

- 1. Considered 3/25/ 19 81
- 2. Name of Applicant Clark Lewison
- 3. Post Office Address ^{P.O.#1} Vermillion 57069
- 4. Amount of Water Claimed 2.97
- 5. Source of Water Supply 2 Wells 100' DEEP
- 6. Water to be used for Irrig.
- 7. Acres to be irrigated 220 maximum acre feet
- 8. Water to be diverted and used in Clay County
about 2 1/2 N, 3 miles EAST of MECKLING
- 9. PROOF OF PUBLICATION Received 3-20-81

Not Received _____

APPLICATION Approved _____

Subject to _____

Not Approved _____

Action deferred _____

Priority 2/10/81 Date Received 2/10/81 Application Complete yes no FEE 275⁰⁰
Remarks _____

WATER
QUALITY

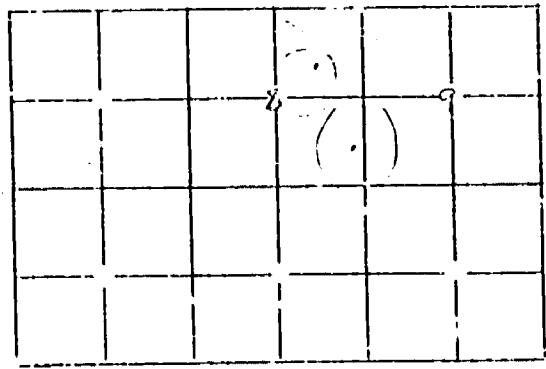
Date information and/or fee or corrected Application received
Period of Annual use April - October

Received yes 3/5/81 no APPROVED CONDITIONAL (Circle one)

WI-1 Description same as application yes no Remarks

Disapproved _____

Returned _____



Diversion Point E 1/2, S 1/4, SW 1/4 NE 1/4 all in
Sec. 8-93-52

Lands to be irrigated
S 1/2 NE, NW 1/4 SE 1/4, E 1/2 SE 1/4 S 1/2
N 1/2 SW 1/4, Sec. 9-93-52

WELL
LOG

Remarks _____

Driller Wetmore Drilling Licensed yes X no _____

Depth 102'

MAP Map No. 3859-3 Map located in Water Right X Map file _____
Type of Map aerial Prepared by ASC'S

+++++

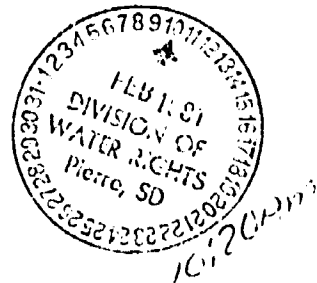
REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 3/25/81.
B79 & BGM
(Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date _____
F.F. & C Final Decision, including F.F. & C of Law were adopted _____
OF LAW, Date _____
FINAL Final Decision mailed to parties and/or parties notified that Final Decision
DECISIONS was adopted _____
ETC. _____
Remarks _____





No. 4644-3
 Map N 3859-3 Water Division, No. 3 VERMILION RIVER District
 Above for Office Use

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New ☒ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Clark Lewisca Phone No. 624-3708
 Post Office Address RR #1 Vermillion State So. Dak 57069
 (Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation _____

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

3. Name of diversion work Lewisca #1

4. Amount of water claimed (cubic feet per second) 2.97

5. Source of water supply Wells

6. Location of point of diversion E 1/2 NW 1/4 of Sec 8, 93-52
and W 1/2 NW 1/4 of Sec 8, 93-52

County Clay

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

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

9. For irrigation use, Total number of acres to be irrigated 220

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

SEE Ltr
 40.25
 BW

Land Description	No. Acres Irr.
<u>S 1/2 NE 1/4 Sec 8, 93-52</u>	<u>40</u>
<u>SW 1/4 SE 1/4 Sec 8, 93-52</u>	<u>20</u>
<u>W 1/2 SW 1/4 Sec 9, 93-52</u>	<u>80</u>

Land Description	No. Acres Irr.
<u>E 1/2 SE 1/4 Sec 8, 93-52</u>	<u>80</u>

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 3 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Vermillion Plain Talk

12. Principal Features of the Proposed Water Supply System.

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

Well

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

Pump

C. Works proposed to apply water to beneficial use.

Sprinklers

Estimated Total Cost \$ 52,000.00

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

STATE OF SOUTH DAKOTA)
 County of Clay) ss.

