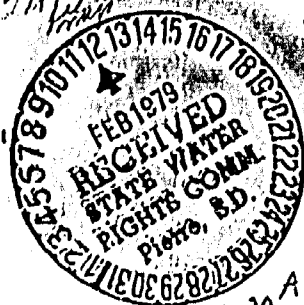


ter Right Number 4387-3

1. Considered MARCH 28, 1979
2. Name of Applicant GENE EVENSON
3. Post Office Address VIRGIL, SD 57 13-109-65
4. Amount of water claimed 1.57
5. Source of water supply 45' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 110
7. Water to be diverted and used in BEADLE County
about 8W, 3 Miles SOUTH of VIRGIL
8. Proof of Publication
Received 3-26-78
Not received _____
9. Application
Approved 3-28-79
Subject to Domestication Order
Not approved _____
Action deferred _____
10. Remarks:

Map No. 3577-3 Water Division No. 3 JAMES RIVER District _____
(Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant Gene Evenson
Postoffice address R.R. 1 Box 30, Virgil, State South Dakota
If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract and direct labor

3. Name of diversion work EVENSON IRRIGATION PROJECT

4. Amount of water claimed (cubic feet per second) 1.57

5. Source of water supply Ground water

6. Location of point of diversion 1360 ft. north of south section line and 120 ft. west of quarter line in SW⁴ of section 13 109N 65 W

NE⁴ SW⁴

County Beadle

7. Annual period or periods during which water is to be used April through October

8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation

9. For irrigation use, _____ Total number of acres to be irrigated 110

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW ⁴ of SW ⁴ 13-109-65	0	NW ⁴ of SE ⁴ 13-109-65	27
SW ⁴ of SW ⁴ 13-109-65	0	SW ⁴ of SE ⁴ 13-109-65	18
SE ⁴ of SW ⁴ 13-109-65	27	SE ⁴ of SE ⁴ 13-109-65	0
NE ⁴ of SW ⁴ 13-109-65	38	NE ⁴ of SE ⁴ 13-109-65	0

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 2 years.

11. Choice of newspaper for Notice of Intent to Appropriate Water publication Plainsman

12. Principal Features of the Proposed Water Supply System.

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

Bowl Pump

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

Main Line

C. Works proposed to apply water to beneficial use.

Center Pivot

Estimated Total Cost \$ _____

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

County of Beadle) ss.

I, Gene Evenson

the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Gene Evenson

Subscribed and sworn to before me this 7 day of February 19 79

W. H. Smith
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4387-3
GENE EVENSON RR #1, Box 30, VIRGIL
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57379 With the following modifications:
 (State)

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

Date of first receipt of application FEBRUARY 12, 1979
 Date of return to applicant for correction, amendments or changes required FEBRUARY 12, 1979
 Date of receipt of corrected application MARCH 5, 1979
 Approved MARCH 28, 1979, Recorded in Book 20 Page 302

WATER RIGHT PERMIT NO. 4387-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4387-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is FEBRUARY 12, 1979
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPT. 28, 1981
3. The whole of said work is to be completed on or before MARCH 28, 1984
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 28, 1986
5. The water appropriated shall be used for the purpose of IRRIGATION

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

7. The amount of the appropriation herein granted shall not exceed 1.57 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MARCH 28, 1986; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 12th day of APRIL, 1979

WATER RIGHTS COMMISSION

By:

John K. Heston
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19____

Water License Issued _____ 19____

VAN DYKE
Irrigation
BOX 82

BOX 82
WOONSOCKET SOUTH DAKOTA 57385

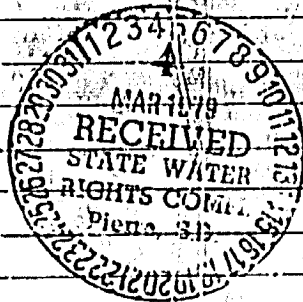
Purpose of well Test well for irrigation
(domestic, irrigation, industrial, other)

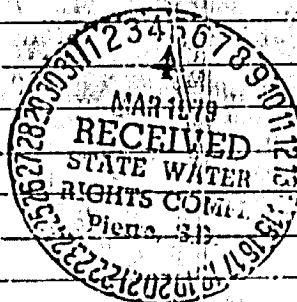
Remarks: _____

1 Mile

Date: 11-11-1961

Elapsed Time From Start of Pumping		Water Level		Discharge
0 Hr.	0 Min.	ft.	in.	[Static]
Hr.	Min.	ft.	in.	GPM
Hr.	Min.	ft.	in.	GPM
Hr.	Min.	ft.	in.	GPM
Hr.	Min.	ft.	in.	Recovery

Formation: Clay, Silt, Sand, Gravel, Color, Hard or Soft, etc.	Depth (ft.)		Formation (Continued)	Depth (ft.)	
	From	To		From	To
Top soil	0	1			
Sand and some gravel	1	16			
Sand and gravel	6	12			
Sand and gravel	12	20			
Gravel	20	30			
Gravel and sand	30	38			
Gravel and sand	38	43			
Gravel and some small rock	43	45			
Shale	45	49			
SE40 of SW1/4 of Sec 13 -- 109-64					
2000 gallon water used					
Testing Done by Van Dyke Transportation by Don Scherschlag, Woonsocket, R.I.					
					



