

Will be up for July mtg
did not get in for June mtg.

Water Right No. 4779-3

1. Considered JULY 29 19 81
2. Name of Applicant DONALD D. WYNIA
3. Post Office Address RR #1, Box 18, TYNDALL 57066
4. Amount of Water Claimed 1.14
5. Source of Water Supply TWO ^{existing} WELLS @ 150' DEEP COVERED UNDER #4626-3
6. Water to be used for IRR.
7. Acres to be irrigated 100 ^{maximum} acre feet
8. Water to be diverted and used in ADD'L ACREAGE UNDER 4626-3 BON HOMME County
about 5 miles NORTH of SPRINGFIELD
9. PROOF OF PUBLICATION Received (P) 7-23-81
Not Received _____
- APPLICATION Approved 7-29-81
Subject to WI-IR
Not Approved _____
Action deferred _____

Priority
6-1-81

Date Received 6-1-81 Application Complete yes ☒ no ☐ FEE 225.00

Remarks _____

WATER
QUALITY

Date information and/or
fee or corrected Application received _____
Period of Annual use APRIL - OCTOBER

Received 7/6/81 yes ☒ no ☐ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application yes ☒ no ☐ Remarks _____

Disapproved _____

Returned _____

Diversion Point (two existing wells)

NE⁴ NW⁴ & NW⁴ NW⁴

SEC. 25-T94N-R60W

Lands to be irrigated _____

S¹/₂ SW⁴ & S¹/₂ N¹/₂ SW⁴

SEC 25-T94N-R60W

ADD ADD'L acreage on an existing permit

WELL
LOG

Remarks _____

Driller V. Worms Licensed (yes) no ☐

Depth 150 ft.

SEE PERMIT 4626-3

Water Right No. _____

MAP

Map No. 3989-3 Aerial Map located in Water Right X Map file _____
 Type of Map Aerial Prepared by H. La. Compton, DC

+++++

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 July 6, 1981.
Dorothy Heschel
 (Signed)

+++++

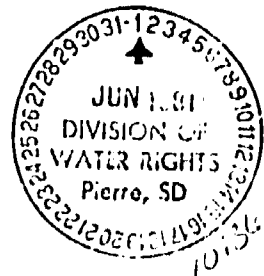
PROTESTS

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

REMARKS

F.F. & C
 OF LAW,
 FINAL
 DECISIONS
 ETC.

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

No. 4779-3Map No. 3989-3 Water Division No. 3 MISSOURI RIVER District
Above for Office Use 10170101

APPLICATION FOR PERMIT To Appropriately 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 _____

EXISTING PERMIT # 4626-3

1. Name of Applicant DONALD D. WYNIA Phone No. 605-589-3713
 Post Office Address RR 1, Box 18, TYNDALL State S. DAK. 57066
(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) all of above3. Name of diversion work Donald Wynia - #1, then #64. Amount of water claimed (cubic feet per second) 1.145. Source of water supply 2 WELLS6. Location of point of diversion NW 1/4 NW 1/4 25 T94N R60W NE 1/4 NW 1/4County Box Horn7. Annual period or periods during which water is to be used APRIL - OCT8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) IRRIGATION9. For irrigation use, Total number of acres to be irrigated 100

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.
<u>W 1/2 SW 1/4 25</u>	<u>40</u>
<u>E 1/2 SW 1/4 25</u>	<u>110</u>
<u>S 1/2 NW 1/4 25</u>	<u>20</u>

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 years. Additional time required to complete application of water to the proposed beneficial use 1 years.11. Choice of county newspaper for publication of Notice of Intent to Appropriately Water TYNDALL TRIBUNE & REGISTER

12. Principal Features of the Proposed Water Supply System.

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

WELLS

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

PIPE

C. Works proposed to apply water to beneficial use.

CENTER PIVOTEstimated Total Cost \$50,000

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 Box Horn) ss.I, Donald D. Wynia 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 Donald D. WyniaSubscribed and sworn to before me this 28th day of May, 1981

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4779-3

DONALD D. WYNIA
(Applicant)
SOUTH DAKOTA 57066
(State)

RR 1, Box 18, TUNDALL
(Post Office Address)

With the following qualifications.

The irrigation wells 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 JUNE 1, 1981
Date of return to applicant for correction, amendments or changes required _____, 19____
Date of receipt of corrected application JULY 6, 1981
Approved JULY 29, 1981, Recorded in Book 22 Page 263

WATER RIGHT PERMIT NO. 4779-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4779-3 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 JUNE 1, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 29, 1982
3. The whole of said work is to be completed on or before JULY 29, 1982
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 29, 1983
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 1.14 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 JULY 29, 1983; said water to be used during the following described annual period: APRIL - OCTOBER

Witness my hand this 4th day of AUGUST, 1981

THE WATER MANAGEMENT BOARD

By: John K. Smith
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

Information filed with previous application
 Permit # 4626-3 -
 Also signed logs of well on file

D. Well Information

- (1) Drill Hole, Diameter _____, Depth _____
- (2) Casing, Type _____, Diameter _____, Thickness _____
 (wood, concrete, steel, etc.)
- (3) 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. (Attach a copy of test well log)

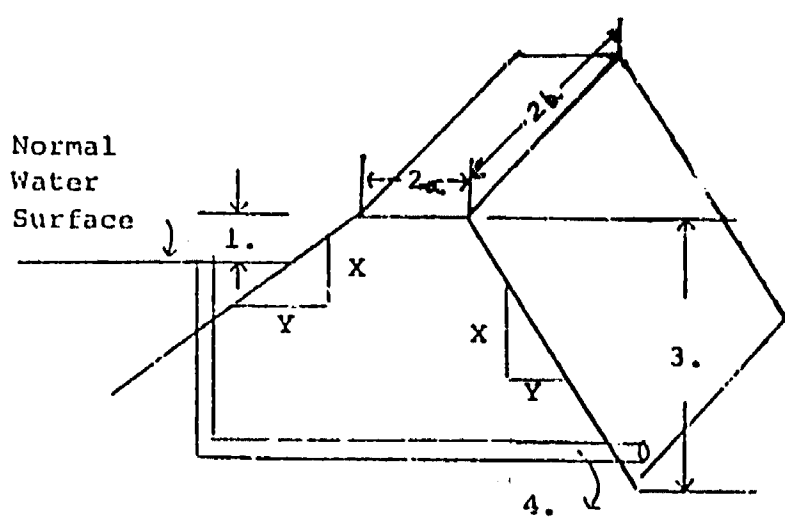
- Depth to top of water bearing material _____
- Depth to bottom of water bearing material _____
- Depth to water (ground surface to water level) _____