I, Clark Lewisca 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 Clark Lewisca
Patricia E. Linneth
 Notary Public (or other qualified officer)

Subscribed and sworn to before me this 30th day of January, 1981

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4644-3

CLARK LEWISON

(Applicant)

BA 99

RT #1 VERMILLION

(Post Office Address)

SOUTH DAKOTA 57069

(State)

With the following qualifications

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

This permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application FEBRUARY 10, 1981

Date of return to applicant for correction, amendments or changes required FEBRUARY 11, 1981

Date of receipt of corrected application MARCH 5, 1981

Approved MARCH 26, 1981, Recorded in Book 22 Page 87

WATER RIGHT PERMIT NO. 4644-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4644-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified 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 10, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 26, 1983
3. The whole of said work is to be completed on or before MARCH 26, 1986
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 26, 1989
5. The water appropriated shall be used for the purpose of IRRIGATION

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

7. The amount of the appropriation herein granted shall not exceed 2.97 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 irrigation purposes said appropriation must be limited to not more than 2 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 26, 1989; said water to be used during the following described annual period: APRIL TO OCTOBER

Witness my hand this 20TH day of APRIL, 1981

THE WATER MANAGEMENT BOARD

By: John H. Hatten
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

WETMORE DRILLING
P.O. Box 577
67025

ET-MORE: 2
P.O. Box 577
Elk Point, South Dakota 57025
Phone (605) 358-3272

Name Clark Lomax
Address RT 1 Vermillion
Mo 64788

[illegible][illegible]

Received By

Please Pay By Invoice
No Statement Will Be Sent

Sub Total		
Tax		
TOTAL		

Drish wells

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 24", Depth 100'
 (2) Casing, Type Thyag site Diameter 16" Thickness 1/2"
(wood, concrete, steel, etc)
 (3) Perforated Screen.
 Type Sawed slotted, Diameter 16", Length 24'
 (4) Gravel Pack, Thickness 8", Length of gravel pack 20'

E. Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

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

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

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

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

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

Clark Lewis
 Signature of Applicant

Conditional

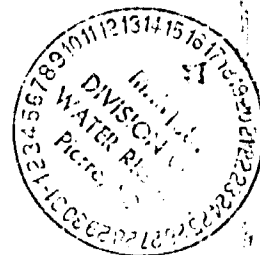
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

4644/3

NAME OF APPLICANT Clark Levison

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED



RECOMMENDED MANAGEMENT:

Each uninterrupted application should be of at least 3 inches of water.

Type of irrigation system recommended for use on this application is surface.

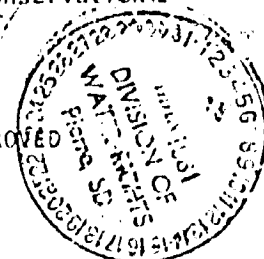
Surface irrigation should be used rather than a center pivot system to avoid traction problems and increase the leaching rate in the soil.

The application rate of a center pivot is too fast for the low intake rate of your soils. Therefore, you would have ponding and traction problems with a center pivot. If you do use a center pivot, special flotation tires, circular farming or other methods of insuring trafficability may be required.

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

TENANT'S NAME AND ADDRESS: (If Other Than Owner)

CONDITIONALLY APPRO



No. 46-44-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Clay ss.

I, Mary Etta Brace hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Vermillion Plain Jack

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

March 12, 1981

March 19, 1981

Mary Etta Brace

(Signature)

B. K. P.

(Title)

March 19, 81

(Date Signed)

NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER

Notice is hereby given that Clark Lewison, whose post office address is Vermillion, 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 Board Rules ARSD 52.01:01:01 thru 52.01:01:13, for a permit to appropriate for beneficial use 2.97 cubic feet of water per second of time from ground water (two wells) through the Lewison No. 1, the point(s) of diversion of which are to be located in the E one-half, SE one-fourth, and SW one-fourth, NE one-fourth of Section 8, Twp. 93N, Range 52W. Said water to be used for the purpose of providing irrigation on portions of the following described land: S one-half NE one-fourth, NW one-fourth SE one-fourth and E one-half SE one-fourth, Section 8, T93N, R52W and W one-half SW one-fourth, Section 9, T93N, R52W.