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

D. Well Information or Estimates

- (1) Drill Hole, Diameter _____, Depth 45'
- (2) Casing, Type (wood, concrete, steel, etc) Diameter _____ Thickness _____
- (3) Perforated Screen.
- Type _____, Diameter _____, Length _____
- (4) Gravel Pack. Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

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

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

Character of Water bearing materials Top soil 0-1

Sand and some gravel 1-6 Gravel and sand 30-43

Sand and gravel 6-20 Gravel and small rock 43-45

Gravel 20-30 Shale 45-49

Depth to top of water bearing material _____

Depth to bottom of water bearing material 45'

Thickness of water bearing material _____

Depth to water (ground surface to water level) 23'

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

On same owner's property 320 + rds. On property owned by others 240 + rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Gene E. Erickson
Signature of Applicant

CONSERVATION
COMMISSION
FORM W1 #1

Water Rights copy

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

NAME Gene Evenson

ADDRESS Box 30 Virgil, South Dakota 57370

COUNTY Beadle

LEGAL DESCRIPTION

1. WELL LOCATION SW 1/4 Sec 13, 109N-65W

2. LOCATION OF AREA TO BE IRRIGATED S 1/2 Sec 13, 109N-65W

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE Sprinkler CENTER PIVOT _____ GUN _____

4. CROPS TO BE IRRIGATED _____

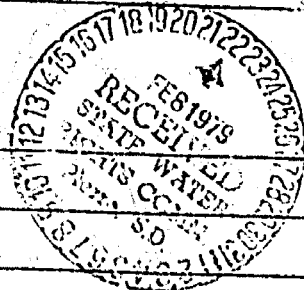
WATER QUALITY

5. SAMPLE NUMBER 77-842

6. SALINITY (EC X 10⁶) 1529 (high)

7. SODIUM (SAR) 2.14 (low)

8. RESIDUAL SODIUM CARBONATE (meq/l.) 0



I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and: the soils information has been acquired from Beadle Conservation District, County Extension office or Soil Conservation Service. and: that the legal description for the location of the well and land to be irrigated is true and correct.

Gene Evenson
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
22 DAY OF July 19 77.

Richard L. ...
(TITLE OR SEAL)

Richard L. ...
APPROVED/...

ALL INFORMATION ON REVERSE SIDE

10-1000/1000
/11

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

(RECOMMENDED MANAGEMENT)

NAME OF APPLICANT of [illegible]

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than 1, 2, (3) 4, 5, times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least 1, 2, (3) 4, inches of water.

3. ☒ Yes ☐ No Surface drainage suggested
4. ☐ Yes ☐ No Subsurface drainage suggested
5. ☐ Yes ☐ No Specific land areas that should be avoided

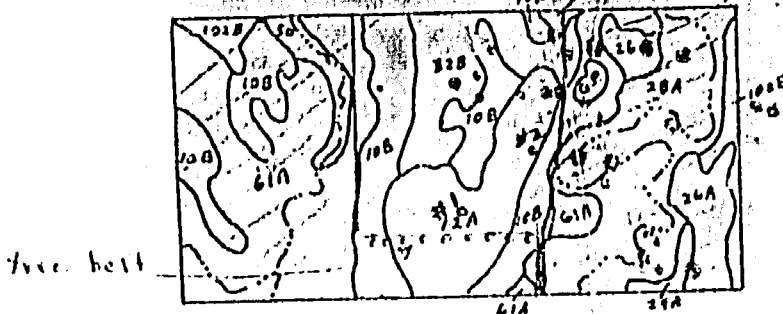
limited [illegible] [illegible] [illegible]

6. ☐ Deep tillage (For the purpose of aiding movement of water through dense subsoils)
7. ☒ Heavy full application of irrigation water.

