

Considered _____ WATER PERMIT NO. 4133A-3

Phone: _____

Name of Applicant: Charles Alverson

Post Office Address: RR, Chester SD 57016

Amount of Water Claimed: 1.14 (no add'l) Total Acres: 80 (no add'l)

Source of Water Supply: groundwater

Water to be used for: irrigation County: Lake

About 1/2 W miles _____ of Chester

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C/L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY Date Received: 9-25-91 Fee: \$50 Remarks Change the

location of 14 acres irrigated on Water Permit No. 4133-3

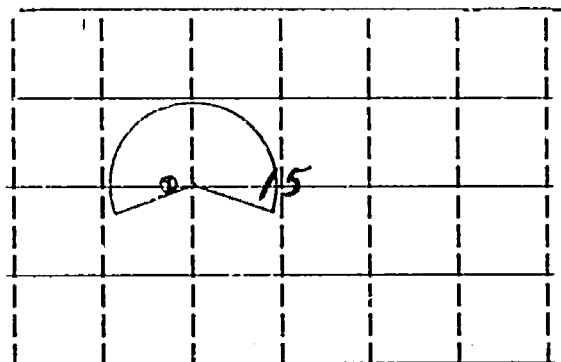
Corrected Application Received _____ Period of Annual Use April 1 - October 31

WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point: between the SW 1/4 NW 1/4 and
NW 1/4 SW 1/4 Sec 15-T105N-R51W

Land to be Irrigated: S 1/2 NW 1/4, N 1/2 SW 1/4
Sec 15-T105N-R51W



Well Log: Driller: Grimshaw Drilling Licensed YES X NO _____

Depth of Well: 70' REMARKS _____

Type of Map: aerial PREPARED BY: Greg Johnston Reviewed and the Number

Assigned on 10-23-91 By Karen Schlaak

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 4133A-3

(1) Charles Alverson of RR 1, Box 45, Chester, SD 57016 made Application No. 4133A-3, September 25, 1991 for a water permit to appropriate no additional cubic feet of water per second from groundwater (one well), Lake County, South Dakota for irrigation purposes. Permit No. 4133A-3 with a priority date of August 26, 1977 (established under Water Permit No. 4133-3) was approved January 21, 1992 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. 4133A-3 specifies the correct location of acreage irrigated under Water Permit No. 4133-3. No. 4133A-3 did not allow for an increase in the diversion rate or in acres irrigated.

The applicable portions of Water Permit No. 4133-3 have been incorporated into this Water License No. 4133A-3.

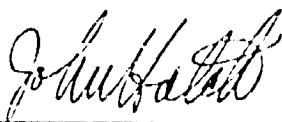
(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.11 cubic feet of water per second for beneficial use. The location of the diversion point is: 1135'E and 2640'S of the NW corner of Section 15, T105N, R51W.

(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:

T105N, R51W Section 15	SW 1/4 NW 1/4	33 Acres
	SE 1/4 NW 1/4	33 Acres
	NW 1/4 SW 1/4	7 Acres
	NE 1/4 SW 1/4	7 Acres
	Total	-----80 Acres

(4) Pursuant to Section 46-5-30.1 Charles Alverson of RR 1, Box 45, Chester, SD 57016 the holder(s) and/or owner(s) of Incorporated Water Permit No. 4133A-3 is issued a license to

appropriate water, the right to use 1.11 cubic feet of water per second from groundwater (one well) with a priority date of August 26, 1977 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 Water Permit No. 4133A-3 and subject to South Dakota State Law.



NOV 23 1992

JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources

SOUTH DAKOTA
WATER PERMIT No. 4133A-3 FOR IRRIGATION

Date of first receipt of application September 25, 1991.
Date Soil/Water Compatibility Permit received October 28, 1991.

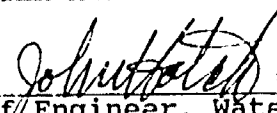
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 4133A-3 to Charles Alverson, RR 1, Box 46, Chester SD 57016 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 4133A-3 specifies the correct location of irrigated acres. Water Permit No. 4133-3 authorizes irrigation of 80 acres located in the S 1/2 NW 1/4 from one well (Big Sioux:North Skunk Creek) located in the SW 1/4 NW 1/4 Section 15-T105N-R51W. An inspection of Permit No. 4133-3 found 1 well constructed supplying 1.14 cubic feet of water per second to irrigate 80 acres. This permit corrects the location of 14 of the 80 acres being irrigated. The correct location of the 14 acres is the N 1/2 SW 1/4 Section 15-T105N-R51W. No increase in the diversion rate or number of acres being irrigated is authorized by this permit.
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 - October 31.
3. The date from which applicant may claim right is August 26, 1977.
4. The date of approval of Permit No. 4133A-3 is January 21, 1992.
5. 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