This application No. 4464-3 will be considered by the Water Management Board at the Holiday Inn, Sandy Shore Room, Watertown, SD, upon the 25th day of March, 1981 at 1:00 p.m. The Board 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 Board decision who desires to present evidence or cross examine witnesses according to SDCL 1-26 may notify the Board 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 Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNR, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

Betty Westlund

Water Rights Specialist

Pub: March 12, 19, 1981



Publish first publication, on or before March 12, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 6, 1981

Notice is hereby given that Clark Lewison whose post office address is Vermillion, 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 Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.97 cubic feet of water per second of time from ground water (two wells) through the Lewison #1, the point(s) of diversion of which ~~are~~ (are) to be located in the E½ SE¼ and SW¼ NE¼

of Section 8, Twp. 93N, Range 52W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

S½ NE¼, NW¼ SE¼ and E½ SE¼, Section 8, T93N, R52W and W½ SW¼, Section 9, T93N, R52W.

This Application No. 4464-3 will be considered by the Water Management Board at the Holiday Inn, Sandy Shore Room Watertown, SD upon the 25th day of March, 1981

at 1:00 P.M. The Board 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 Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

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Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DVNR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

W/TER MANAGEMENT BOARD

cc: Clark Lewison
RR #1, Vermillion, SD 57069

BETTY WESTLUND
Water Rights Specialist

WNR-806A-7/79 Notice of Intent to Appropriate Water
GROUNDWATER

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7978

PIERRE, February 10, 1981

RECEIVED OF Clark Lewison, RR 1, Vermillion, SD 57069

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

Fee for Application for Permit to Appropriate Water No. 4644-3 (examination, processing, recording and filing)	275	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	275	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH / CH

Water Rights Division
(605) 77333352

February 25, 1981

Clark Lewison
RR #1
Vermillion, SD 57069

Dear Mr. Lewison:

Regarding our phone conversation on Feb. 25, 1981, the land descriptions were changed to correspond with the map to: $S\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{2}$ SE $\frac{1}{4}$ Section 8 - T93N - R52W. (This includes also the E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 8 and W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 9) with the diversion points in E $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8 - T93N - R52W.

The original application stated lands and diversion point in the NW $\frac{1}{4}$. The corrections were also made on the WI-1 sent to the State Conservation Commission.

As stated to you if this is not correct, please notify us. Please notify us if both wells are to be approximately 100' deep.

Sincerely,

BETTY WESTLUND
Water Rights Specialist

BW/Lt

Enc: map

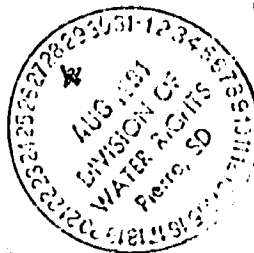
cc: Darlene, State Conservation Commission

Clary Lewis
Vermilion

Called 5/2/81

the land descriptions
you changed were
right.

Well is 700' deep.



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

Post Office RR#1 Verrill, SD

Date 8-26-81

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 maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No. 4644-3.

Water Right Permit No. 4644-3 states that the diversion system is to be constructed by March 26, 1989 and that the water is put to beneficial use by March 26, 1989.

The diversion system was completed on 5-11-81. Applying the water to beneficial use was completed on 5-25-81.

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.

Clark Lewin
(Signature)



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501
March 22, 1983

Water Rights Division
605 773-3352

4644-3
Clark Lewison
RR 1 Box 99
Vermillion SD 57069

Dear Sir:

Water Permit No. 4644-3 was approved with the qualification that the irrigation questionnaire be submitted each year. To date we have not received the 1982 questionnaire from you.

Please complete the enclosed questionnaire and return to this office. Failure to return the questionnaire is in violation of the conditions under which the permit was approved.

Please advise, if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure

44-44-3

WOODS, FULLER, SHULTZ & SMITH, P.C.