Copy to Applicant - 1
Copies to Water Rights - 2
Copy to File - 1



SOILS MAP



S $\frac{1}{2}$ - 13 - 109 - 65

#1, #2 soil samples

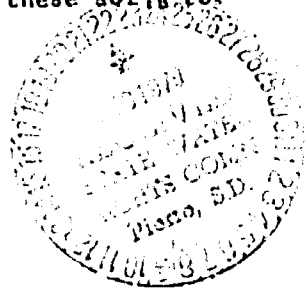
Taken 8/3/77

SOIL LEGEND

- 10B Delmont-Talmo complex, 2 to 6 percent slopes
This unit consists of well drained soils on gently undulating terraces. These soils have a loam solum 10 to 20 inches thick which are underlain by sands and gravels. Permeability is moderate in the loam sola and rapid in the underlying material. Surface runoff is medium.
- 12A Enet loam, 0 to 2 percent slopes
These are well drained soils with 20 to 40 inches of loam over sand and gravel. Permeability is moderate in the loamy upper part and rapid in the sands and gravels. Clay loam glacial till is at depths below 40 inches in some places.
- 18 Tetonka-Hoven silt loams
This unit consists of poorly drained soils in enclosed depressions. Permeability is very slow, and surface drainage is lacking. Dense compact subsoils and ponding generally limit these soils for irrigation. Drainage of these soils is desirable under irrigation.
- 26A Dudley-Stickney silt loams, 0 to 3 percent slopes
This unit consists of moderately well drained soils with 4 to 10 inches of friable loamy surfaces over dense claypan subsoils. These soils have slow permeability and salts in the subsoil. Included within these units are small areas of enclosed depressions.
- 29A Tetonka-Dudley silt loams, 0 to 2 percent slopes
This unit consists of poorly drained soils in enclosed depressions and in swales. Permeability is very slow, and surface drainage is very slow to lacking. Dense compact subsoils limit these soils for irrigation when they are not drained.

Gene Evenson Unit

632 B Adm. Bldg. 100



28A

Lane silt loam, 0 to 2 percent slopes

This unit consists of deep, well and moderately well drained loamy soils with silty substrata. They have moderately slow permeability. The calcareous silty substratum occurs at depths of 20 to 30 inches below the surface. The physical characteristics of these soils make them well suited for irrigation.

32B

Carthage-Blendon fine sandy loams, 2 to 6 percent slopes

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

50

Bon silt loam, channeled

This unit consists of deep moderately well and well drained loamy soils on nearly level surfaces. These soils are occasionally flooded. The physical properties of these soils make them generally well suited for irrigation.

61A

Stickney-Jerauld silt loams, 0 to 2 percent slopes

This unit consists of deep, nearly level, moderately well drained soils on high bottom lands. The Stickney soils, in the higher positions, have a silt loam 8 to 15 inches thick with a claypan subsoil. The Jerauld soil, which is on a lower plane surface, has a silt loam layer 1 to 3 inches thick and a claypan subsoil about 9 inches thick. Both are underlain by clay loam. Permeability is slow through the claypan subsoils and moderately slow through the underlying material.

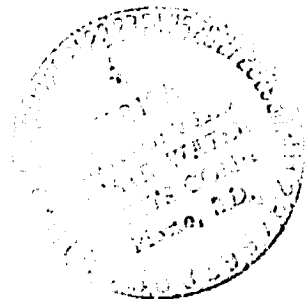
102B

Houdek-Prosper loams, 2 to 6 percent slopes

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

Gene Evenson Unit

Soil Conservation Service
Beadle County



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6786

PIERRE, February 12, 1979

RECEIVED OF Gane Evenson, RR1 Box 30, Birgit SD

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

Fee for Application for Permit to Appropriate Water No. 4387-3 (examination, processing, recording and filing)	225 00
Fee for inspecting Construction, and issuing Cert. of Construction No.	
Fee for inspecting Beneficial Use, and issuing Water License No.	
Fee for issuing Location Certificate-Dry Draw, No.	
Fee for filling	
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	
Fee for (any other work as provided by law)	
TOTAL	225 00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH kfw

No. 4387-3

Publish first publication, on or before March 16, 1979

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 5, 1979

Notice is hereby given that Geno Evenson whose post office address is Virgil, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 1.57 cubic feet of water per second of time from groundwater (one well) through the Evenson Irrigation Project the point(s) of diversion of which is ~~XXXX~~ to be located in the NE 1 SW 1

of Section 13, Twp. 109N, Range 65W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

W 1/2 SE 1/2 and E 1/2 SW 1/2, Section 13-T109N-R65W

This Application No. 4387-3 will be considered by the Water Rights Commission at the Community Room of the City Hall 222 East Dakota, Pierre SD upon the 28th day of March, 1979

at 10 A.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Commission may be appealed to the Courts as provided by law.