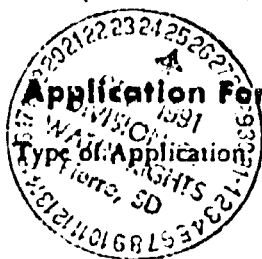
By: 
Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

AUG 7 1992
date

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

(See instructions)

No. 4133-3 Hydrologic Unit 101/10200
Basin 1135' East and 2640' South of the NW corner of Section 15-
Newspaper 1135' East and 2640' South of the NW corner of Section 15-



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

- ☐ New ☐ Vested Right ☒ Amend Permit No. 4133-3
☒ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____

- Name of Applicant Charles M. Alverson Phone No. _____
Post Office Address RR Chester, SD State SD Zip Code 57616
(Street, RR or Box) (City)
- Amount of water claimed (c.f.s.) 1.14 (No add'l) Total acres irrigated 80 (No add'l)
- Source of Water supply Big Sioux Aquifer - North Skunk Creek Unit
- Location of point of diversion 1135' East and 2640' South of the NW corner of Section 15-
T105N-R51W
- Counties where water will be used Lake County Lake
- Annual period during which water is to be used April thru October 31
- 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.
SW1/4 NW1/4 Sec 15-T105N-R51W	33
SE1/4 NW1/4 Sec 15-T105N-R51W	33
NW1/4 SW1/4 Sec 15-T105N-R51W	7
NE1/4 SW1/4 Sec 15-T105N-R51W	7

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: X Gun: _____ Other: _____
9. Crops to be Irrigated: Corn, beans (Specify)

10. Give a description of proposed project. (Attach sheet if more space is needed)

Inspected No. 4133-3 on 9/3/91 and found adjacent lands in NW1/4 and NE1/4 of SW1/4 of Sec 15-T105N-R51W being irrigated. Pursuant to General Rules No. 74:02:01:14.01, No. 3 I am correcting the permit for different lands. The present system includes a Reinke 7 Tower center Pivot with Rain Bird Sprinklers and End Gun, 1320' long

Attachments: Attach Form 2A 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 Lake)^{ss}

I, Charles M. Alverson, 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 Charles M. Alverson

Subscribed and sworn to before me this 24th day of September 1991

My Commission Expires March 8, 1993

Notary Public

Report on Application No. 4133A-3
Charles Alverson
November 19, 1991

This application proposes to correct the specific location of the acreages being irrigated. Water Permit No. 4133-3 authorizes irrigation of 80 acres located in the S1/2 NW1/4 from one well located within the SW1/4 NW1/4 Section 15-T105N-R51W. An inspection of Permit No. 4133-3 found 1 well constructed and supplying 1.14 cubic feet of water per second to irrigate 80 acres. This application is to correct the location of 14 of the 80 acres being irrigated. The correction of the 14 acres is in the N1/2 SW1/4 Section 15-T105N-R51W. No increase in the diversion rate or number of acres being irrigated is authorized by this application.

Aquifer - Big Sioux (North Skunk Creek Unit)

The North Skunk Creek is a glacial aquifer consisting of a poorly sorted, sandy gravel northwest of Lake Madison and grades into a well sorted sand and gravel southeast of Lake Madison (Ellis and Adolphson, 1965). The aquifer is predominantly under water table conditions throughout its areal extent; however, in the south-central portion of T105N-R51W the aquifer can be found under as much as 60' of till and is under artesian conditions. The aquifer underlies 24,700 acres and contains an estimated 70,400 acre-feet of recoverable water (Hedges, 1982). The estimated recharge is 3.1 inches per year (Hedges, 1982) or 6400 acre-feet per year for the North Skunk Creek Unit. Fluctuations in observation well levels and lake levels indicate that Lakes Madison, Herman and Brant are hydraulically connected to the aquifer (Hansen, 1986) and may recharge the aquifer or cause discharge from the aquifer depending upon seasonal lake levels. In addition, recharge to the aquifer occurs from infiltration of precipitation and melting snow. Water is available from the North Skunk Creek Unit.

The Division of Water Rights monitors observation well LK-79C which is approximately one mile directly west of the diversion point (Water Rights Division, 1991). Water levels have fluctuated from 17.1 to 28.8 feet below the ground surface measured during extremely wet (1984) and dry (1981 and 1991) periods. Depending upon the availability of recharge, the groundwater levels will remain high all year as during the years 1983-1987. Regardless of the higher water levels, there appears to be a consistent 2 to 3 foot decline in water levels from spring to fall during any given year. The effects of drawdown from pumping wells is not apparent on the hydrograph of LK-79C. Water levels are closely related to the amount of recharge and/or discharge to and from nearby lakes and North Skunk Creek and do not decline greatly regardless of withdrawals by irrigators near LK-79C.