FRANCIS M. SMITH
MERLE A. JOHNSON
ARLO D. SOMMERVOLD
RICHARD D. GREGERSON
TIMOTHY J. NITICK
JOHN E. SINKO
WILLIAM G. TAYLOR
WILLIAM P. FULLER
STUART L. TIEDE
GARY F. THIMSEN
BRADLEY C. GROSSENBURG
JAMES M. WEDERICH
COMET H. MARALSON
RICHARD J. CONLONAN
J.G. SHULTZ
PERCE H. McDOWELL III
ROGER W. DAMGAARD
BARBARA ANDERSON LEWIS
FREDERICK M. ENTWISTLE
VINCENT A. PUNTELL

LAWYERS

310 SOUTH FIRST AVENUE

SIOUX FALLS, SOUTH DAKOTA 57102

336-3890

AREA CODE 605

MELVIN T. WOODS (1926-1983)
HOWELL L. FULLER (1908-1984)
JOHN B. SHULTZ (1912-1975)

November 13, 1986



Ms. Genny McMath
South Dakota Department of
Water and Natural Resources
Water Rights Division
523 East Capitol
Pierre, South Dakota 57501-3181

Re: Prudential/Jensen Brothers

Dear Genny:

Enclosed please find copies of the following documents:

1. Soil/Water Compatibility Permit Application Form in the name Clark Lewison;
2. Water License No. 3508-3 issued to Jensen Bros. Land and Cattle Co.; and
3. Copy of Title Commitment issued to Prudential Insurance Company of America.

We have spent a great deal of time trying to determine why the Clark Lewison Compatibility Permit Application appears on the title commitment. It is our belief that the legal descriptions on the Application are in error and thus appeared on our commitment. Please check the legal descriptions on Lewison's Water License No. 4644-3 to determine if this assumption is correct. If you have any questions regarding this matter, or if you need further information from us, please let me know.

Sincerely,

WOODS, FULLER, SHULTZ & SMITH P.C.

Larry D. Nelson
Larry D. Nelson

Enclosures



Department of Water & Natural Resources

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

December 5, 1986

Larry D Nelson
Woods, Fuller, Shultz, & Smith
310 S First Avenue
Sioux Falls, SD 57102

Dear Mr. Nelson:

I am writing in response to your letter of November 13, 1986 concerning differences between the legal descriptions on the soil/water compatibility permit for Water Permit No. 4644-3 and those appearing on your title commitment for Jensen Brothers Land and Cattle Company. Enclosed is a copy of Water Permit No. 4644-3 for Clark Lewison.

With your letter, you enclosed a copy of Water Right No. 3508-3, for Jensen Brothers Land and Cattle Company. This water right is separate from, and does not pertain to irrigation of land authorized by Water Permit No. 4644-3, Clark Lewison. While both pertain to lands in Section 8, T93N, R52W, Water Right No. 3508-3 is for land in the west half of the section and Water Right No. 4644-3 is for portions of lands in the east half of the section.

The legal descriptions under Water Right Nos. 3168-3 and 3508-3 for Jensen Brothers Land and Cattle Company and Water Permit No. 4644-3 for Clark Lewison correspond with their respective soil/water compatibility permits. Enclosed is a copy of the Water Right Nos. 3168-3 and 3508-3 and the soil/water compatibility permits for each.

Please let us know if you have any additional questions.

Very truly yours,

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

enclosures

Equal Opportunity Employer

LICENSE FOR PERMIT NUMBER 4644-3 Clark Lewis

1. Legal location of wells (2) starting from the center of Section 9, T93N R52W then 2650 feet west, then 1320 feet south; starting from the center of Section 8, T93N R52W, then 830 feet east, then 390 feet south

dams & structures: _____

2. Well Information: Well Drilling Firm Walman Drilling (Elk Point)

No. of wells (2) Depth 102

Casing a) diameter 16 inch
b) length 78 feet
c) type Transite

Screen a) type Transite (slotted, slotted)
b) length 24 feet
Static Water Level _____

(2) Pump

	Fairbanks Morse	Fairbanks Morse
a) make		
b) SERIAL# model	N3H2F13620	N3H2F13620
c) size	10M	11M
d) capacity	600	900 GPM
e) turbine pump no. of stages	3	3

(2) Motor a) make General Electric
b) model no. 5K6235XM501B
c) horsepower rating 30
d) motor efficiency rating 50

3. Distribution lines:

a) size of lines	8"	8"
b) type	Aluminum	Aluminum
c) length	15 feet	30 feet

4. Dam information:

a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____
h) Distribution lines or canals:

- i) Outlet tubes:

1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

1) size _____
2) type _____
3) length _____

5. System Type: a) sideroll:

1) length _____ feet
2) diameter of pipe _____
3) make, model & number of sprinklers _____
4) spacing of sprinklers _____
5) nozzle size _____

- b) towline:

i) length _____ feet
2) make, model & number of sprinklers _____
3) spacing of sprinklers _____
4) nozzle size _____