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

- 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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



- 1. Freeboard _____
- 2a. Crest width _____ b. length _____
- 3. Height of Dam _____
- 4. Outlet dimensions:
 Pipe diameter _____
 Spillway width _____
- X & Y slope:
 Upstream _____
 Downstream _____
 Surface area of impoundment _____
 Drainage area above dam _____

Ronald D. Zyprie
 Signature of Applicant

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

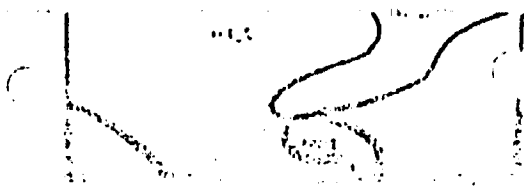
THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

Te - Tetonka soils are poorly drained soils that have dense claypan subsoils and contain an excess amount of sodium.

These soils usually pond when irrigated and cause traction problems. These soils should be left in permanent vegetation or drained.

These soils are indicated by red hatch marks.

RECOMMENDED MANAGEMENT



- Mv - Munjor fine sandy loam - 0-2% slopes.
Moderately rapid permeability, moderate or high available water capacity.

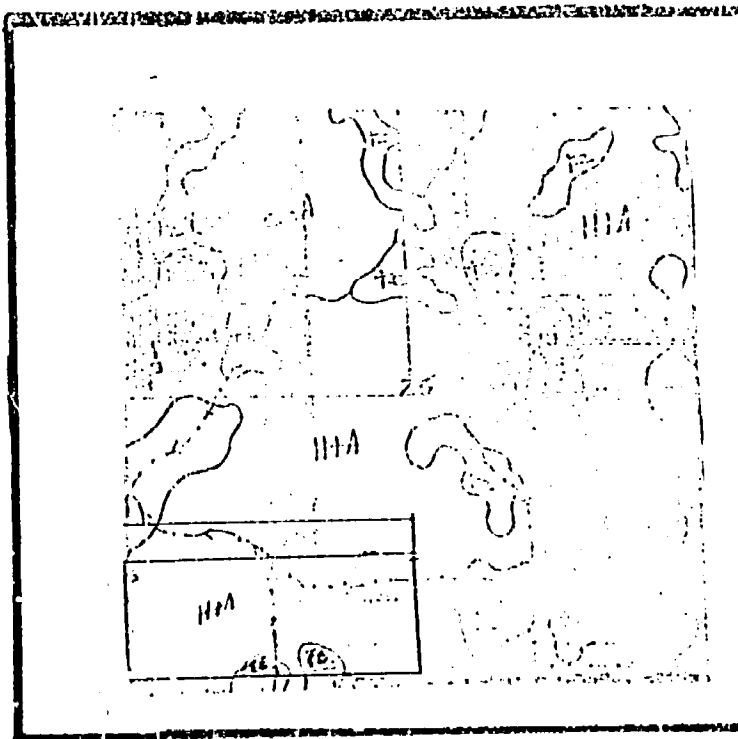
Residents of counties with published or up-to-date soil surveys shall contact their local Conservation District for a copy of the soils map for the area to be irrigated and the narrative explanation of the map.

Residents of counties with no up-to-date soil survey information shall contact the Soil Conservation Service or their local Conservation District to obtain the best information available. If soil survey information is not available, the applicant is requested to obtain this information from a private consultant or professional soil classifier.

NOTE: If at all possible, provide information concerning subsoil physical conditions.

MAP

PLEASE READ LEGAL DESCRIPTION #1 THROUGH #4 ON FRONT SHEET BEFORE COMPLETING THIS SECTION.



RECEIVED
JUN 15 1981
South Dakota
Division of Conservation

PLEASE USE BACK OF THIS SHEET FOR NARRATIVE
OR ATTACH SEPARATE SHEET

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

Office Use Only

2913-BH

OWNERS NAME: Donald D Wyman OWNERS ADDRESS: Tyndall, S.D. 57066

COUNTY LAND LOCATED IN: Beaumont PHONE: 589-3713

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

In accordance with State Law SDCL 46-5-6.5, If a water permit is granted with a conditional Soil/Water Compatibility permit, a copy of such conditional soil/water compatibility permit must be filed with the County Register of Deeds. This action must be taken by the holder of a water permit within 6 months of receipt of such water permit.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION OR DIVERSION POINT: Well #1 SW 1/4 - NE 1/4 - NW 1/4 - 25-94-60
Well #2 NE 1/4 - NW 1/4 - NW 1/4 - 25-94-60
2. SURFACE WATER SOURCE: _____
3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

Legal Description	Acres	Legal Description	Acres
<u>S 1/2 - SW 1/4 - 25-94-60</u>	<u>80</u>		
<u>S 1/4 - NW 1/4 - 25-94-60</u>	<u>30</u>		
<u>Tyndall River</u>			

4. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: X GUN: _____ OTHER: (Specify) _____
5. CROPS TO BE IRRIGATED: Alfalfa Corn Beans
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: 1981
LEGAL DESCRIPTION: NW 1/4 25-94 - NE 1/4 25-94 - Tyndall River # 11626-3
IN WHAT NAME: Donald D Wyman

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 80-1132 See attached WI#1
8. SALINITY (EC X 10⁶): 2599 dated 12-15-80
9. SODIUM (SAR): 1.60
10. ADJUSTED (SAR): 1.85 340

RECEIVED

JUN 15 1981

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____, 19____, at the following location: _____

by _____ (Individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

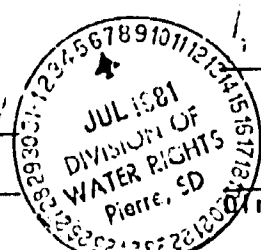
I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

28th DAY OF May, 1981

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE



Director, Division of Conservation

IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER PERMIT must be obtained from the Board of Water Management.