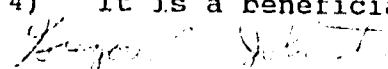
Existing Water Permits

There were 17 water permits (including No. 4133A-3) in 1990, with up to 6989 acre-feet authorized for appropriation with 550 acre-feet of

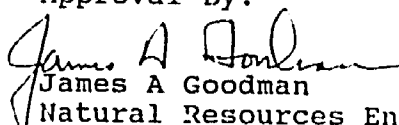
actual use from the North Skunk Creek Management Unit in Lake County (Water Rights Division, 1991). There are two water permits adjacent to No. 4133A-3. One-half mile directly west of this site is No. 5422-3 (Larry Alverson), a permit for one well and 2.2 cfs. One-quarter mile to the south is permit No. 1328-3 (Charles Alverson) for one well and 2.5 cfs. There have been no reported problems with interference from any of the irrigation wells with each other or any other nearby domestic wells.

Conclusions:

- 1) Water is available from the Big Sioux Aquifer-North Skunk Creek Unit. The estimated annual recharge is 6400 acre-feet with 550 acre-feet used for irrigation.
- 2) Ground water levels are maintained as long as there is adequate recharge from surface precipitation, Skunk Creek, Lakes Brant, Madison and Herman.
- 3) Interference is not a problem - existing rights will not be unlawfully impaired.
- 4) It is a beneficial use of water.

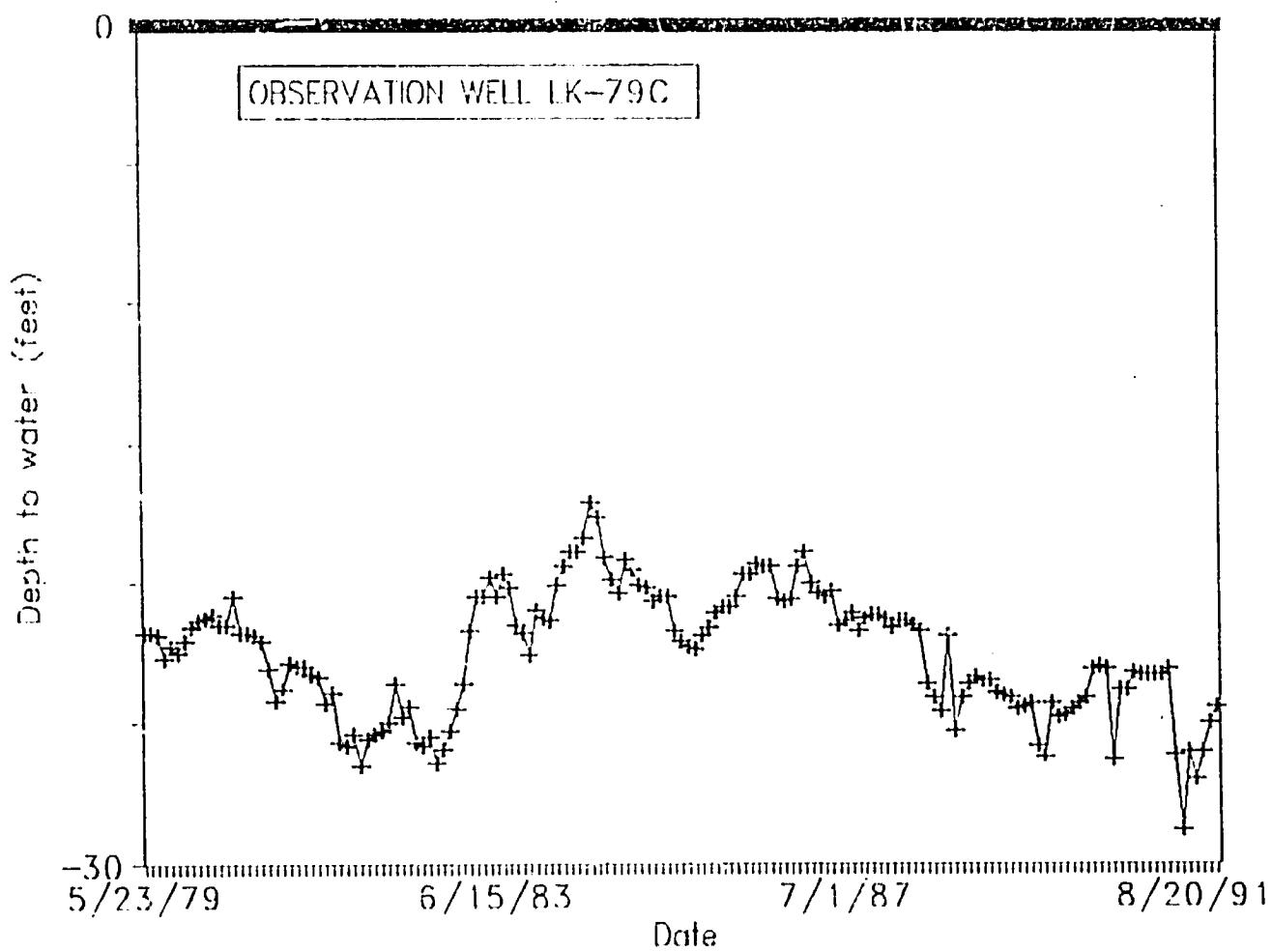

Gregory C. Johnston
Natural Resources Engineer

Approval By:


James A. Goodman
Natural Resources Engineer IV

BIBLIOGRAPHY

- Ellis, M.J., Adolphson, D.G., 1965, Hydrogeology of the glacial drift in the Skunk Creek-Lake Madison drainage basin, southeastern South Dakota. U.S. Geological Survey Hydrologic Investigations Atlas HA -311.
- Hansen, D.S., 1986, Water Resources of Lake and Moody Counties, South Dakota. U.S. Geological Survey Water Resources Investigations Report 84-4209.
- Hedges, L.S., Et al., 1982, Evaluation of Ground-water Resources of Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, DENR, SDGS, Vermillion, SD 57069
- Water Rights Division, 1991, Observation Well Files, LK-79C, DENR, Division of Water Rights, Joe Foss Building, Pierre, South Dakota.
- Water Rights Division, 1991, 1990 Irrigation Summary by County, Division of Water Rights, Joe Foss Building, Pierre, South Dakota.



RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 4133A-3, Charles Alverson

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 4133A-3, Charles Alverson, RR, Chester, SD 57016.

The Chief Engineer is recommending APPROVAL of Application No. 4133A-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) 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 report on application for additional information.



JOHN HATCH, Chief Engineer
November 19, 1991

South Dakota

4133A-3

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

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

December 17, 1991

Charles Alverson
RR
Chester, SD 57016

Dear Mr. Alverson:

Water Permit Application No. 4133A-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 Madison Daily Leader printed at Madison, SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are 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 Hearing 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. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely, .

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

South Dakota

4133A-3

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 17, 1991

Madison Daily Leader
PO Box 348
Madison, SD 57042

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 4133A-3 to be published twice. Please publish the first notice on December 24, 1991, 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 Charles Alverson, RR, Chester, SD 57016.

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. No action may be taken on the permit application 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 December 24, 1991, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 4133A-3 to Appropriate Water
and to Amend Water Permit No. 4133-3

Notice is given that Charles Alverson, RR, Chester, SD 57016 has filed an application for a water permit to specify the correct location of the irrigated acreage. Water Permit No. 4133-3 authorizes irrigation of 80 acres located in the S 1/2 NW 1/4 from one well (Big Sioux; North Skunk Creek) located in the SW 1/4 NW 1/4 Section 15-T105N-R51W. An inspection of Permit No. 4133-3 found 1 well constructed and supplying 1.14 cubic feet of water per second to irrigate 80 acres. This application is to correct the location of 14 of the 80 acres being irrigated. The correct location of the 14 acres is the N 1/2 SW 1/4 Section 15-T105N-R51W. No increase in the diversion rate or number of acres being irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 4133A-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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by January 10, 1992. 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 the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 4133A-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for January 21, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the January 21, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The January 21, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by January 10, 1992.

If a hearing is held, 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 hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16;
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, 46-5-28, 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, 46-6-26;
and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

4133A-3

Dated: Dec. 16, Jan 2, 1992

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Lake) ss.

I, Deanna D. Bergheim

certify that the attached printed Notice was taken
 from the _____

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 Madison

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

Thursday December 26th 1991

Thursday January 2nd 1992

Deanna D. Bergheim
 (Signature)

Secretary
 (Title)

1 1992
 (Date Signed)

Cost of Printing: \$55.64
80% after first publication

the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

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**NOTICE OF HEARING
 ON APPLICATION NO. 4133A-3
 TO APPROPRIATE WATER AND TO
 AMEND WATER PERMIT NO. 4133-3**

Notice is given that Charles Alverson, RR, Chester, SD 57016 has filed an application for a water permit to specify the correct location of the irrigated acreage. Water Permit No. 4133-3 authorizes irrigation of 80 acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$ from one well (Big Sioux: North Skunk Creek) located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15-T105N-R51W. An inspection of Permit No. 4133-3 found 1 well constructed and supplying 1.14 cubic feet of water per second to irrigate 80 acres. This application is to correct the location of 14 of the 80 acres being irrigated. The correct location of the 14 acres is the N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 15-T105N-R51W. No increase in the diversion rate or number of acres being irrigated is authorized by this application.

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If a hearing is held, 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

Permit No. 4133A-3

Big Sioux Water District

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

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

I have this day made a thorough examination of the water use system constructed by Charles Alverson of Chester, SD 57016 holder of Permit No. 4133A-3, bearing the priority of August 26, 1977 authorizing the diversion of 1.14 cu. ft. per second of the waters of the Big Sioux Aquifer-North Skunk Creek Unit for irrigation purposes, in Lake County.