5. System Type: c) center pivot(2)
- 1) make Zimmatic | Zimmatic
 - 2) number of towers 5 | 7
 - 3) distance between towers _____
 - 4) overall length 900' | 1450'
 - 5) End gun (Y/N) N | Y
 - 6) high or low pressure low
 - 7) make & size of nozzles _____
 - 8) PSI reading while system is running 40/40
 - 9) GPM 600 | 900

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES	NO	Check Items
-----	----	-------------

- | | | |
|-------------------------------------|--------------------------|---|
| ☒ | ☐ | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit. |
| ☐ | ☐ | 2. Special Qualifications to permit being abided by. |
| ☒ | ☐ | 3. All Structures, wells and lands on map. |

REMARKS:

Applied For- 2.97 cfs, the two center pivot systems capable of diverting 3.34 cfs
 Actually irrigating 206 Acres which corresponds to a allowed diversion rate of
 $206 \text{ Acres} / 70 \text{ acres/cfs} = 2.94 \text{ cfs}$

Permit No. 4644-3Vermillion River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Clark Lewison
 of RR#1, Box 99, Vermillion SD 57069 holder of
 Permit No. 4644-3, bearing the priority of February 10 1981 authorizing
 the diversion of 2.97 cu. ft. per second of the waters of Ground water
 for irrigation purposes, in Clay County.

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

- A. Works used to divert the water: (2 wells) well logs not found
 a) Fairbanks morse pump (Serial #N3H2E13620, size 10m, 3 stage, 600 GPM Capacity), General Electric motor (Model #5K6235XMS016, 30 HP)
 b) Fairbanks morse pump (Serial #N3H2E1362, size 11m, 3 stage, 700 GPM Capacity), General Electric motor (Model #5K6252XMS02B, 50 HP)
- B. Works used to transport water to place of use:
 a) 18 Feet of aluminum pipe (8 inch)
 b) 30 Feet of aluminum pipe (8 inch)
- C. Works used to apply water to beneficial use:
 a) Zimmatic center pivot, 5 towers, 900 feet long, operates at 40 psi, 600 GPM
 b) Zimmatic center pivot, 7 towers, 1450 feet long, operates at 40 psi, 900 GPM

The system is in the following condition Good

The point of diversion is located: a) Starting from the center of Section 8, T93N R52W, then 830 feet East, then 396 feet north, then 1320 feet South
 b) Starting from the center of Section 9, T93N R52W, then 2650 feet west,

The works are capable of diverting and conveying to the place of use 3.34cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: All in T93N R52WSW 1/4 NE 1/4 SEC 8 = 35 acresSW 1/4 SW 1/4 SEC 9 = 38 acresSE 1/4 NE 1/4 SEC 8 = 11 acresNW 1/4 SW 1/4 SEC 9 = 35 acresNW 1/4 SE 1/4 SEC 8 = 12 acresNE 1/4 SE 1/4 SEC 8 = 37 acresSE 1/4 SE 1/4 SEC 8 = 38 acrescomprising a total of 206 acres of land and the license should be issued for 2.94 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: _____

Date November 4, 1981

well logs were requested but were not available. DWS.

David S. Brown
 (signature)

SOUTH DAKOTA
Department of
Water & Natural Resources

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

November 5, 1987

James Wetmore
Wetmore Drilling
P.O. Box 577
Elk Point, SD 57026

RE: Well logs for irrigation wells drilled for Clark Lewison,
Vermillion, Clay County, South Dakota.

Dear Mr. Wetmore:

Our office is in the process of issuing a water license for a water permit owned by Clark Lewison. In order to complete their files and before the license can be issued, two well logs are needed for the irrigation wells drilled for Clark Lewison. Our office requested the well logs from you on August 18 and again on August 31, 1987.

Below are the legal descriptions for the two wells in question.

- 1) SE1/4 SW1/4 NE1/4 Section 8, T93N, R52W
- 2) NE1/4 SE1/4 SE1/4 Section 8, T93N, R52W

If you have copies of the well logs please forward a copy of each to our office. It is very important that we obtain these logs. The water license is ready to be issued but cannot be until the well logs are obtained.

Your prompt attention in this matter will be appreciated. If you have any questions, please contact our office.