WATER RIGHTS COMMISSION

Betty Westlund
Water Rights Specialist

cc: Geno Evenson
RR #1, Box 30
Virgil SD 57379

FORM 6 - Notice of Intent to Appropriate Water
GROUNDWATER

No. 4387-3

STATE OF SOUTH DAKOTA)
) ss.
County Beadle)

[illegible]

F.P. 3-16-79
 L.P. 3-23-79
NOTICE OF HEARING ON APPLICATION TO APPROPRIATE WATER
 Pierre, South Dakota 57501
 March 5, 1979
 Notice is hereby given that Gene Evenson whose post office address is Virgil, South Dakota, has made application in accordance with provisions of SDCL 45-1-1 thru 45-1-14, 45-2-1 thru 45-2-13, 45-5-1 thru 45-5-14, 45-6-1 thru 45-6-14, 45-10-1 thru 45-10-14, 45-14-1 thru 45-14-14, 45-15-1 thru 45-15-14, 45-16-1 thru 45-16-14, 45-17-1 thru 45-17-14, 45-18-1 thru 45-18-14, 45-19-1 thru 45-19-14, 45-20-1 thru 45-20-14, 45-21-1 thru 45-21-14, 45-22-1 thru 45-22-14, 45-23-1 thru 45-23-14, 45-24-1 thru 45-24-14, 45-25-1 thru 45-25-14, 45-26-1 thru 45-26-14, 45-27-1 thru 45-27-14, 45-28-1 thru 45-28-14, 45-29-1 thru 45-29-14, 45-30-1 thru 45-30-14, 45-31-1 thru 45-31-14, 45-32-1 thru 45-32-14, 45-33-1 thru 45-33-14, 45-34-1 thru 45-34-14, 45-35-1 thru 45-35-14, 45-36-1 thru 45-36-14, 45-37-1 thru 45-37-14, 45-38-1 thru 45-38-14, 45-39-1 thru 45-39-14, 45-40-1 thru 45-40-14, 45-41-1 thru 45-41-14, 45-42-1 thru 45-42-14, 45-43-1 thru 45-43-14, 45-44-1 thru 45-44-14, 45-45-1 thru 45-45-14, 45-46-1 thru 45-46-14, 45-47-1 thru 45-47-14, 45-48-1 thru 45-48-14, 45-49-1 thru 45-49-14, 45-50-1 thru 45-50-14, 45-51-1 thru 45-51-14, 45-52-1 thru 45-52-14, 45-53-1 thru 45-53-14, 45-54-1 thru 45-54-14, 45-55-1 thru 45-55-14, 45-56-1 thru 45-56-14, 45-57-1 thru 45-57-14, 45-58-1 thru 45-58-14, 45-59-1 thru 45-59-14, 45-60-1 thru 45-60-14, 45-61-1 thru 45-61-14, 45-62-1 thru 45-62-14, 45-63-1 thru 45-63-14, 45-64-1 thru 45-64-14, 45-65-1 thru 45-65-14, 45-66-1 thru 45-66-14, 45-67-1 thru 45-67-14, 45-68-1 thru 45-68-14, 45-69-1 thru 45-69-14, 45-70-1 thru 45-70-14, 45-71-1 thru 45-71-14, 45-72-1 thru 45-72-14, 45-73-1 thru 45-73-14, 45-74-1 thru 45-74-14, 45-75-1 thru 45-75-14, 45-76-1 thru 45-76-14, 45-77-1 thru 45-77-14, 45-78-1 thru 45-78-14, 45-79-1 thru 45-79-14, 45-80-1 thru 45-80-14, 45-81-1 thru 45-81-14, 45-82-1 thru 45-82-14, 45-83-1 thru 45-83-14, 45-84-1 thru 45-84-14, 45-85-1 thru 45-85-14, 45-86-1 thru 45-86-14, 45-87-1 thru 45-87-14, 45-88-1 thru 45-88-14, 45-89-1 thru 45-89-14, 45-90-1 thru 45-90-14, 45-91-1 thru 45-91-14, 45-92-1 thru 45-92-14, 45-93-1 thru 45-93-14, 45-94-1 thru 45-94-14, 45-95-1 thru 45-95-14, 45-96-1 thru 45-96-14, 45-97-1 thru 45-97-14, 45-98-1 thru 45-98-14, 45-99-1 thru 45-99-14, 45-100-1 thru 45-100-14, 45-101-1 thru 45-101-14, 