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

A. Works used to divert the water:

One well - No Completion report (Grimshaw Drilling?); 3 Stage Western Land Roller pump, Model No. C78458, 6", 550 GPM @ 50 PSI; US Electric Motor Model No. 324TP, 40HP

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

190' of 6" PVC pipe

C. Works used to apply water to beneficial use:

Reinke Center Pivot 11 Towers, 1320' long with Rain Bird Sprinklers and End Gun 500 GPM

The system is in the following condition Good. The point of diversion is located 1135' East and 2640' South of the NW corner of Section 15-T105N-R51W, Lake County, SD. The works are capable of diverting and conveying to the place of use 1.11 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:

Section 15-T105N-R51W:
SW1/4 NW1/4 = 35 acres
SE1/4 NW1/4 = 33 acres
NW1/4 SW1/4 = 7 acres
NE1/4 SW1/4 = 7 acres

comprising a total of 80 acres of land and the license should be issued for 1.11 cfs. Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are: None Date 9/3/91


Gregory C. Johnston
Natural Resources Engineer
DENR, Water Rights Division

LICENSE FOR PERMIT NUMBER 4133A-3

1. Legal location of wells: 1135' East and 2640' South of the NW corner of Section 15-T105N-R51W, Lake County, SD

Dams and Structures None

2. Well Information: Well Drilling Firm

Completion Report? Yes No X No. of Wells Depth(s) feet

Casing a) diameter inches Screen a) type

b) length feet b) length feet

c) type Static Water Level feet

Pump a) make Western Land Roller Motor a) make US Electric

b) model C 78458 b) model no. 324 T2

c) size 6" c) horsepower rating 40

d) capacity 500 GPM d) serial no. R-6229-040592

e) turbine pump - no. of stages 3

f) operating PSI 50

3. Distribution lines or canals

a) size 6 inches

b) type PVC

c) length 190 feet

4. System Type a) sideroll:

b) towline:

c)gun:

d) center pivot:

1) make

1) make Reinke

2) nozzle size

2) number of towers 11

3) capacity (GPM)	3) distance between towers
4) hose size inches	4) overall length <u>1320</u> feet
5) hose length feet	5) end gun (Y/N) <u>Y</u>
e) gated pipe:	6) high or low pressure <u>High</u>
1) length feet	7) make and size of nozzles:
2) diameter inches	<u>Rain Birds</u>
3) spacing of gates inches	8) capacity (GPM) <u>500</u>

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project

Yes	No	Check Items
<u>X</u>		1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
<u>X</u>		2. Special qualifications to permit being abided by?
<u>X</u>		3. All structures, wells and lands on map?
<u>X</u>		4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
<u>X</u>		5. Is chemigation used?
<u>X</u>		6. If yes, does equipment comply with chemigation rules?

REMARKS:



4133A-3

GREAT FACES. GREAT PLACES

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

September 17, 1991

Charles Alverson
Chester, SD 57016

Dear Mr. Alverson:

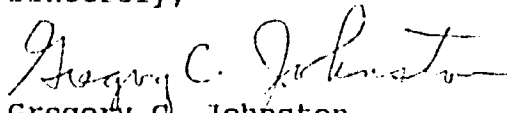
I am writing in regards to the lands you irrigate under Permit No. 4133-3. I checked with the rules regarding licensing of the approximate 14 acres you irrigate in the NW1/4 and NE1/4 of the SW1/4 of Section 15-T105N-R51W that are not covered under 4133-3. Pursuant to General Rules No. 74:02:01:14.01 - No.3, you must apply for a correction to the permit and pay a \$50.00 fee.

Enclosed are a copy of the rules, a map of the acreages, and an application form that I have filled out in advance for you. Please notarize and send the application with the \$50.00 fee as soon as possible, and we will then amend the permit.

After completion of the correction of the permit, the permit will be licensed.

Thank you for your time and effort in this matter, and if you have any questions, please feel free to contact me.

Sincerely,


Gregory C. Johnston
Natural Resources Engineer
Water Rights Division
(605) 773-3352

encl



4133A-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 7 1992

Charles Alverson
RR 1 Box 16
Chester, SD 57016

Dear Mr. Alverson:

Enclosed is Water Permit No. 4133A-3 authorizing your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount the Water License will be sent to you.