Sincerely,

David S. Brown /ks
David S. Brown
Natural Resources Engineer
DWNR, Division of Water Rights

cc: Clark Lewison, RR #1, Box 99, Vermillion, SD 57069

South Dakota
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 4644-3

November 7, 1988

Clark Lewison
RR 1, Box 99
Vermillion, South Dakota 57069

Dear Mr. Lewison:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 4644-3 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.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Maxine Stirling
Secretary

NOTE: On check or money order, please indicate the number of the water permit. This insures proper handling of the fee.

DWNR-814 8/83

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411491

Pierre, November 16, 1988, 19__

RECEIVED OF Clark Lewison, RR 1, Vermillion, SD 57069

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>4644-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer JOHN HATCH (ms)

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4644-3

(1) Clark Lewison of RR #1, Box 99, Vermillion, SD 57069 made Application No. 4644-3, February 10, 1981 for a water permit to appropriate 2.97 cubic feet of water per second from groundwater (two wells), Clay County, South Dakota for irrigation purposes. Permit No. 4644-3 with a priority date of February 10, 1981 was approved March 26, 1981 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before March 26, 1986 and for the application to beneficial use of said water on or before March 26, 1989.

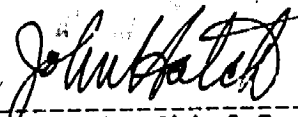
(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.94 cubic feet of water per second for beneficial use. The location of the diversion point(s) are: a) 830 feet E and 309 feet N of the center of Section 8; b) 2650 feet W and 1320 feet S of the center of Section 9; T93N, R52W.

(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 in T93N R52W:

Section 8	SW1/4 NE1/4	35 acres
	SE1/4 NE1/4	11 acres
	NW1/4 SE1/4	12 acres
	NE1/4 SE1/4	37 acres
	SE1/4 SE1/4	38 acres

Section 9	SW1/4 SW1/4	38 acres
	NW1/4 SW1/4	35 acres
	Total	206 acres

(4) Pursuant to Section 46-5-30.1 Clark Lewison of RR #1, Box 99, Vermillion, SD 57069 the holder(s) and/or owner(s) of Water Permit No. 4644-3 is issued a license to appropriate water, the right to use 2.94 cubic feet of water per second from groundwater (two wells) with a priority date of February 10, 1981 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 Water Permit No. 4644-3 and subject to South Dakota State Law.



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

MAR 22 1989



Department of Water & Natural Resources

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

MAR 22 1989

Clark Lewison
RR #1, Box 99
Vermillion, SD 57069

Dear Mr. Lewison:

Enclosed is Water License No. 4644-3. This is the final water right document completing your process of obtaining a Water Right. Also enclosed is Receipt No. 411491 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. 4644-3, 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



7679-5
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: CLARK LEWISON, RR 1 BOX 99, VERMILLION, SD 57069
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4644-3. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4644-3 qualification:

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

The hearing will be held at 9:45 am, February 25, 1998 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 4644-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 20, 1998, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in 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.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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:

4644-3
CLARK LEWISON
RR 1 BOX 99
VERMILLION SD 57069

4a. Article Number

2119141251

4b. Service Type

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

7. Date of Delivery

5. Received By: (Print Name)

6. Signature: (Addressee, or Agent)

Y. [Signature]

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

PS Form 3811, December 1984

102595-97-B-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 1998

4644-3

Clark Lewison
31058 Bluff Rd
Vermillion, SD 57069-6713

Dear Mr. Lewison:

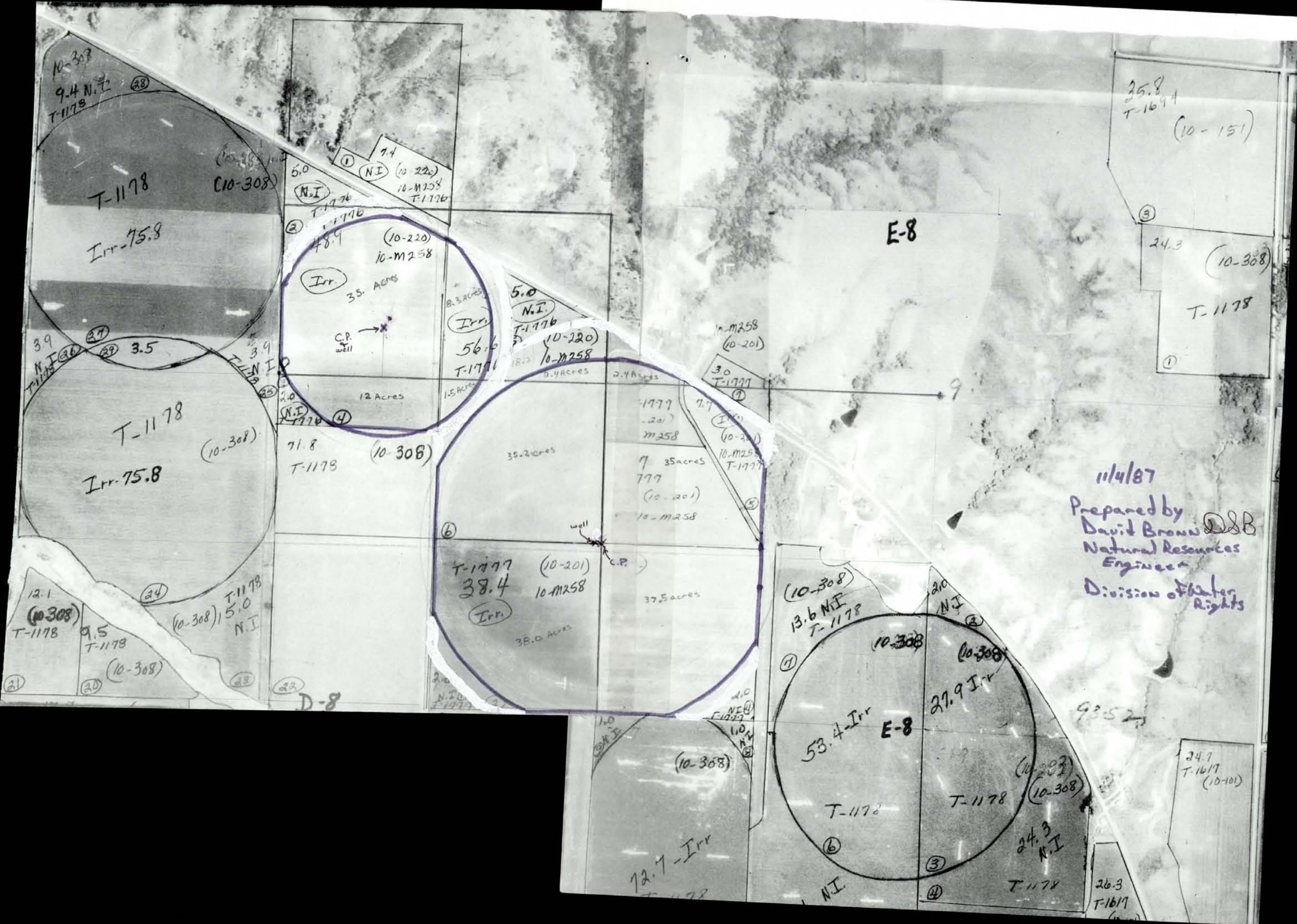
I am writing to acknowledge receipt of your 1997 irrigation questionnaire. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit No. 4644-3.

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

If you have any questions, please contact me.

Sincerely,

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



Prepared by
Robert J. Beach

Robert J. Beach
Clay County Extension Agent
P.O. Box 550
Vermillion, S.D. 57069

93-52

MAP NO. 3859-3 APPR NO. 4644-3 S/E CORNER SEC 8



4644-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2006

NOTICE

TO: CLARK LEWISON, 31058 BLUFF RD, VERMILLION, SD 57069 6713
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4644-3. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4644-3 qualification:

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

The hearing will be held at 10:30 am, March 2, 2006 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) 4644-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **February 24, 2006**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in 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.

4644-3



Track & Confirm

Current Status

You entered 2303 2160 0000 0799 5166

Your item was delivered at 9:09 am on January 27, 2006 in
VERMILLION, SD 57069. The item was signed for by P LEWISON.

[Shipment Details >](#)

Track & Confirm

Enter label number:

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Notification Options

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U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 5166

CLARK LEWISON
31058 BLUFF RD
VERMILLION SD 57069 6713

e mailing.

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com®
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CHECK ONE (POSTAL USE ONLY)

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PS Form 153, May 2002

(See Reverse)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 9, 2006

4644-3

Clark Lewison
31058 Bluff Rd
Vermillion SD 57069-6713

Dear Mr. Lewison:

I am writing to acknowledge receipt of your 2005 irrigation questionnaire. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right No. 4644-3.

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

If you have any questions, please contact me.

Sincerely,

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