45-102-1 thru 45-102-14, 45-103-1 thru 45-103-14, 45-104-1 thru 45-104-14, 45-105-1 thru 45-105-14, 45-106-1 thru 45-106-14, 45-107-1 thru 45-107-14, 45-108-1 thru 45-108-14, 45-109-1 thru 45-109-14, 45-110-1 thru 45-110-14, 45-111-1 thru 45-111-14, 45-112-1 thru 45-112-14, 45-113-1 thru 45-113-14, 45-114-1 thru 45-114-14, 45-115-1 thru 45-115-14, 45-116-1 thru 45-116-14, 45-117-1 thru 45-117-14, 45-118-1 thru 45-118-14, 45-119-1 thru 45-119-14, 45-120-1 thru 45-120-14, 45-121-1 thru 45-121-14, 45-122-1 thru 45-122-14, 45-123-1 thru 45-123-14, 45-124-1 thru 45-124-14, 45-125-1 thru 45-125-14, 45-126-1 thru 45-126-14, 45-127-1 thru 45-127-14, 45-128-1 thru 45-128-14, 45-129-1 thru 45-129-14, 45-130-1 thru 45-130-14, 45-131-1 thru 45-131-14, 45-132-1 thru 45-132-14, 45-133-1 thru 45-133-14, 45-134-1 thru 45-134-14, 45-135-1 thru 45-135-14, 45-136-1 thru 45-136-14, 45-137-1 thru 45-137-14, 45-138-1 thru 45-138-14, 45-139-1 thru 45-139-14, 45-140-1 thru 45-140-14, 45-141-1 thru 45-141-14, 45-142-1 thru 45-142-14, 45-143-1 thru 45-143-14, 45-144-1 thru 45-144-14, 45-145-1 thru 45-145-14, 45-146-1 thru 45-146-14, 45-147-1 thru 45-147-14, 45-148-1 thru 45-148-14, 45-149-1 thru 45-149-14, 45-150-1 thru 45-150-14, 45-151-1 thru 45-151-14, 45-152-1 thru 45-152-14, 45-153-1 thru 45-153-14, 45-154-1 thru 45-154-14, 45-155-1 thru 45-155-14, 45-156-1 thru 45-156-14, 45-157-1 thru 45-157-14, 45-158-1 thru 45-158-14, 45-159-1 thru 45-159-14, 45-160-1 thru 45-160-14, 45-161-1 thru 45-161-14, 45-162-1 thru 45-162-14, 45-163-1 thru 45-163-14, 45-164-1 thru 45-164-14, 45-165-1 thru 45-165-14, 45-166-1 thru 45-166-14, 45-167-1 thru 45-167-14, 45-168-1 thru 45-168-14, 45-169-1 thru 45-169-14, 45-170-1 thru 45-170-14, 45-171-1 thru 45-171-14, 45-172-1 thru 45-172-14, 45-173-1 thru 45-173-14, 45-174-1 thru 45-174-14, 45-175-1 thru 45-175-14, 45-176-1 thru 45-176-14, 45-177-1 thru 45-177-14, 45-178-1 thru 45-178-14, 45-179-1 thru 45-179-14, 45-180-1 thru 45-180-14, 45-181-1 thru 45-181-14, 45-182-1 thru 45-182-14, 45-183-1 thru 45-183-14, 45-184-1 thru 45-184-14, 45-185-1 thru 45-185-14, 45-186-1 thru 45-186-14, 45-187-1 thru 45-187-14, 45-188-1 thru 45-188-14, 45-189-1 thru 45-189-14, 45-190-1 thru 45-190-14, 45-191-1 thru 45-191-14, 45-192-1 thru 45-192-14, 45-193-1 thru 45-193-14, 45-194-1 thru 45-194-14, 45-195-1 thru 45-195-14, 45-196-1 thru 45-196-14, 45-197-1 thru 45-197-14, 45-198-1 thru 45-198-14, 45-199-1 thru 45-199-14, 45-200-1 thru 45-200-14, 45-201-1 thru 45-201-14, 45-202-1 thru 45-202-14, 45-203-1 thru 45-203-14, 45-204-1 thru 45-204-14, 45-205-1 thru 45-205-14, 45-206-1 thru 45-206-14, 45-207-1 thru 45-207