Very truly yours,

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

enclosures

RECEIPT

Division of Water Rights

413372

South Dakota Department of Environment and Natural Resources

Pierre, August 17, 1992

RECEIVED OF Charles Alverson, RR #1 Box 45, Chester, SD 57016

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. 4133A-3	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By

Chief Engineer

JOHN HATCH

South Dakota

4133A-3

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

NOV 22 1992

4133A-3

Charles Alverson
RR 1, Box 45
Chester, SD 57016

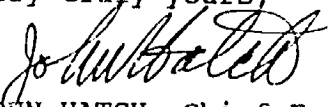
Dear Mr. Alverson:

Enclosed is Water License No. 4133A-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413372 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. 4133A-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. 4133-3 have been incorporated into this Water License No. 4133A-3.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, September 15, 1971

RECEIVED OF Charles or Rosella Alverson, Rt. 1, Box 11, Chester, SD 57010

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

Fee for Application for Permit No. <u>413A-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	12	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

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

WR#

OWNERS NAME ANDERSON, CHARLES V.

OWNERS ADDRESS 1000 1st St

CHASSAULT, SD 57436

COUNTY LAND LOCATED IN CHASSAULT

PHONE

LEGAL DESCRIPTION

☐ Well

☐ Surface

1. LOCATION 1135' East and 2009' South of the SW corner of Section 15-11051-2017
41' Sioux Equifer - north bank of creek

Depth

Legal Description	Acres	Legal Description	Acres
<u>1135' East and 2009' South of the SW corner of Section 15-11051-2017</u>	<u>16</u>		

2. TYPE OF IRRIGATION: GRAVITY TOWLINE CENTER PIVOT XXX GUN OTHER (Specify)

3. CROPS TO BE IRRIGATED: CORN, BEANS

WATER QUALITY:

4. WATER SAMPLE NUMBER: 77-1009

7. ADJUSTED (SAR):

5. SALINITY (EC X 10⁶): 1216

8. PERCENT SODIUM 0.25

6. SODIUM (SAR): 0.49

Requirements:



XXX APPROVED

 DISAPPROVED

 WAIVER

 REQUIREMENTS

Director, Division of Conservation

OCTOBER 23, 1991

Date

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

4133A-3

GRIMSHAW DRILLING CO.

DRILLING LOG

P24 South Melrose
Sioux Falls, S.D. 57105
Phone 605-332-6974

Name Charles A. Iverson Date 6-6-78

Address Charles S. D.

County Lake Sec. 15 Twp 105 N Range 51 W

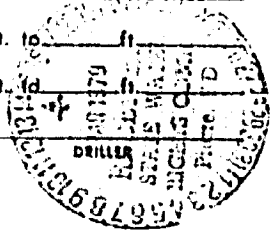
NO. FT.	DIA.	RATE	CASING	TOTAL

BALANCE DUE:

0 ft. to 1 ft. Topsoil ft. to ft.
1 ft. to 5 ft. Brown Clay ft. to ft.
5 ft. to 28 ft. Red Gravel ft. to ft.
28 ft. to 37 ft. Blue Clay ft. to ft.
37 ft. to 57 ft. Med. to coarse grey sand to ft.
57 ft. to 70 ft. Blue Clay ft. to ft.
____ ft. to ____ ft. ft. to ____ ft.
____ ft. to ____ ft. ft. to ____ ft.
____ ft. to ____ ft. ft. to ____ ft.
____ ft. to ____ ft. ft. to ____ ft.
____ ft. to ____ ft. ft. to ____ ft.

STATIC WATER LEVEL 8 ft.

REMARKS:



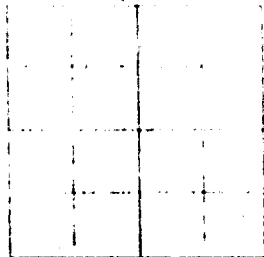
4133A-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10 85

14 145N 51W

LAKE



Feet

Well Completion Date 3-1-89

PROPOSED USE

- ☐ Domestic ☐ Municipal ☐ Test Piles
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling

Hydraulically forced
FAKE CASING

CASING DATA

- ☒ Steel ☐ Plastic ☐ Other
 If other describe:

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
70 LB/FT	1 1/2 IN	0 FT	55 FT	20"
10 LB/FT	1 IN	55 FT	100 FT	10"
10 LB/FT	1 IN	100 FT	150 FT	10"
10 LB/FT	1 IN	150 FT	200 FT	10"

GROUT:

Was the well grouted? ☒ YES ☐ NO

To what depth? With variance FEET

What is grouting material? From 1-30-89

If cement, number of sacks?

Describe grouting procedure

What was grout weight? LB/GAL

☐ Perforated pipe ☒ Manufactured
 diameter 14 IN Length 10 FEET

Material 55
 Size 650 Set from 28 Feet To 38 Feet

Set from Feet To Feet

Set from Feet To Feet

Charles Alverson

top soil
 CLAY (SANDY)
 Mud
 SAND
 CLAY LENS
 SANDY GRAVEL

From	To
0	2
2	10
10	12
12	20
20	21
21	38

STATIC WATER LEVEL 11' Feet

If flowing, closed in pressure PSI

GPM flow through inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify

Can well be completely shut in?