APPROVED

DISAPPROVED

CONDITIONALLY APPROVED

Publish first publication, on or before July 15, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

July 7, 1981

Notice is hereby given that Donald D. Wynia whose post office address is Tyndall, 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 1.14 cubic feet of water per second of time from groundwater (2 wells-existing) through the Wynia No. 1 thru No. 6, the point(s) of diversion of which ~~XX~~(are) to be located in the NEL, NW1, and NW1, NW2

of Section 25, Twp. 34N, Range 60W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

S1/2 SW1/4 and S1/2 NW1/4 SW1/4, Section 25, T94N, R60W, to add additional acreage on an existing permit

This Application No. 4779-3 will be considered by the Water Management Board at Civil Defense Room State Capitol Building, Pierre SD upon the 29th day of July, 1981

at 10 A. 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, DVNR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Donald D Wynia
RR 1, Box 18
Tyndall SD 57066

BETTY WESTLUND
Water Rights Specialist

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

No. 4777

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Bon Homme) ss.

I, Wayne L. Beithard hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Tyndall Tribune & Register

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

City of Tyndall

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

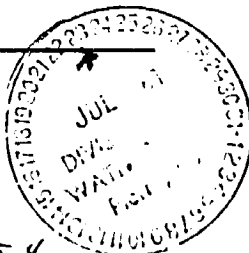
July 15, 1981

July 22, 1981

Wayne L. Beithard
(Signature)

Publisher
(Title)

7-22-81
(Date Signed)



Cost of Printing: 82 lines @ 15.4

1st wk. 82 @ 15.4 - 12.62

2nd wk. " " " 82 - 10.07

Total \$22.71

Notice is hereby given that Donald D. Wynia whose post office address is Tyndall, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-8; 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 1.14 cubic feet of water per second of time from groundwater (2 wells-existing) through the Wynia No. 1 thru No. 6, the point(s) of diversion of which are to be located in the NE 1/4 NW 1/4 and NW 1/4 NW 1/4 of Section 25, Twp. 94N, Range 60W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

S 1/2 SW 1/4 and S 1/2 N 1/4 SW 1/4, Section 25, T 94N, R 60W, to add additional acreage on an existing permit.

This Application No. 4779-3 will be considered by the Water Management Board at Civil Defense Room, State Capitol Building, Pierre, SD, upon the 29th day of July, 1981 at 10 a.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, DWNRR, 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
cc: Don D. Wynia
RR1, Box 18
Tyndall SD 57066

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8243

June 1 81

Donald D. Wymia, RR 1, Box 18, ^{PIERRE} Lyndall, SD 57066

RECEIVED OF

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

4779-3	224.00
Fee for Application for Permit to appropriate Water No. (examination, processing, recording and filing)	
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	224.00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer

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

RR 1 Box 18

Post Office Tyndall S.D.-57066Date 18 July 1983

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.

4779-3.

Water Right Permit No. 4779-3 states that the diversion system is to be constructed by 29 July 1982, and that the water is put to beneficial use by 29 July 1983.

The diversion system was completed on 11 Aug 1981. Applying the water to beneficial use was completed on 11 Aug 1981.

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.

Donald D. Zepher
(Signature)





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol

Pierre, South Dakota 57501-3181

November 14, 1989

Donald D. Wynia
RR 1, Box 18
Tyndall SD 57066

Dear Mr. Wynia:

Our office is in the process of issuing Water Licenses for Water Permit Nos. 4626-3, and 4779-3. In order to complete the files, and before the license can be issued, well logs are needed for the following described wells:

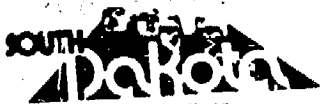
SW 1/4 Sec.25, T94N-R60W
NW 1/4 Sec.25, T94N-R60W (2 wells)

The water licenses are nearly ready to be issued but cannot be done until "as constructed" logs of these wells are obtained. Your prompt attention in this matter will be appreciated. If you have any questions, please contact me.

Very truly yours,

KEN BUHLER
Natural Resources Engineer
Water Rights Division
(605)773-3352





Department of Water & Natural Resources

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

November 14, 1989



Vergil Worm
Dakota Boring Company
Box 57
Lebanon, SD 57455

Dear Mr. Worm:

Our office is in the process of issuing Water Licenses for irrigation permits in Bon Homme County. In order to complete the files, and before licenses can be issued, "as constructed" well logs are needed for the following wells:

✓ Owner
✓ Bochmans Inc.
✓ Harold Tjeersma
✓ Donald Wynia

✓ Richard Hajek
✓ Virgil Tjeerdsma

Location
NW 1/4 NE 1/4 SE 1/4 Sec.19, T94N-R60W
SW 1/4 Sec.93N-R61W
SW 1/4 Sec.25, T94N-R60W
NW 1/4 Sec.25, T94N-R60W
SW 1/4 NE 1/4 Sec.15, T94N-R60W
NE 1/4 NW 1/4 Sec.23, T94N-R60W

The holders of these permits indicate that you constructed the irrigation wells listed above. Please forward copies of the well logs to our office. If logs are no longer available, please advise. Your prompt attention in this matter will be appreciated. If you have any questions, please contact me.

Very truly yours,

K. Buhler

KEN BUHLER
Natural Resources Engineer
Water Rights Division
(605) 773-3352

Sorry but I don't have the logs for these wells
Vergil Worm



5 Dec 89

Ken Buhler
Natural Resources Engineer
Water Rights Division Pierre, SD. 57501



RE: WATER PERMITS # 4626-3 and 4557-3.

Dear Mr. Buhler:

In regards to our telephone conversation a few days ago I have copied some records that might be pertinent to the water licenses in process. There is one log as such, on well #2. I was not given any other. The formations drilled through were all similar. I was present when they all were drilled and constructed. The receipts list the material that went into the bore holes. All three wells were bored 30 inches diameter. Well #1 is 145 feet, well #2 and #3 are 155 feet deep. They have 16 inch hvy wall pvc schg 40 casing, cased to the bottom. Each have 20 feet of pvc 100 slot screen, and seven inches of pea rock pack around the casing column. Wells #1 and #2 are pumped with 4 inch, 25 hp submersibles. The #3 is pumped with an 8 inch 5 stage 100 hp turbine. All three deliver to an underground pipeline system simultaneously which delivers to one pivot at a time, each nozzle to deliver 1000 gals./min. One pivot located SW1/4 sec 25-T94-R60W, the other on NW1/4 sec 25-T94-R60W.

I will enclose a rough drawing of locations of wells, pivots and pipe line location. As near as I can determine, well #1 is located in NW1/4 SE1/4 NW1/4 sec 25-T94-R60W. Well #2 is located NE1/4 NW1/4 NW1/4 sec 25-T94-R60W. Well #3 is located SW1/4 NW1/4 NW 1/4 sec 25-T94-R60W. All three wells are functional, complete, and in use.

I hope this will be of some use. If you need more call me and we can discuss what else might be available.

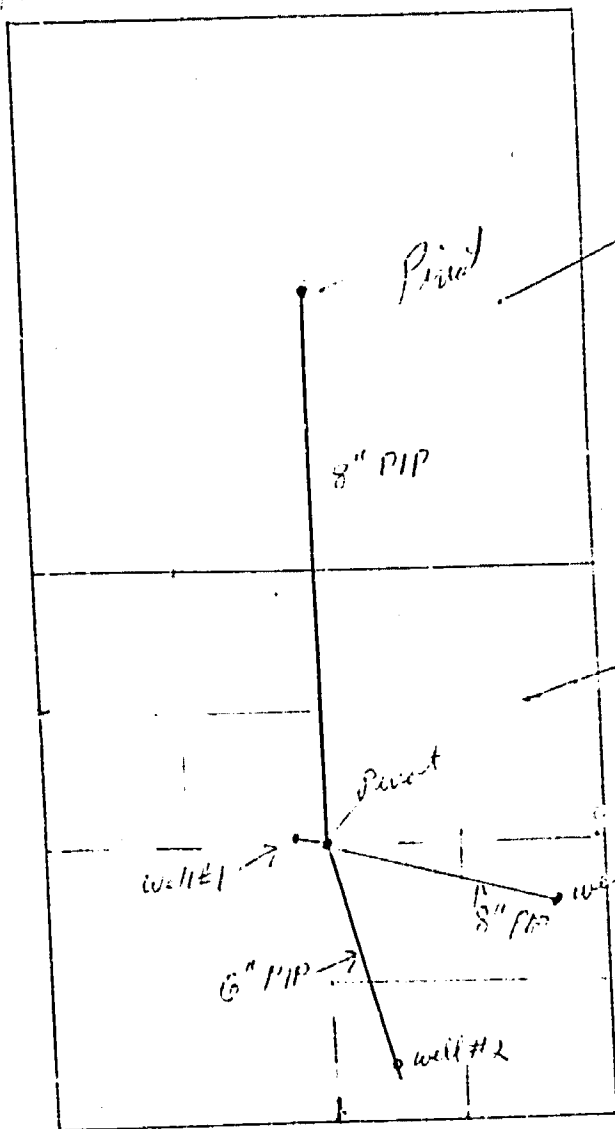
Yours truly

Donald D. Wynia

Donald D Wynia
RR #1 Box 12
Tyndall, SD. 57066



S



SW 1/4 25-94-6

NW 1/4 25-94-6

N



DAKOTA BORING CO.

VERGIL H. WORM, Owner

Lebanon, S. D. 57455

Phone 768-2101

well H2

Date 6-17, 1981

Name Don Wyhiser

Address 1 yndell.

[illegible]

Re-invest in JFB

№ 3534

DAKOTA BORING CO.

VERGIL H. WORM, Owner

Lebanon, S. D. 57455

Phone 768-2101

Wied #

Date 12-30-80, 197

Name Don Wynne

Address Tynda / SP

[illegible]

**All bills over 30 days
will be charged 1½% interest.**

Nº 3434

Dakota Boring Co.

Box 57

LEBANON, S. DAK. 45755

NO 1894

WELLS DRILLED OR BORED

IRRIGATION WORK — WELLS & PUMPS — TRENCHING & EXCAVATING

Paul C. Worm 768-2581

Vergil H. Worra 768-2101

Name Don Wynia

Address Tyn Dall

Telephone _____

Cash	Check 4000 ⁰⁰	Charge	On Acct.
------	-----------------------------	--------	----------

[illegible]

Total Material

\$9000.00 Pl. 24 mil
Sik 45835

SOIL LOG



Machine & Labor Charges

[illegible]

**Customer
Signature**

Employee

Ernie Worn

DRILLER'S LOG OF WELL

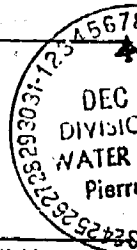
Location of Well: _____ 1/4, _____ 1/4, Section _____, Township _____, Range _____

Well to be drilled for: Dan Wynia
(Name) (Address)

Owner of land (if other than above): _____
(Name) (Address)

Date well drilling started _____ finished _____

Purpose of well _____
(domestic, irrigation, municipal, industrial, other)



Diameter	Inches	Feet	Describe kind of materials drilled through (add layers on back of form if necessary)	Ground Surface Elevation: _____ (If Available)
3			Topsoil	
		50	yellow clay	Size and thickness of casing to be installed: _____ _____ _____
		100	Blue Clay	Size of casing to be installed: _____ feet of _____ inches diameter _____ feet of _____ inches diameter _____ feet of _____ inches diameter
		140	Shale & chalk	Type of Seal between casing sizes: _____ _____ _____
				Kind of perforated screen to be installed: Material _____ (steel, wood, concrete, etc.)
				Size of Screen: Diameter _____ inches Length _____ feet Size openings _____ inches
			Water bearing material	Depth below ground surface to which water rises In well _____ feet.

no loss of water

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

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

March 22, 1990

4779-3

Donald D Wynia
RR #1 Box 18
Tyndall, SD 57066

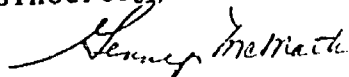
Dear Mr. Wynia:

The inspection of your water use system and the inspection of the extent of the application of water to beneficial use, as developed under your Water Permit No. 4779-3 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 issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License. Upon licensing, the applicable portions of Water Permit No. 4626-3 will be incorporated into Water License No. 4779-3.

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,



GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

LICENSE FOR PERMIT NUMBER _____

1. Legal location of wells: _____

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____
b) length _____ b) length _____
c) type _____ Static Water Level _____

Pump₃ a) make Valley Motor a) make General Electric
b) model Serial No. 12MMESA 1411177 b) model no. 5K6257XM5DIC
c) size _____ c) horsepower, rating SH DTJ422347 100 HP
d) capacity 800 GPH d) motor efficiency rating _____
e) turbine pump
no. of stages 5 115/125

3. Distribution lines:

a) size of lines _____
b) type _____
c) length _____

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

i) Outlet tubes:

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

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:

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

LICENSE FOR PERMIT NUMBER _____

1. Legal location of wells: _____

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____
b) length _____ b) length _____
c) type _____ Static Water Level _____

Pump 2 a) make Valley Submersible Motor a) make Valley
b) model #66XME.4AB SN 14.11226 b) model no. IES250 69C
c) size 4 -inch c) horsepower rating 25 HP
d) capacity 500 GPM d) motor efficiency rating _____
e) turbine pump
no. of stages _____

3. Distribution lines:
a) size of lines _____
b) type _____
c) length _____

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

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

5. System Type: a) sideroll:
1) length _____ feet
2) diameter o. pipe _____
3) make, model & number of sprinklers _____
4) spacing of sprinklers _____
5) nozzle size _____

b) towline:
1) length _____ feet
2) make, model & number of sprinklers _____
3) spacing of sprinklers _____
4) nozzle size _____

5. System Type: c) center pivot₂ (SW 1/4) d) Gate Pipe

- 1) make Valley Electric
- 2) number of towers 7
- 3) distance between towers 180'

- 4) overall length 1287
- 5) End gun (Y/N) Yes
- 6) high or low pressure High
- 7) make & size of nozzles Rainbird
- 8) PSI reading while system is running 65

9) GPM 800
Model No. 4171
Serial No. 22563

g) Gun

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

- 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:

LICENSE FOR PERMIT NUMBER 4626-3 and 4779-3

1. Legal location of wells: #1 - 1900' S46°E, #2 - 870' S64°E, #3 - 760' S12°E; all from the NW corner of Sec.25, (#1- SWSWNE, #2- NWNE, #3- SWNE Sec.25); all in T94N-R60E

dams & structures: _____

2. Well Information: Well Drilling Firm Dakota Boring Co. (SD License No. 234)

No. of wells three Depth all wells are 150 feet deep

Casing a) diameter 16-inch Screen a) type PVC
b) length 1-126', 2-126', 3-130' b) length 20'
c) type PVC Static Water Level 1-93.7', 2-94', 3-94'

Pump 1 a) make Valley Submersible Motor a) make Valley
b) model #66XME.4AB SN 14.11227 b) model no. IES250 69C
c) size 4-inch c) horsepower rating 25 HP
d) capacity 500 GPM d) motor efficiency rating _____
e) turbine pump
no. of stages _____

3. Distribution lines:

a) size of lines 8-inch Diameter from Well₃ to Pivot₁, and from
Pivot₁ to Pivot₂; 6-inch dia. from Well₂ to Pivot₁ and from
Well₁ to Pivot₁
b) type PVC
c) length 8-inch - 3760 feet, 6-inch - 1090 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 _____

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:

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

5. System Type: c) center pivot (NW 1/4) d) Gate Pipe

1) make Olson SH 5207, MH 103PL

2) number of towers 8 + 2 tower corner

3) distance between towers

125

4) overall length 1277

5) End gun (Y/N) Yes

6) high or low pressure High

7) make & size of nozzles

Rainbird

8) PSI reading while system is running 70

9) GPM 950

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

g) Gun

1) make

2) serial number

3) nozzle size

4) capacity (GPM)

5) PSI

6) hose size

7) hose length

h) Hydromatic

1) make

2) model

3) serial number

4) length

5) nozzle size

6) spacing

7) PSI

8) capacity (GPM)

YES

NO

Check Items

X

—

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.

X

—

2. Special Qualifications to permit being abided by.

X

—

3. All Structures, wells and lands on map.

REMARKS:

Permit No. 4626-3 and 4779-3Missouri River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Donald D. Wynia

_____ of RR 1, Box 18, Tyndall, SD holder of
4626-3 Permit No. 4779-3, bearing the priority of December 29 80
June 1, 1981 authorizing
 the diversion of 3.14 cu. ft. per second of the waters of groundwater
 for irrigation purposes, in Bon Homme County.

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

A. Works used to divert the water: The system has three wells drilled by Dakota Boring Co. (SD License No. 234), each well has a total depth of 150 feet, with 16-inch dia. PVC casing and screen. The wells are pumped with two Valley submersible pumps capable of 500 gpm, driven by 25HP Valley Motors. The third well is pumped with a Valley turbine pump with 5 stages, capable of 800gpm. The turbine pump is powered by a 100HP General Electric Pump.

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

The distribution pipeline from well #1 to Pivot Point #1 consists of 70' of 6" dia. PVC, the distribution pipeline from well #2 to Pivot Point #1 consists of 1020' of 6" dia. PVC, the distribution pipeline from well #3 to Pivot Point #1 consists of 1120' of 8" dia. PVC, and the distribution pipeline from Pivot #1 to Pivot #2 consists of 2640' of 8" dia. PVC.

C. Works used to apply water to beneficial use:

Water is applied to beneficial use through two center pivot systems: #1 is an Olson Pivot with 8 towers plus a 2 tower corner system. Pivot #1 has an end gun, operates at 70 psi with 950 gpm. #2 is a Valley Electric Pivot with 7 towers. Pivot #2 has an end gun, operates at 65 psi with 800 gpm.

The system is in the following condition GOOD

The point of diversion is located Well #1: 1900' S46°E; Well #2: 870' S64°E, Well #3: 760' S12°E; all from the NW corner of Sec. 25, T94N-R60W

The works are capable of diverting and conveying to the place of use 4.00 cfs ^{pivot 1 - 950 gpm} 3.90 cfs ^{pivot 2 - 800 gpm}
1750 gpm = 3.90 cfs
 cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows: NE 1/4 NW 1/4 - 39 acres, NW 1/4 NW 1/4 - 39 acres, SW 1/4 NW 1/4 - 36 acres, SE 1/4 NW 1/4 - 39 acres, NE 1/4 SW 1/4 - 34 acres, NW 1/4 SW 1/4 - 33 acres, SW 1/4 SW 1/4 - 33 acres, SE 1/4 SW 1/4 - 34 acres; all of Sec. 25, T94N-R60W.

comprising a total of 284 acres of land and the license should be issued for 4.00 cfs ^{3.9}

Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are: _____

Inspection conducted
Sept 1, 1987
 Date Dec 5, 1989

[Signature]
 (Signature)

RECEIPT

412161

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

Pierre, March 27, 1990

RECEIVED OF Wynla Feed Yard, RR #1 Box 18, Tyndall, SD 57066
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. 4779-3	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 W. Hatcher
Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4779-3

(1) Donald D. Wynia of RR #1 Box 18, Tyndall, SD 57066 made Application No. 4779-3, June 1, 1981 for a water permit to appropriate 1.14 cubic feet of water per second from groundwater (2 existing wells), Bon Homme County, South Dakota for irrigation purposes. Permit No. 4779-3 with a priority date of June 1, 1981 was approved July 29, 1981 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before July 29, 1982 and for the application to beneficial use of said water on or before July 29, 1983.

Water Permit No. 4779-3 was approved for irrigation of 100 acres from two existing wells authorized under Water Permit No. 4626-3. The applicable portions of Water Permit No. 4626-3 have been incorporated into this license. Priority dates as they pertain to the land irrigated are described in (3) of this license.

(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 3.90 cubic feet of water per second for beneficial use. The location of the diversion points are: Well #1 - 1900' S 46 degrees E; Well #2 - 670' S 64 degrees E; Well #3 - 760' S 12 degrees E; all from the NW corner of Section 25, T94N, R60W (#1 - NE1/4 NW1/4 and #2 & #3 - NW1/4 NW1/4).

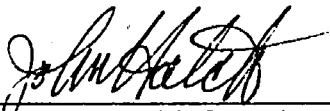
(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T94N, R60W Section 25	Priority Dates
NE1/4 NW1/4 39 acres	December 29, 1980
NW1/4 NW1/4 39 "	" "
SW1/4 NW1/4 36 "	" "
SE1/4 NW1/4 39 "	" "
NE1/4 SW1/4 34 "	December 29, 1980 (14 acres)
	June 1, 1981 (20 acres)
NW1/4 SW1/4 33 "	December 29, 1980 (13 acres)
	June 1, 1981 (20 acres)
SW1/4 SW1/4 33 "	June 1, 1981
SE1/4 SW1/4 34 "	June 1, 1981
Total 284 acres	

The priority date of December 29, 1980 was established under Permit No. 4626-3. The priority date of June 1, 1981 was established under Permit No. 4779-3.

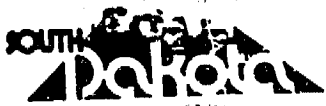
Water License No. 4779-3
page 2

(4) Pursuant to Section 46-5-30.1 Donald D. Wynia of RR #1 Box 18, Tyndall, SD 57066 the holder(s) and/or owner(s) of Incorporated No. 4779-3 is issued a license to appropriate water, the right to use 3.90 cubic feet of water per second from groundwater (3 wells) with priority dates of December 29, 1980 & June 1, 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 Incorporated No. 4779-3 and subject to South Dakota State Law.



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

APR 25 1990



Department of Water & Natural Resources

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

4779-3

APR 25 1990

Donald D. Wynia
RR #1 Box 18
Tyndall, SD 57066

Dear Mr. Wynia:

Enclosed is Water License No. 4779-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412161 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. 4779-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

enclosures

NOTE: The applicable portions of Water Permit No. 4626-3 have been incorporated into this license.

4779-3

WYNIA FEED YARDS, INC.

% MICHAEL WYNIA

RR 1 BOX 18

LYNDALL

SD 57066

1996 IRRIGATION

084500-01 MOTOR SIZE 100

MONTH	KWH	COST	HOURS	CENTS/KWH	COST/HR
SEP 96	28560	1,531.40	702.9	5.36	2.18
AUG 96	17600	1,327.70	631.1	7.54	2.10
JUL 96	4960	704.21	109.5	14.20	6.43
TOTAL	51120	3,563.31	1443.5	6.97	2.47

32 779.00

30 7925.00

5 286.00

< - - - - - LOAD CONTROL SAVINGS - - - - - >

CUT	CONTROL	NOT CONTROL	POSSIBLE SAVINGS	ACTUAL SAVINGS
-----	---------	-------------	------------------	----------------

69 208.000

SEP 96				
AUG 96	NO	1327.70	1633.59	305.89
JUL 96	NO	704.21	934.11	229.90
TOTAL		2031.91	2567.70	535.79

305.89

229.90

535.79

1996 IRRIGATION SEASON SUMMARY

94-60-25-3

TOTAL HF

MONTH--	OCT 96	SEP 96	AUG 96	JUL 96	JUN 96	MAY 96	TOTALS
HOURS---	.0	702.9	631.1	109.5	.0	.0	1443.5
KW-----	.0	84.0	104.0	92.0	.0	.0	
KW CHG--	.00	407.48	504.50	446.29	.00	.00	1358.27
KWH-----		28560	17600	4960			51120
KWH CHG	.00	1123.92	823.20	257.92	.00	.00	2205.04
PENALTY	.00	.00	.00	.00	.00	.00	
SALES	.00	1531.40	1327.70	704.21	.00	.00	3563.31



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 28, 1997

4779-3

Don Wynia
RR 1 Box 18
Tyndall, SD 57066

Dear Mr. Wynia:

Enclosed, as we discussed, is a copy of Water License No. 4779-3. I included a copy of the water permit (which lists the qualifications the permit was approved under) and a copy of the map prepared by the staff engineer who investigated your water use system.

You indicated during our conversation that the land described in the water right would be sold at auction in the near future. The enclosed transfer form can be given to the new owner once the land is sold. The new owner will need to complete the form and have it signed in the presence of a notary. Once the form is completed, it will need to be returned to our office with a required filing fee of \$2.50. I have included a postage paid envelope for their use in returning the transfer form and filing fee to us.

Don, thanks for calling and if I have forgotten to include any information you may need, please get in touch with me. If you would, please let the new owner(s) know that they can call me if they have any questions or concerns.

Sincerely,

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

enclosures

4779-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 27, 1997

Terry Balvin
RR 1 Box 30A
Tyndall, SD 57066

Dear Mr. Balvin:

Enclosed, as we discussed, is the "Notice of Transfer of Ownership" form use in filing an ownership change on Water Right No. 4779-3.

Please sign the form in the presence of a notary public and return it to our office as soon as possible. The filing fee has been paid and no further fees are necessary.

If you have any questions, please contact me.

Sincerely,

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

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4779-3

Date: _____



I/We request that Water Right No. 4779-3

formerly owned by: Donald D Wynia

be transferred to: (name & address) Terry Balvin, RR 1 Box 30A, Tyndall, SD 57066

Telephone No. (605) 589-3850

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

W 1/2 Section 25, T94N, R60W

I/We understand that the validity of Water Right No. 4779-3 has not been determined by this transfer action. If I/We have any question 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 Bon Homme)

I/We Terry Balvin 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.

Terry Balvin
(Signed)

Subscribed and sworn to before me this 30th day of April, 19 97.

David J. Jensen
(Notary Public)
Comm. exp 7-2-03

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

415287

South Dakota Department of Environment and Natural Resources

Pierre, _____ March 25, 19 97

RECEIVED OF E. C. Hubner (Terry Halvin), PR 1, Box 174, Aven, SD 57315
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 4779-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By

Chief Engineer

John Hatch



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

May 21, 1997

No. 4779-3

Gregg C. Hubner
RR 1, Box 174
Avon, SD 57315

Dear Mr. Hubner:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 4779-3.

Our records now show Terry Balvin as the owner of Water Right No. 4779-3

Sincerely,

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

enclosure

c Terry Balvin, RR 1, Box 30A, Tyndall, SD 57066



4779-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: TERRY BALVIN, RR 1 BOX 30A, TYNDALL, SD 57066

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) 4779-3. 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) 4779-3 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) 4779-3 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 indicated 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:

4779-3

TERRY BALVIN
RR 1 BOX 30A
TYNDALL SD 57066

4a. Article Number

119-141 191

4b. Service Type

☐ Registered

☒ Certified

☐ Express Mail

☐ Insured

☐ Return Receipt for Merchandise

☐ COD

7. Date of Delivery

1-15-98

5. Received By: (Print Name)

Terry Balvin

6. Signature (Addressee or Agent)

(X) Terry Balvin

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

102595-97-B-0179

Domestic Return Receipt

PS Form 3811, December 1994

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 26, 1998

4779-3

Terry Balvin
41726 SD Hwy 52
Tyndall, SD 57066-6002

Dear Mr. Balvin:

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. 4779-3.

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

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

TERRY BALVIN
41726 SD HWY 52
TYNDALL SD 57066 6002

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

1-22-01

C. Signature

X *Terry Balvin*☐ Agent☐ AddresseeD. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

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

4. Restricted Delivery* (Extra Fee)

☐ Yes

2. Article Number (Copy from service label)

7000 0600 0026 9814 2706

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M 0952



4779-3
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: TERRY BALVIN, 41726 SD HWY 52, TYNDALL, SD 57066 6002
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(s) has not been submitted for Permit No(s) 4779-3. 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(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) 4779-3 qualification:

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

The hearing will be held at 10:00 am, March 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. 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) 4779-3 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 March 2, 2001, 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 2001

4779-3

Terry Balvin
41726 SD Hwy 52
Tyndall, SD 57066-6002

Dear Mr. Balvin:

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. 4779-3.

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



4779-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 15, 2003

4779-3

Terry Balvin
41726 SD Hwy 52
Tyndall SD 57066 6002

Dear Mr. Balvin:

I am writing in follow-up to your phone conversation with Eric Gronlund on December 12th.

Based on the inches applied and the number of circles made, I arrived at a total number of acre feet of water pumped. The numbers on the back of the form are not necessarily the right number of days or hours that you may have pumped, however when calculated out they will equal 55 acre feet for the north pivot and 38 acre feet for the south pivot. Enclosed is a copy of the completed form for your records.

Eric indicated you recently purchased land described in Water Right No. 4392-3. Enclosed is a copy of the file and a partially completed "Notice of Transfer of Ownership" form. Please review the form and complete as needed. A \$2.50 filing fee is required and can be submitted with the transfer form. The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures



4779-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2005

NOTICE

TO: TERRY BALVIN, 41726 SD HWY 52, TYNDALL, SD 57066 6002
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaires

Our records indicate that the 2004 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4392-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4779-3 qualification:

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

The hearing will be held at 8:30 am, March 2, 2005 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 4779-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4392-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office on/or before February 25, 2005, 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 (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.



4779-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 8, 2005

4392-3
4779-3

Terry Balvin
41726 SD Hwy 52
Tyndall SD 57066

Dear Mr. Balvin:

I am writing to acknowledge receipt of the information for your 2004 irrigation questionnaires. I completed questionnaires for you based on our February 8th telephone conversation. Enclosed are copies of the forms for you to keep for your records.

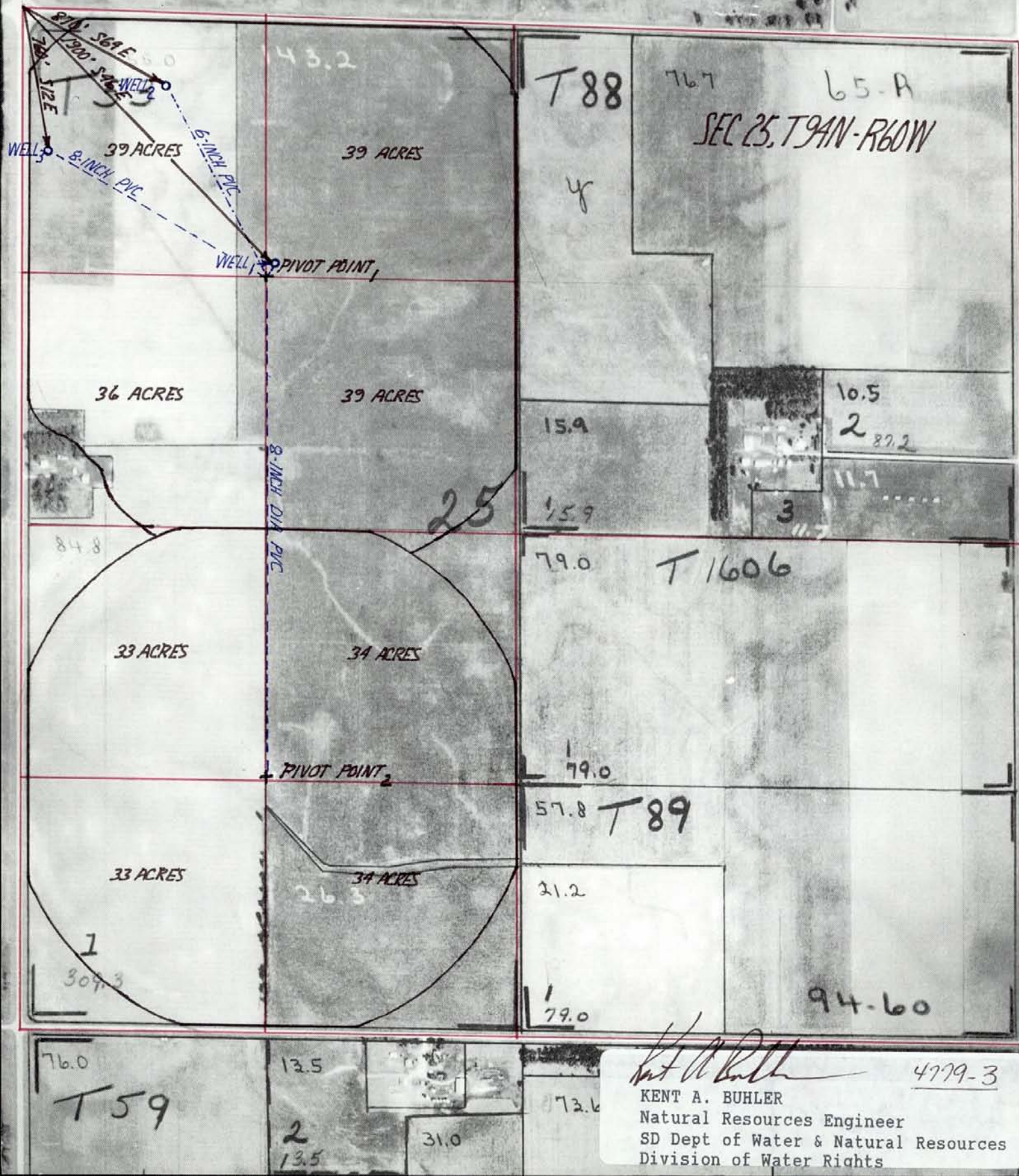
You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right Nos. 4392-3 and 4779-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

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

NOT TO SCALE



NOT TO SCALE

of District

55.0

143.2

76.7

65-A

#2 well

6" PLASTIC PIPE

94.5

#1 well

4

10.5

15.9

8" PLASTIC PIPE
2600'

25

84.8

81.9

36.0

16.1

Owner = Donald D. Wynia

S $\frac{1}{4}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ 25-94-60

S $\frac{1}{2}$ -SW $\frac{1}{4}$ -25-94-60

Pivot Point

21.2

Harry L. Compton
District Conservationist
5-28-81

94-60

76.0

13.5

72.6

73.3

65-A

~~7779-3~~

Appl 4779-3



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 23, 2009

NOTICE

TO: TERRY BALVIN, 41726 SD HWY 52, TYNDALL, SD 57066 6002

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaires

Our records indicate that the 2008 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4392-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4779-3 qualification:

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

The hearing will be held at **10:00 am, March 11, 2009** 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) 4779-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4392-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted 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. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/efrms/secure/efrms/E0455V7-IQ.pdf>

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.

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: **2303 2160 0000 0802 6050**
Status: **Delivered**

Your item was delivered at 11:21 AM on January 24, 2009 in TYNDALL, SD 57066. The item was signed for by L BALVIN.

Track & Confirm

Enter Label/Receipt Number.

Notification Options

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No FEAR Act EEO Data

FOIA

United States Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 6050

TERRY BALVIN
41726 SD HWY 52
TYNDALL SD 57066 6002

Waiver of Signature ☐ YES ☐ NO

Postmark Here

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Access internet web site at www.usps.com
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**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 29, 2009

4392-3
4779-3

Terry Balvin
41726 SD Hwy 52
Tyndall SD 57066

Dear Mr. Balvin:

I am writing to acknowledge receipt of the information for your 2008 irrigation questionnaires. I completed forms for you based on our phone conversation. I have included a copy of each one for you to keep for your records.

You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right Nos. 4392-3 and 4779-3. 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
email: genny.mcmath@state.sd.us



4779-3
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 18, 2013

NOTICE

TO: TERRY BALVIN, 41726 SD HWY 52, TYNDALL, SD 57066 6002

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaires

Our records indicate that the 2012 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4392-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4779-3 qualification:

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

The hearing will be held at **8:30 am, March 7, 2013** 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) 4779-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4392-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, 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.

4779-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2013

4392-3
4779-3

Terry Balvin
41726 SD Hwy 52
Tyndall SD 57066 6002

Dear Mr. Balvin:

I am writing to acknowledge receipt of your 2012 irrigation questionnaires. I completed forms for you based on our phone conversation.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right Nos. 4392-3 and 4779-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Enclosed for your records are copies of the forms I completed. If you have any questions, please contact me.

Sincerely,

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

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

enclosures



4779-3

DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES

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

January 20, 2023

NOTICE

TO: TERRY BALVIN, 41726 SD HWY 52, TYNDALL, SD 57066 6002

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaires

Our records indicate your 2022 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4392-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4779-3 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4779-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4392-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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: <https://danr.sd.gov/iq> using this password: ZVWTEX**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 24, 2023

4392-3
4779-3

Terry Balvin
41726 SD Hwy 52
Tyndall SD 57066-6002

Dear Mr. Balvin:

I am writing to acknowledge receipt of the information for your 2022 irrigation questionnaires. Based on our phone conversation, I completed forms for you. Enclosed is a copy for your records.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right Nos. 4392-3 and 4779-3. 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
Genny.mcmath@state.sd.us



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 14, 2025

NOTICE

TO: TERRY BALVIN, 41726 SD HWY 52, TYNDALL, SD 57066 6002

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaires

Our records indicate your 2024 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4392-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4779-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4779-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4392-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: ODTYRT**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 28, 2025

4779-3

4392-3

Terry Balvin
41726 SD Hwy 52
Tyndall SD 57066

Dear Mr. Balvin:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 4392-3 & 4779-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

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