SOUTH

No. 4387-3

Department of Natural Resource Development

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

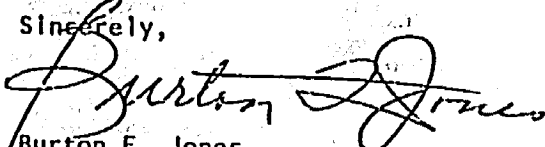
March 14, 1979

Mr. Gene Everson
Rt#1, Box 30
Virgil, SD 57379

Dear Mr. Everson:

Although your Application No. 4387-3 was advertised to be considered at 10:00 a.m. on March 28, 1979, it will be considered at 4:15 p.m. on March 28, 1979 along with the deferred applications in Beadle County.

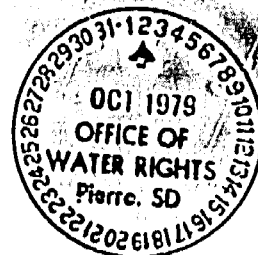
Sincerely,


Burton F. Jones
Water Rights Specialist III

BFJ:kjw

Form 10.

No. 4387-3



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

Post Office Wigil, S.D.

Date SEPT. 22, 1979

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

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 4387-3.

Water Right Permit No. 4387-3 states that the diversion system is to be constructed by March 28, 1984 and that the water is to be put to beneficial use by March 28, 1986.

The diversion system was completed on April 3, 1979.
Applying the water to beneficial use was completed on June 6, 1979.

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

Gave E. Jensen
(Signature)

No. 4387-3

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

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

June 16, 1982

Gene Evenson
Virgil SD 57379

Dear Mr. Evenson:

The inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Right No. 4387-3 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

You will also receive the Certificate of Construction as required by statute.

Sincerely,

KAREN SCHLAACK
Administrative Secretary

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.

WNR-814-7/79
Notification of Water License Ready for Issuing (\$50.00)

Permit No. 4387-3
 Water Division 3 JAMES RIVER Water District

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

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

I have this day made a thorough examination of the water use system constructed by GENE EVENSON

of VIRGIL holder
 of Permit No. 4387-3 bearing date of priority of FEBRUARY 12, 1979
 authorizing the diversion of 1.57 cu. ft. per second of the waters of GROUNDWATER
 for IRRIGATION purposes, in BEADLE County.

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

The Water Use System consists of,

A. Works used to divert the water:

45' DEEP WELL WITH 16" FIBREGLAS CASING - 20' SS SCREEN
FAIRBANKS MOOSE MODEL 11M - 8" PUMP, POWERED BY
60HP US ELECTRIC MOTOR @ 1765 RPM

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

20' OF 8" STEEL LINE TO CENTER OF PIVOT

C. Works used to apply water to beneficial use.

8 TOWER LOCKWOOD CENTER PIVOT WITH NELSON #100
END GUN

The system is in the following condition: GOOD

The point of diversion is located 1360' N & 120' E OF THE S 1/4 CORNER,
SECTION 13, T109N, R65W

The works are capable of diverting and conveying to the place of use 1.66 (750 GPM)

cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows: ALL IN SECTION 13, T109N, R65W

<u>NE 1/4 SW 1/4</u>	<u>38 ACRES</u>
<u>SE 1/4 SW 1/4</u>	<u>27 "</u>
<u>NW 1/4 SE 1/4</u>	<u>27 "</u>
<u>SW 1/4 SE 1/4</u>	<u>18 "</u>

comprising a total of 110 acres of land.

Date MAY 4, 1980

Denton Jones
 (Signature)

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4387-3.

(1) WHEREAS, On the 12th day of February A. D. 19 79

Gene Evenson

made Water Right Application No. 4387-3 for a permit to use 1.57 cubic feet per second of the waters of groundwater (one well)

County of Beadle State of South Dakota, for Irrigation

purposes; and

(2) WHEREAS, On the 28th day of March A. D. 19 79

Permit No. 4387-3 with a date of priority of February 12, 1979

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 28th day of March A. D. 19 84 and for the application to beneficial use of said water on or before the 28th day of March A. D. 19 86

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.57 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

to irrigate the following land all in Section 13, T109N, R65W

<u>NE1/4SW1/4</u>	<u>38 acres</u>	<u>(CA)</u>
<u>SE1/4SW1/4</u>	<u>27 acres</u>	<u>(CD)</u>
<u>NW1/4SE1/4</u>	<u>27 acres</u>	<u>(DB)</u>
<u>SW1/4SE1/4</u>	<u>18 acres</u>	<u>(DC)</u>
<u>TOTAL</u>	<u>110 acres</u>	

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

_____ of Virgil, South Dakota

the holder _____ and owner _____ of said permit No. 4387-3 a water right, dating from February 12, 1979

_____ to use of 1.57 cubic feet per second of the waters of groundwater (one well)

in the County of _____ and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 1360'H and 120'E of the S $\frac{1}{4}$ Corner, Section 13, T109N, R65W

and conducted to and upon portions of Section 13, T109N, R65W more fully described on the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 4387-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 29th day of June A. D.
Nineteen Hundred and Eighty-Two