WELL TEST DATA

☐ Pumped☐ Bailed

Describe

☐ Other

Pumping level Below Land Surface

28 ft After 5 Hrs pumped 450 GPM

ft After Hrs pumped GPM

ft After Hrs pumped GPM

REMARKS

4133A-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10/21

17 105 51W

Charles Alverson

LAKE.

Top soil	0	5
Yellow Clay	5	10
Grey Sand	10	17
Brown Gravel	17	22
Grey Mud Gravel	22	31

Well Completion Date 12-5-89

PROPOSED USE

☐ Domestic ☐ Municipal ☐ Industrial
☒ Irrigation ☐ Recharge ☐ Other

Method of Drilling

False Casing

CASING DATA

☒ Steel ☒ Plastic ☐ Other
 If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
20 LB/FT	14" IN	4 1/2	26	20
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT

Was the well grouted? ☒ YES ☐ NO

To what depth? 10' FEET

What is grouting material?

If cement number of sacks?

Describe grouting procedure Variance #14

What was grout weight? _____ LB/GAL

SCREEN ☐ Perforated pipe ☐ Manufactured

Diameter 14 IN Length 5 FEET

Material

Slot Size .080 Set from 26 feet to 31 feet

Slot Size _____ Set from _____ feet to _____ feet

Static Water Level 10' Feet
 Pressure _____ PSI
 Net Flow _____ gpm
 Discharge ☐ Valve ☐ Reducers ☐ Other
 Pump _____
 Can well be completely shut in?

