25331 Yellow Eagle Rd
White River, SD 57579



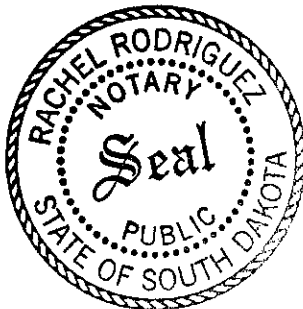
Alyce McGhee
Senior Secretary-Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 6 day of March, 2026.



Rachel Rodriguez Notary Public
My Commission expires May 16, 2029





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 26, 2026

3582A-3

Douglas & Darla Van Gerpen
40930 305th St
Avon, SD 57315

Dear Van Gerpens:

This letter acknowledges receipt of your 2025 irrigation questionnaire that we received on March 26, 2026, for Water Right No. 3582A-3.

The Water Management Board moved to suspend the water right listed above for one year if the required questionnaire was not submitted by April 4, 2026. Since we have now received your information, the prior "Notice of Entry of Order for One Year Suspension" no longer applies and may be disregarded.

Sincerely,

Shannon Konst

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us