By: John Hatch
WATER MANAGEMENT BOARD
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 4387-3

Water Diversion No. 3 James River Water District
10160006

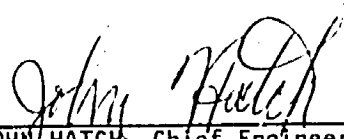
CERTIFICATE OF CONSTRUCTION

This is to Certify, That Gene Evanson

_____ the holder _____ of
Permit No. 4387, issued upon Application No. 4387-3, bearing date of priority of _____
February 12, 1979 authorizing the diversion of 1.57 cu. ft. per second of the waters of _____
groundwater (one well) County of Beadle, State of South Dakota at _____
a point 1360'N and 120'E of the S $\frac{1}{4}$ Corner, Section 13, T109N, R65W
_____, for Irrigation

purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.66 cu. ft. per second of water.

Date June 29, 1982


JOHN HATCH, Chief Engineer
Water Rights Division

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8867

PIERRE, June 23, 1932

RECEIVED OF Gene C. Evensen, Route #1, Box 30, Virgil, SD 57379

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No. 4387-3	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 4387-3		
Fee for issuing Location Certificate-Dry Draw. No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By *W. L. ...*
Chief Engineer, Executive Officer
John ...

4387-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: GENE EVENSON
RR #1 BOX 30
VIRGIL SD 57379

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

RE: Violation of Requirement to Submit 1992 Irrigation Questionnaire

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 4387-3. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 3, 1993, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4387-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

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

ed on the reverse side?

SENDER:

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

3. Article Addressed to:

4387-3

GENE EVENSON

RR #1 BOX 30

VIRGIL SD 57379-

WV App SD 57382

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

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

PA06 560 027

4b. Service Type

☐ Registered ☐ Insured

☒ Certified ☐ COD

☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

DEC 26 93

Is your RETURN /

5. Signature (Addressee)

Gene Evenson

6. Signature (Agent)

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

PS Form 3811, December 1991 • U.S.G.P.O. 1992-307-510

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



4387-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 17, 1993

4387-3

Gene Evenson
RR #1 Box 38
Wessington Springs, SD 57382

Dear Mr. Evenson:

I am writing to acknowledge receipt of your 1992 irrigation questionnaire for Water Right No. 4387-3. You may disregard the January 29, 1993, Notice of Violation of the Requirement to Submit the 1992 Irrigation Questionnaire.

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

If you have any questions, please contact me.

Sincerely,

Genny McMath

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



February 16, 1994

GENE EVENSON
RR #1 BOX 38
WESS SPRINGS SD 57382

NOTICE

RE: Violation of Requirement to Submit 1993 Irrigation Questionnaire

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 4387-3. The request for the Questionnaire was dated October 13, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Ave, Lead, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4387-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before April 1, 1994, your name will be deleted from the Board agenda.

Very truly yours,

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

4387-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

GENE EVENSON
RR #1 BOX 38
WESS SPRINGS SD 57382

4387-3

4a. Article Number

P837692510

4b. Service Type

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

7. Date of Delivery

2-17-94

5. Signature (Addressee)

6. Signature (Agent)

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

Is your RETURN AD

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

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

4387-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 3, 1994

4387-3

Gene Evenson
RR #1 Box 38
Wessington Springs, SD 57382-9703

Dear Mr. Evenson:

I am writing to acknowledge receipt of your 1993 irrigation questionnaire. You may disregard the February 16, 1994, Notice of Violation of the Requirement to Submit the 1993 Irrigation Questionnaire.

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

If you have any questions, please contact me.

Sincerely,

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



4387-3

March 22, 1997

Dear Sir,

Having sold my farm, I request
a transfer of my water Licence # 4387-3
to Kevin Von Eye, RR 1 Box 30, Virgil
S.D. 57379. Thank you.

Sincerely,
Gene Evensen



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 26, 1997

4387-3

Kevin Von Eye
RR 1 Box 301
Virgil, SD 57379

Dear Mr. Von Eye:

I am contacting you in regard to ownership of Water Right No. 4387-3, currently listed in the name of Gene Evenson. Mr. Evenson has notified our office that he has sold his farm to you and requested that the water right be transferred to your name.

Enclosed is a partially completed "Notice of Transfer of Ownership" form. Please review the form for accuracy, make any necessary corrections and fill in the portion titled "be transferred to....(name & address)." Upon completion, please sign the form in the presence of a notary public and return it to our office with a required filing fee of \$2.50.

I am including a copy of the water right for your files. Each year, irrigation questionnaires are sent to irrigators requesting information on irrigation that may have taken place during that specific crop year. I am including a blank copy of the questionnaire for your records. This will help you in knowing what type of information to keep track of during the crop season.

If you have any questions, please contact me.

Sincerely,

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

encl

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4387-3

Date: 4-16-97



I/We request that Water Right No. 4387-3

formerly owned by: Gene Evenson

be transferred to: (name & address) Kevin & Nicole Van Eyck
37939 217th St. Virgil SD 57379 Telephone No. 605-849-3332

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

110 acres in the E $\frac{1}{4}$ SW $\frac{1}{4}$ and W $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, T109N, R65W

I/We understand that the validity of Water Right No. 4387-3 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 Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Bendle)

I/We Kevin & Nicole Van Eyck being first duly sworn on my oath depose and say that my 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.

Kevin Van Eyck Nicole Van Eyck
(Signed)

Subscribed and sworn to before me this 16th day of April, 1997.

Cindy Peterson
(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 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

Division of Water Rights

South Dakota Department of Environment and Natural Resources

415337

Pierré, _____ May 5, 19 97

RECEIVED OF Kevin & Nicole VenEye, 37939 217th St., Virgil, SD 57379

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>Water Right No. 4387-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50

By Robert Hatch
Chief Engineer

4387-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 21, 1997

No. 4387-3

Kevin or Nicole Von Eye
37939 217th St.
Virgil, SD 57379

Dear Mr. and Ms. Von Eye:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 4387-3.

Our records now show you as the owner of Water Right No. 4387-3.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

enclosure

4387-3

SENDER THIS SECTION		POST OFFICE USE ONLY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Received by (Please Print Clearly) _____ B. Date of Delivery <u>1-20-01</u>	
1. Article Addressed to: KEVIN OR NICOLE VON EYE 37939 217TH ST VIRGIL SD 57379		C. Signature <u>Nicole Von Eye</u> ☐ Agent ☒ Addressee D. Is delivery address different from item 1? ☐ Yes ☒ No If YES, enter delivery address below: _____	
		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
		4. Restricted Delivery? (Extra Fee) ☐ Yes	
2. Article Number (Copy from service label) <u>1000 0600 0026 9811 2836</u>			

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



4387-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: KEVIN OR NICOLE VON EYE, 37939 217TH ST, VIRGIL, SD 57379

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

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire(s)

Our records indicate that the 2000 Irrigation Questionnaire has not been submitted for Permit No(s) 4387-3. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 7, 2001, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4387-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 2, 2001, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 2001

4387-3

Kevin or Nicole Von Eye
37939 217th St
Virgil, SD 57379

Dear Mr. & Mrs. Von Eye:

I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right No. 4387-3.

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

If you have any questions, please contact me.

Sincerely,

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

Gene Evenson

Beadle Co. Section 13 109 N 65 W

1974

Dick Johnson
Beadle Co. Ext. Agent
13 Feb 1979

21.6

3-122B

114.2

50.1

M.E. Quiram

13

33.9

81.7

24.2

NE-SW

NW-SE

G. Evenson

SE-SW

SW-SE

21.5

J. Nelson

109-65

7.0

67.7

9.5

9.6

94.1

3-122B

APPL 4387-3



4387-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2017

NOTICE

TO: KEVIN OR NICOLE VON EYE, 37939 217TH ST, VIRGIL, SD 57379

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

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire has not been submitted for Permit No(s) 4387-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4387-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



4387-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 31, 2017

4387-3

Kevin or Nicole Von Eye
37939 217th St
Virgil SD 57379

Dear Mr. & Mrs. Von Eye:

I am writing to acknowledge receipt of your 2016 irrigation questionnaire.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right No. 4387-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352
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

November 14, 2025

4387-3

Kevin & Nicole Von Eye
37939 217th St
Virgil SD 57379

Dear Mr. & Ms. Von Eye:

The Water Rights Program is in receipt of the 2025 Irrigation Questionnaire submitted for Water Right No. 4387-3, which authorizes the diversion of 1.57 cfs (approx. 705 gpm) from one well completed into the Bad Cheyenne Aquifer for the irrigation of 110 acres located in the E ½ SW ¼ & W ½ SE ¼ Section 13-T109N-R65W, Beadle County.

On this year's questionnaire and all questionnaires dating back to 2015, it was reported that the system had broken down and needed to be replaced before irrigation could resume on the property.

Pursuant to SDCL 46-5-37, water appropriated under a permit/right that is not placed to beneficial use for a period of three (3) or more years, is subject to cancellation for abandonment, or forfeiture, or both.

Please contact me via email or telephone to discuss the possible cancellation of Water Right No. 4387-3.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us