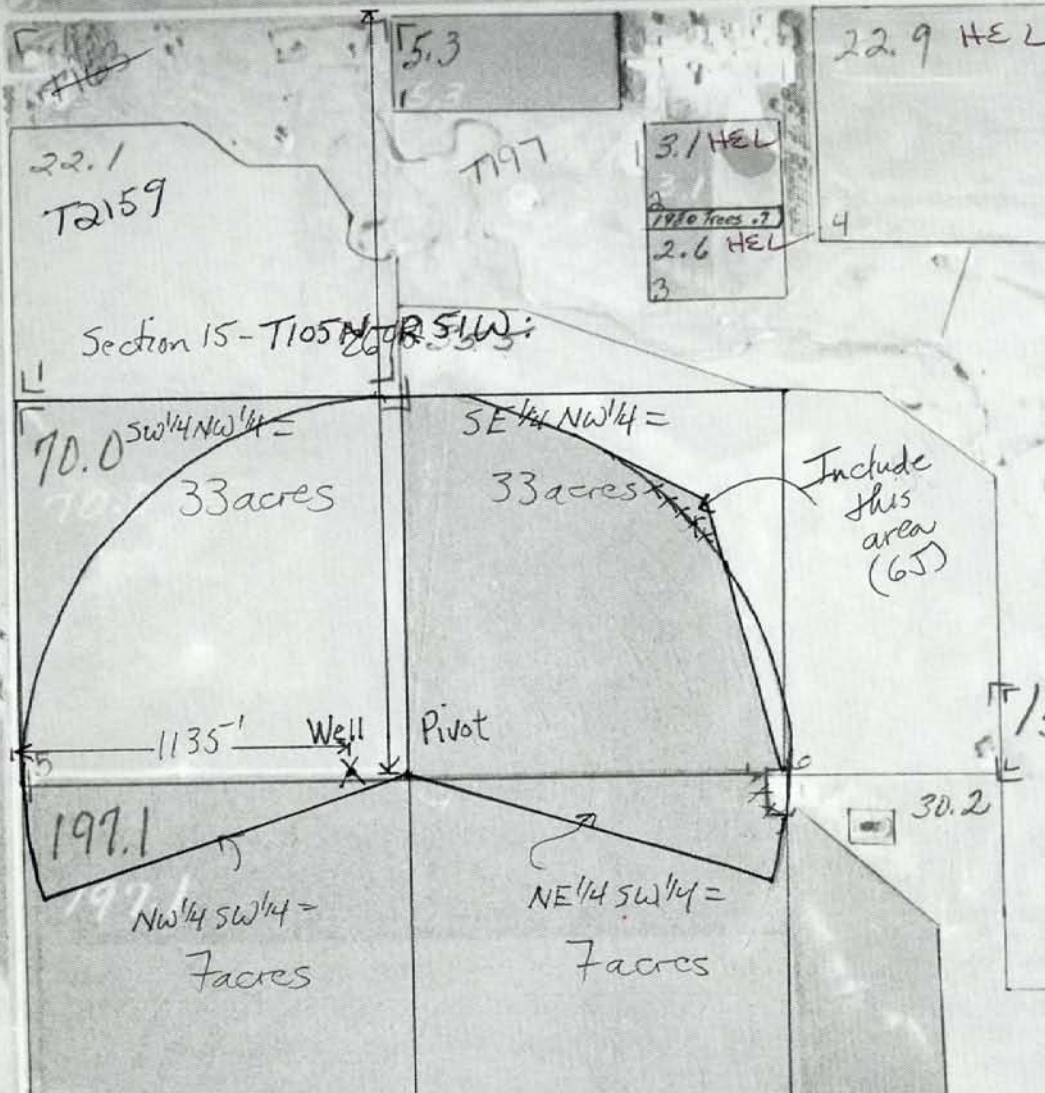
WELL TEST DATA

☒ Pumped
☐ Flowed
☐ Other
 Pumping Level _____ Last Surface

At _____ hrs	pumped _____	GPM
At _____ hrs	pumped _____	GPM
At _____ hrs	pumped _____	GPM

REMARKS





9.4 T131 HEL

31.2 T183

38. T183

Appl. No. 4133-A-3

Charles Awerson

Drawn by:

Gregory C. Johnston

Gregory C. Johnston

Natural Resources Engineer

DENR, Water Rights

9/16/91

All in

Section 15-T105N-R51W

SW $\frac{1}{4}$ NW $\frac{1}{4}$ = 33 acres

SE $\frac{1}{4}$ NW $\frac{1}{4}$ = 33 acres

NW $\frac{1}{4}$ SW $\frac{1}{4}$ = 7 acres

NE $\frac{1}{4}$ SW $\frac{1}{4}$ = 7 acres

Non-use
Total = 80 acres

4133A-3

NOT TO SCALE

105-51



4133A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: CHARLES V ALVERSON, 46304 241ST ST, CHESTER, SD 57016
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaires

Our records indicate your 2014 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1328-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4133A-3, 5151-3 & 7131-3 qualification:

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

The hearing will be held at **10:00 am, March 4, 2015** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4133A-3, 5151-3 & 7131-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1328-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

4/33A-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182

January 26, 2015

1328-3
4133A-3
5151-3
7131-3

Charles V Alverson
46304 241st St
Chester SD 57016

Dear Mr. Alverson:

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

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1328-3, 4133A-3, 5151-3 and 7131-3. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 14, 2019

Shawn or Jill Martin
24106 461st Ave
Chester SD 57016

Re: Water Right Nos. 1328-3, 4133A-3, 5151-3 & Temporary Use Permit No. 7131-3

Dear Mr. & Mrs. Martin:

I am writing in follow-up to our phone conversation concerning the ownership changes needed for the water rights held by Charles Alverson.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing an ownership change on Water Right Nos. 1328-3, 4133A-3 and 5151-3. Please review and complete as needed. Upon completion, please sign and return the forms to our office with a required filing fee of \$50 each (total of \$150). The check or money order for the fee can be made payable to the Water Rights Program.

Temporary Use Water Permit No. 7131-3 held by Charles Alverson is for 68 acres located in the NW ¼ Section 21, T105N, R51W. You confirmed during our conversation the project had not been constructed due to the inability to find water. The time limit for completion of works for No. 7131-3 was March 10, 2015. Since the project was not developed, the permit becomes subject to cancellation.

You will be notified of the time, date and place of the hearing once it is scheduled. The next meeting for which the cancellation consideration could be scheduled is March 2020. As long as you agree with the cancellation, you do not need to do anything but let this take its course.

Sincerely,

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

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

PAID
NOV 25 2019
Ck# 3959

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

No. 4133A-3

Date: 11/19/19

I/We request that Water Right No. 4133A-3

formerly owned by: Charles V Alverson

be transferred to: (name & address)

SHAWN or Jill MARTIN
24106 461st Ave Chester S.D. 57016

Telephone No. 605-270-1431

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

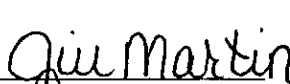
80 acres - S 1/2 NW 1/4 and N 1/2 SW 1/4 Section 15, T105N, R51W

I/We understand that the validity of Water Right No. 4133A-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Shawn + Jill Martin, the new owner, certify that the above information is true and correct.

 
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date **November 25**, 20 **19**

RECEIVED OF **Shawn/Jill Martin 24106 461st Ave Chester SD 57016**

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form 4133A-3		
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. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	
	50	00

No. **09257**

By *Jeanne Goodman*
Chief Engineer *vm*

4/33A-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 27, 2019

Shawn or Jill Martin
24106 461st Ave
Chester SD 57016

Re: Water Right Nos. 1328-3, 4133A-3 and 5151-3

Dear Mr. & Mrs. Martin:

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

The ownership changes have been completed. Water Right Nos. 1328-3, 4133A-3 and 5151-3, formerly held by Charles V Alverson are now listed in your names.

Enclosed for your records are Receipt Nos. 09257, 09258 and 09259 in the amounts of \$50 each. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures