

Considered: _____

WATER PERMIT NO. 5422A-3

Phone: 605 489-2266

Name of Applicant: Larry Alverson

Post Office Address: Rt 1, Box 55, Chester SD 57016

Amount of Water Claimed: no add'l Total Acres: no add'l

Source of Water Supply: groundwater

Water to be used for: irrigation County: Lake

About 8 miles SE of Madison

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 9-5-91 Fee: \$50 Remarks Change the

location of the diversion point on Permit No. 5422-3

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

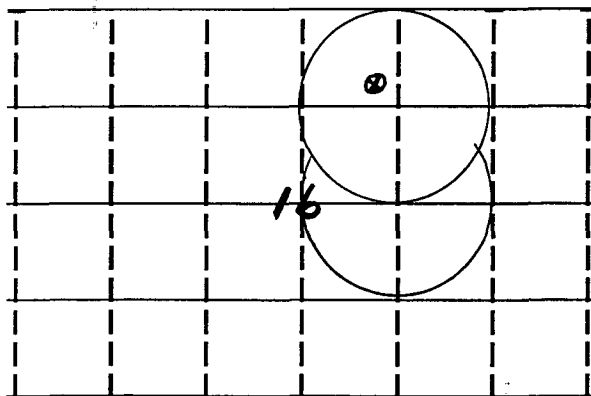
WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

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

Diversion Point: NW 1/4 NE 1/4 Sec 16-T105N-R51W

Land to be Irrigated: NE 1/4, N 1/2 SE 1/4

Sec 16-T105N-R51W



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

Depth of Well: 62' REMARKS _____

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

Assigned on 9-13-91 By Karen Schlaak

No. 5422A-3 Hydrologic Unit DL70203
Basin Big Sioux River
Newspaper Madison Daily Leader Box 348 57016



For Soil/Water Compatibility Permit and Permit To Appropriate Water

- Type of Application: ☐ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☒ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____
1. Name of Applicant Larry Alverson Phone No. 605-489-2266
 Post Office Address Rt 1 Box 55 Chester State S.D. 57016
(Street, RR or Box) (City) Zip Code
2. Amount of water claimed (c.f.s.) 2.2 (no add'l) Total acres irrigated 210 (no add'l)
 3. Source of Water supply Ground
 4. Location of point of diversion 1650' West of 170' South of 1100' East of 170' N
T105N-R51W (NW1/4 NE1/4) County Lake
 5. Counties where water will be used Lake
 6. Annual period during which water is to be used 4-1 thru 10-31
 7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
NW 1/4 NE 1/4 16-105-51	35
NE 1/4 NE 1/4 16-105-51	35
SW 1/4 NE 1/4 16-105-51	35
SE 1/4 NE 1/4 16-105-51	35

Land Description	No. Acres Irr.
NW 1/4 SE 1/4 16-105-51	35
NE 1/4 SE 1/4 16-105-51	35

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: ☒ Other: _____
 9. Crops to be Irrigated: Corn Soy beans
 10. Give a description of proposed project. (Attach sheet if more space is needed)

Towable Center Pivot with one well.

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

STATE OF SOUTH DAKOTA)
County of Lake)^{ss}

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

Signed Larry Alverson

Subscribed and sworn to before me this 14 day of August 1991

E. J. Aldrich NOTARY PUBLIC
SOUTH DAKOTA

**SOUTH DAKOTA
WATER PERMIT No. 5422A-3 FOR IRRIGATION**

Date of first receipt of application September 5, 1991.

Date Soil/Water Compatibility Permit received April 30, 1990.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5422A-3 to Larry Alverson, Rt 1, Box 55, Chester SD 57016 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5422A-3 corrects the location of the well authorized by Water Permit No. 5422-3. Water Permit No. 5422-3 appropriates 2.2 cubic feet of water per second (cfs) from two wells located in the NE 1/4 SE 1/4 to irrigate 210 acres located in the NE 1/4 and the N 1/2 SE 1/4; all in Section 16-T105N-R51W. An inspection of this Permit found 1 well (Big Sioux-North Skunk Creek Aquifer) diverting 1.78 cfs irrigating 198 acres. The correct location of the well is the NW 1/4 NE 1/4 Section 16-T105N-R51W. This permit does not authorize any increase in the developed diversion rate or acres irrigated.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - October 31.
3. The date from which applicant may claim right is February 26, 1990.
4. The date of approval of Permit No. 5422A-3 is September 21, 1992.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

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

WATER MANAGEMENT BOARD

By: John Hatch MAR 12 1993
John Hatch, Chief Engineer, Water Rights Division date
Department of Environment and Natural Resources

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412833

Pierre, September 13, 19 91

RECEIVED OF Larry or Charlene Alverson, RR 1, Box 55, Chester, SD 57016

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

Fee for Application for Permit No. <u>5422A-3</u> to Appropriate Water, to construct works and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form		
Fee for Filing Extension Request		
Fee for Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By

John Hatch (CF)
Chief Engineer

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4473

WR#

OWNERS NAME: ALVERSON, LARRY OWNERS ADDRESS: RFD 1, Box 55
Chester, South Dakota 57016

COUNTY LAND LOCATED IN: Lake PHONE: 489-2266

LEGAL DESCRIPTION: (2) ☒ Well ☐ Surface
1. LOCATION #1 Well - 2850' South & 1200' West of NE Corner Section 16-T105N-R51W
Depth #2 Well - 3100' South & 100' West of NE Corner Section 16-T105N-R51W

Legal Description	Acres	Legal Description	Acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 16-T105N-R51W	35	NW $\frac{1}{4}$ SE $\frac{1}{4}$ 16-T105N-R51W	35
NE $\frac{1}{4}$ NE $\frac{1}{4}$ 16-T105N-R51W	35	NE $\frac{1}{4}$ SE $\frac{1}{4}$ 16-T105N-R51W	35
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 16-T105N-R51W	35		
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 16-T105N-R51W	35		

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: XXX GUN: _____ OTHER: _____
(Specify) _____
3. CROPS TO BE IRRIGATED: Corn, Beans, Hay, Wheat, Oats

WATER QUALITY:

4. WATER SAMPLE NUMBER: 90-0062 7. ADJUSTED (SAR): 1.43
5. SALINITY (EC X 10⁶): 1000 8. PERCENT SODIUM: 11.61
6. SODIUM (SAR): 0.58

Requirements:



[Signature]
Director, Division of Conservation

XXX APPROVED XXX REQUIREMENTS
____ DISAPPROVED
____ WAIVER

April 18, 1990

Date

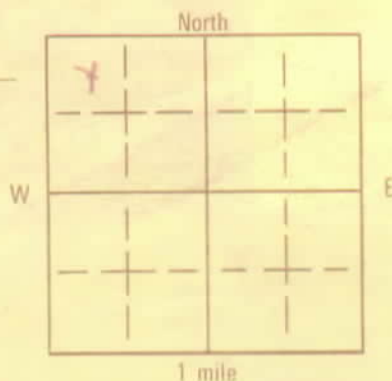
Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location DW 1/4 NE 1/4 Sec 16 Twp 105 N Rg 51 WCounty Lake

Please mark well location with an "X"

Well Completion Date 7-30-89

PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

False casing

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
15	1 1/2	1	62	20"

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 0-40 FEETWhat is grouting material? Cement

If cement, number of sacks? _____

Describe grouting procedure _____

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 1 1/2 IN Length 10 FEETMaterial plastic - hand slottedSlot Size _____ Set From 52 Feet To 62 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NOExplain ChlorineBacteriological analysis ☐ YES ☒ NO

Laboratory sent to _____

Well Owner:

Name Larry AlversonAddress RR Chester, SD 57016

Well Log:

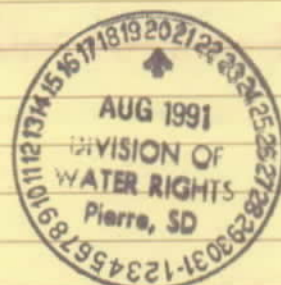
Depth

Formation

From

To

Topsoil	0	2
Gravel	2	28
Clay	28	40
Clean Gravel	40	62

STATIC WATER LEVEL 35' Feet

If flowing, closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped☐ BailedDescribe: Western Land Pump☐ OtherTurbine

Pumping Level Below Land Surface

40 ft. After 2 Hrs. pumped 800 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 111

And this report is true and accurate.

Drilling firm Lacey Well Drilling

Signature of License Representative:

Jean Redden 12-30-89

Signature of Well Owner:

Date _____

Report on Application No. 5422A-3
Larry Alverson
July 28, 1992

Water Permit No. 5422A-3 specifies a change in the location of the well authorized by Water Permit No. 5422-3. Water Permit No. 5422-3 appropriates 2.2 cubic feet of water per second (cfs) from two wells located in the NE1/4 SE1/4 to irrigate 210 acres located in the NE1/4 and N1/2 SE1/4; all in Section 16-T105N-R51W. An inspection of this permit found 1 well capable of diverting 1.78 cfs irrigating 198 acres. The correct location of the well is the NW1/4 NE1/4 Section 16-T105N-R51W. This application does not authorize any increase in the developed rate or acres irrigated.

Aquifer - Big Sioux-North Skunk Creek (BS-NSC)

The North Skunk Creek is a glacial aquifer consisting of a poorly sorted, sandy gravel northwest of Lake Madison and grades into a well sorted sand and gravel southeast of Lake Madison (Ellis and Adolphson, 1965). The aquifer underlies 24,700 acres and contains an estimated 70,400 acre-feet of recoverable water in Lake County. The estimated recharge is 3.1 inches per year (Hedges, 1982) or 6400 acre-feet per year for the BS-NSC Unit. Fluctuations in observation well levels and lake levels indicate that Lakes Madison, Herman and Brant are hydraulically connected to the aquifer (Hansen, 1986) and may recharge the aquifer or cause discharge from the aquifer depending upon seasonal lake levels. In addition, recharge to the aquifer occurs from infiltration of precipitation and melting snow. There is water available from the BS-NSC Unit.

The Division of Water Rights monitors observation well No. LK-79C which is approximately three-fourths mile to the southwest of the diversion point. Water levels fluctuated from 17.1 to 28.8 feet below the ground surface during extremely wet (1984) and dry (1981 and 1991) periods. Depending upon the availability of recharge, the water level will remain high all year as in 1983-1987. In general, the water level fluctuations reflect seasonal changes in climatic conditions. The effects of drawdown from pumping wells is not apparent on the hydrograph of LK-79C. Water levels are closely related to the amount of recharge and/or discharge to and from nearby lakes and North Skunk Creek and do not decline greatly regardless of withdrawals from irrigators in the near vicinity of LK-79C.

Existing Water Rights

In 1991, there were 28 water permits/rights (including No. 5422-3) authorized to appropriate water from the BS-NSC unit in Lake and Moody Counties (Water Rights Division, 1992). The water

rights/permits issued include 17 irrigation, 6 municipal, 2 rural water system, 2 commercial/industrial and 1 future use. Water rights/permits to appropriate water from the Big Sioux - North Skunk Creek Aquifer represent a total combined diversion rate of 58.59 cubic feet of water per second (cfs). Commercial and municipal permits/rights, for which no pumping records are available, assuming up to 60% of the full time pumping amount, may divert up to 673 acre-feet per year. Actual use by the city of Madison, Kingbrook Rural Water Systems and Big Sioux Community Water totals 1275 acre-feet. Irrigation rights/permits authorize irrigation of 3168 acres (the maximum total diversion allowed by law is - 2 acre-feet per acre per year for permits/rights approved after June 30, 1978, and 3 acre-feet per year for prior permits/rights). Actual reported irrigation use has been:

Pumpage Reported (1991) from the Management Unit in Lake and Moody Counties = 1199 acre-feet.

Future use permits reserve 2785 acre-feet.

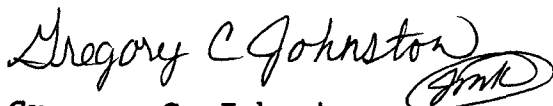
Actual use, estimated use, plus the acre feet reserved for future use total $673 + 1275 + 1199 + 2785 = 5932$ acre feet.

The diversion points for Permit Nos. 4133-3 and 2987-3 lie approximately one-half mile east and west, respectively, from the diversion point for this application. There have been no complaints of interference from these permit holders or any other irrigators in the vicinity of the application area. The movement of the point of diversion proposed by this application should not interfere with other irrigators or domestic wells in the application area.

Conclusions:

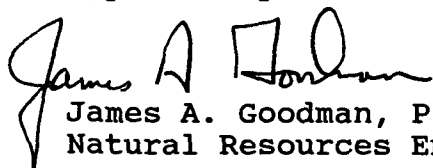
- 1) Water is available from the BS-NSC Unit. The total estimated, actual and reserved water use is 5932 acre-feet and the estimated recharge is 6400 acre-feet in the BS-NSC. In addition, there appears to be no significant drawdown within the aquifer in the vicinity of observation well No. LK-79C.
- 2) Interference is not a problem - existing water rights will not be unlawfully impaired.
- 3) It is a beneficial use of water.

- 4) This well was constructed in 1989 and is in accordance to SD Well Construction Standards.



Gregory C. Johnston
Natural Resources Engineer

Approved by:



James A. Goodman, P.E.
Natural Resources Engineer IV

BIBLIOGRAPHY

Ellis, M.J., Adolphson, D.G., 1965, Hydrogeology of the glacial drift in the Skunk Creek-Lake Madison drainage basin, southeastern South Dakota. U.S. Geological Survey Hydrologic Investigations Atlas HA -311.

Hansen, D.S., 1986, Water Resources of Lake and Moody Counties, South Dakota. U.S. Geological Survey Water Resources Investigations Report 84-4209.

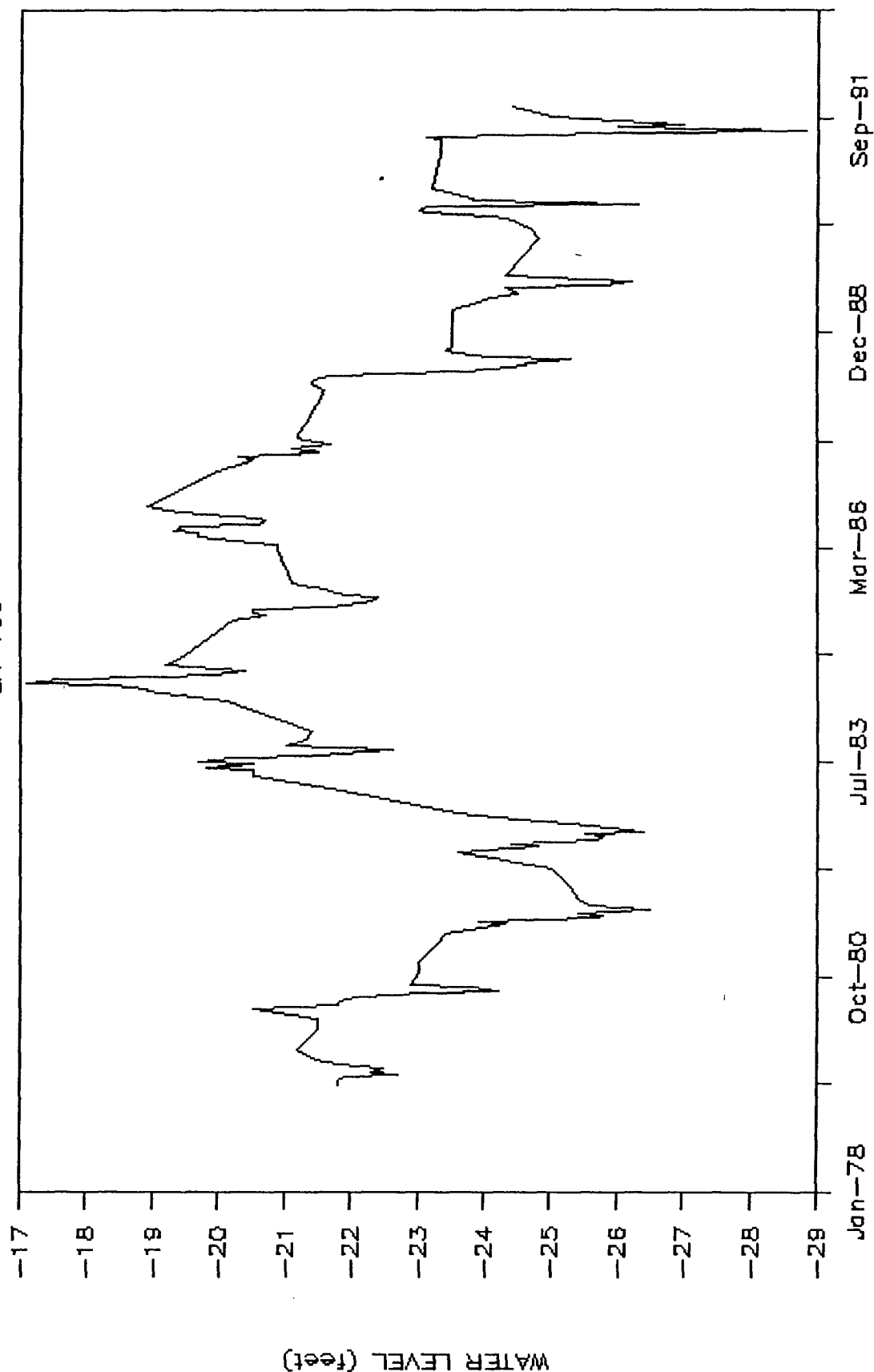
Hedges, L.S., Et al., 1982, Evaluation of Groundwater Resources of Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, DENR, SDGS, Vermillion, SD 57069

Water Rights Division, 1992, Observation Well Files, LK-79E, DENR, Division of Water Rights, Joe Foss Building, Pierre, South Dakota.

Water Rights Division, 1992, 1991 Irrigation Summary by County, Division of Water Rights, Joe Foss Building, Pierre, South Dakota.

WATER RIGHTS OBSERVATION WELL

LK-79C



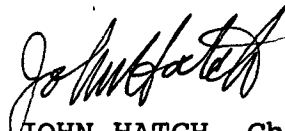
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5422A-3, Larry Alverson

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 5422A-3, Larry Alverson, RR 1 Box 55, Chester, SD 57016.

The Chief Engineer is recommending APPROVAL of Application No. 5422A-3 because 1) the proposed diversion has been developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is in the public interest with the following qualifications:

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

See report on application for additional information.



JOHN HATCH, Chief Engineer
July 29, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

August 7, 1992

Larry Alverson
Rt 1 Box 55
Chester, SD 57016

Dear Mr. Alverson:

Water Permit Application No. 5422A-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Madison Daily Leader printed at Madison, SD (Ph # 256-4555). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 7, 1992

Madison Daily Leader
Box 348
Madison, SD 57042

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5422A-3 to be published twice. Please publish the first notice on August 14, 1992, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Larry Alverson, Rt 1 Box 55, Chester, SD 57016 (Ph # 489-2266).

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

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
FIRST TRANSMITTAL NOTICE

No. _____ TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

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

Name

Newspaper

Instruction to Newspaper - Publish first Notice on August 14, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5422A-3 to Appropriate Water
to Amend Water Permit No. 5422-3

Notice is given that Larry Alverson, Rt 1 Box 55, Chester, SD 57016 has filed an application for a water permit to specify a change in the location of the well authorized by Water Permit No. 5422-3. Water Permit No. 5422-3 appropriates 2.2 cubic feet of water per second (cfs) from two wells located in the NE 1/4 SE 1/4 to irrigate 210 acres located in the NE 1/4 and the N 1/2 SE 1/4; all in Section 16-T105N-R51W. An inspection of this Permit found 1 well (Big Sioux-North Skunk Creek Aquifer) capable of diverting 1.78 cfs irrigating 198 acres. The correct location of the well is the NW 1/4 NE 1/4 Section 16-T105N-R51W. This application does not authorize any increase in the developed diversion rate or acres irrigated.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5422A-3 because 1) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 31, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5422A-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for September 10, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the September 10, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The September 10, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by August 31, 1992.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by August 31, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Larry Alverson

ADDRESS: Rt 1, Box 55, Chester, SD COUNTY: Lake

DATE: 8/17/92 TELEPHONE: _____

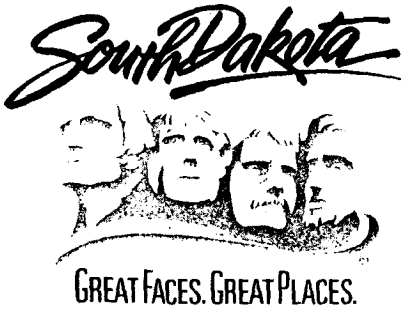
RE: Call from Mr. Alverson regarding publication of notice

COMMENTS:

Mr. Alverson called to say he was out of town last week and did not see the letter for publication of the notice of hearing until it was too late to authorize publication. I stated that we would send out a new notice with appropriate dates.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Eric Thonlund



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

August 17, 1992

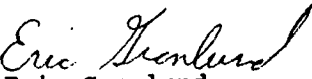
Larry Alverson
Rt 1 Box 55
Chester, SD 57016

Dear Mr. Alverson:

Water Permit Application No. 5422A-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Madison Daily Leader printed at Madison, SD (Ph # 256-4555). Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 17, 1992

Madison Daily Leader
Box 348
Madison, SD 57042

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5422A-3 to be published twice. Please publish the first notice on August 25, 1992, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Larry Alverson, Rt 1 Box 55, Chester, SD 57016 (Ph # 489-2266).

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

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name

Newspaper

Instruction to Newspaper - Publish first Notice on August 25, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5422A-3 to Appropriate Water
to Amend Water Permit No. 5422-3

Notice is given that Larry Alverson, Rt 1 Box 55, Chester, SD 57016 has filed an application for a water permit to specify a change in the location of the well authorized by Water Permit No. 5422-3. Water Permit No. 5422-3 appropriates 2.2 cubic feet of water per second (cfs) from two wells located in the NE 1/4 SE 1/4 to irrigate 210 acres located in the NE 1/4 and the N 1/2 SE 1/4; all in Section 16-T105N-R51W. An inspection of this Permit found 1 well (Big Sioux-North Skunk Creek Aquifer) capable of diverting 1.78 cfs irrigating 198 acres. The correct location of the well is the NW 1/4 NE 1/4 Section 16-T105N-R51W. This application does not authorize any increase in the developed diversion rate or acres irrigated.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5422A-3 because 1) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by September 11, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5422A-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for September 21, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the September 21, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The September 21, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by September 11, 1992.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by September 11, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Lake) ss.

I, Deanna D. Bergheim

certify that the attached printed Notice was taken
 from the Madison Daily Leader

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

City of Madison

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

Tuesday, August 25, 1992

Tuesday, Sept. 1, 1992

Deanna D. Bergheim
 (Signature)

Secretary

(Title)

Sept. 1, 1992
 (Date Signed)

Cost of Printing: \$59.29



**NOTICE OF HEARING
 ON APPLICATION NO. 5422A-3
 TO APPROPRIATE WATER**

TO AMEND WATER PERMIT NO. 5422-3
 Notice is given that Larry Alverson, Rt. 1, Box 55, Chester, SD 57016 has filed an application for a water permit to specify a change in the location of the well authorized by Water Permit No. 5422-3. Water Permit No. 5422-3 appropriates 2.2 cubic feet of water per second (cfs) from two wells located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ to irrigate 210 acres located in the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$; all in Section 16-T106N-R51W. An inspection of this Permit found 1 well (Big Sioux North Skunk Creek Aquifer) capable of diverting 1.78 cfs irrigating 198 acres. The correct location of the well is the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16-T106N R51W. This application does not authorize any increase in the developed diversion rate or acres irrigated.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5422A-3 because 1) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT A HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Fos Building, 523 E. Capitol, Pierre SD 5750 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by September 11, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5422A-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for September 21, 1992, at 9:00 a.m. in Room 413, Joe Fos Building, 523 E. Capitol, Pierre, SD. If this application is opposed or the recommendation is contested, the September 21, 1992 hearing date will be rescheduled for regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition but interested in attending the hearing, must contact the Division of Water Rights to confirm a hearing date and location. The September 21, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by September 11, 1992.

(over)

If a hearing is held, the chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by September 11, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.1, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

ROBERT E. ROBERTS
Secretary
Department of Environment
and Natural Resources



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 12 1993

Larry Alverson
Rt 1 Box 55
Chester, SD 57016

Dear Mr. Alverson:

Enclosed is Water Permit No. 5422A-3 authorizing your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

Very truly yours,

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

enclosures

RECEIPT

4137J1

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ March 26, 1993

RECEIVED OF Larry Alverson, RR 1 Box 55, Chester, SD 57016

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>5422A-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Haddad
Chief Engineer

Permit No. 5422A-3

Big Sioux River Water District

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

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

I have this day made a thorough examination of the water use system constructed by Larry Alverson of RR 1 Box 55, Chester, SD 57016 holder of Permit No. 5422A-3, bearing the priority of February 26, 1990 authorizing the diversion of 1.78 cu. ft. per second and/or the storage of acre-feet of the waters of the Big Sioux Aquifer-North Skunk Creek Unit for irrigation purposes, in Lake County.

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

A. Works used to divert the water:

One well - 62' deep with 52' of 15" Plastic casing and 10' of 15" plastic hand-slotted screen; 3 Stage Crown Submersible Pump, Model No. 8H 1000-2D, 800 GPM @ 30 PSI; Franklin Motor- 50 HP

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

1600' of 8" PVC

C. Works used to apply water to beneficial use:

Valley Center Pivot 6 Towers, 1130' long with Nelson 100 End Gun and Rain Bird Sprinklers 800 GPM

The system is in the following condition Excellent. The point of diversion is located 1120' S and 1650' W of NE corner of Section 16-T105N-R51W, Lake County SD. The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water and/or storing acre-feet of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

All in Section 16-T105N-R51W:

NW1/4 NE1/4 = 31 acres

SW1/4 NE1/4 = 39 acres

NE1/4 NE1/4 = 33 acres

SE1/4 NE1/4 = 37 acres

NW1/4 SE1/4 = 29 acres

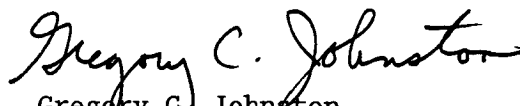
NE1/4 SE1/4 = 29 acres

comprising a total of 198 acres of land and the license should be issued for 1.78 cfs.

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: None

Date 8-14-91



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

LICENSE FOR PERMIT NUMBER 5422A-3

1. Legal location of wells: 1120' South and 1650' West of NE corner of Section 16-T105N-R51W

Dams and Structures None

2. Well Information: Well Drilling Firm Lacey Well Drilling

Completion Report? Yes X No No. of Wells 1 Depth(s) 62 feet

Casing a) diameter 15 inches Screen a) type PVC Hand Slotted

b) length 62 feet b) length 10 feet

c) type PVC Static Water Level 35 feet

Pump a) make Crown Motor a) make Franklin

b) model 8H 1000-2D b) model no. Unknown

c) size 8" c) horsepower rating 50

d) capacity 800 GPM d) serial no. Unknown

e) turbine pump - no. of stages 3

f) operating PSI 30

3. Distribution lines or canals

a) size 8 inches

b) type PVC

c) length 1600 feet

4. System Type a) sideroll:

b) towline:

a)gun:

b) center pivot:

1) make

1) make Valley

2) nozzle size

2) number of towers 6

3) capacity (GPM)

3) distance between towers

4) hose size	inches	4) overall length	<u>1130</u>	feet
5) hose length	feet	5) end gun (Y/N)	<u>Y (Nelson 100)</u>	
e) gated pipe:		6) high or low pressure	<u>High</u>	
1) length	feet	7) make and size of nozzles:		
2) diameter	inches		<u>Rain Bird</u>	
3) spacing of gates	inches	8) capacity (GPM)	<u>800</u>	

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

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

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

REMARKS:

File No. 5422-3

Water Rights Division -DENR

Conversation or File Documentation

NAME OF PERSON OR FILE: Larry Alverson

ADDRESS: RR1 Box 55 Chester, SD 57016 COUNTY: Lake

DATE: 8/19/91 TELEPHONE: (605)/489-2266

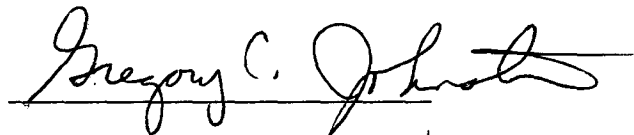
RE: Application for change of point of diversion

COMMENTS:

Called Mr. Alverson and told him that he would have to apply for a change of point of diversion for his well on land under Water Permit No. 5422-3. The permit originally appropriated water from two wells to be located in the NE1/4 SE1/4 of Sec 16 but Mr. Alverson drilled only one well in the NW1/4 of the NE1/4 of Sec 16-105N-51W (1120' S and 1650' W of NE corner of Section 16). The advertisement for the application to appropriate water stated that the wells were to be located in the NE1/4, SE1/4 of Section 16, but the Water Permit stated that the wells were to be located in the NE1/4 SE1/4 Section 16.

After speaking with both Ron Duvall and Gale Selken, the consensus was that the publication gives more area for the placement of the wells than was intended. Gale believes that Mr. Alverson ought to apply and amend the license to include the change of point of diversion on the license.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.



Gregory C. Johnston

Natural Resources Engineer

DENR, Water Rights Division

File No. 5422-3

Water Rights Division -DENR

Conversation or File Documentation

NAME OF PERSON OR FILE: **Larry Alverson**

ADDRESS: **RR 1 Box 55, Chester, SD 57016** COUNTY: **Lake**

DATE: **8/20/91**

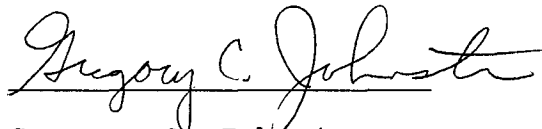
TELEPHONE: **489-2266**

RE: **New Soil/Water Permit for different Point of Diversion**

COMMENTS:

Spoke with Jim Stukel, Dept. of Agriculture- Pierre, concerning Larry Alverson's Permit No. 5422-3. The original locations for two wells to irrigate the lands on this permit were to be 2850' S and 1200' W of the NE corner and 3100' S and 100' W of the NE corner - 16-T105N-R51W. Only drilled one well - 1650'W and 1120' S of NE corner of 16-105N-15W. Mr. Alverson has already applied for a change of diversion pt.

My question to Stukel was: if the single well is within 2000' away of one of the two original intended well sites, but farther than 2000' from the other, will he need a new soil/water permit? Stukel said as long as he is taking water out of the same aquifer there is no need for a new soil/water permit.



Gregory C. Johnston

Natural Resources Engineer

DENR, Water Rights Division

Conversation or File Documentation

NAME OF PERSON OR FILE: Lacey Drilling for Larry AlversonADDRESS: Chester, SD 57016 COUNTY LakeDATE: 10/23/91 TELEPHONE _____RE: Pump/Motor info on well

COMMENTS:

Obtained info from Joanie Lacey on pump placed in well
for Larry Alverson (No. 5422-3A) in Sec 16-105N-51W,

Lake County: Crown Pump (3 stage) submersible,
Model # ~~8H1000D-20~~, 800 GPM, 30 psi
8H1000-20

placed @ 55' in well, 160' head
50 HP Franklin Motor no ID No.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Greg Johnston

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5422A-3

(1) Larry Alverson, of RR 1 Box 55, Chester, SD 57016 made Application No. 5422A-3, September 5, 1991 for a water permit to appropriate no additional cubic feet of water per second from groundwater (one well), Lake County, South Dakota for irrigation purposes. Permit No. 5422A-3, with a priority date of February 26, 1990 (established under Water Permit No. 5422-3) was approved September 21, 1992 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

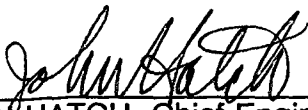
Water Permit No. 5422A-3 corrects the location of the well authorized by Water Permit No. 5422-3. Permit No. 5422A-3 does not authorize any increase in the developed diversion rate or acres irrigated. The applicable portions of Water Permit No. 5422-3 have been incorporated into this Water License No. 5422A-3.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is 1120 feet S and 1650 feet W from the NE corner of Section 16 T105N-R51W (NW $\frac{1}{4}$ NE $\frac{1}{4}$).

(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:

<u>T105N-R51W</u>	<u>Section 16</u>	<u>NW$\frac{1}{4}$ NE$\frac{1}{4}$</u>	<u>31 acres</u>
		<u>SW$\frac{1}{4}$ NE$\frac{1}{4}$</u>	<u>39 acres</u>
		<u>NE$\frac{1}{4}$ NE$\frac{1}{4}$</u>	<u>33 acres</u>
		<u>SE$\frac{1}{4}$ NE$\frac{1}{4}$</u>	<u>37 acres</u>
		<u>NW$\frac{1}{4}$ SE$\frac{1}{4}$</u>	<u>29 acres</u>
		<u>NE$\frac{1}{4}$ SE$\frac{1}{4}$</u>	<u>29 acres</u>
		<u>Total</u>	<u>198 acres</u>

(4) Pursuant to South Dakota Water Law 46-5-30.1 Larry Alverson of RR 1 Box 55, Chester, SD 57016 the holder and/or owner of Incorporated Water Permit No. 5422A-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater (one well) with a priority date of February 26, 1990 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 5422A-3 and subject to South Dakota State Law.


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

DEC 23 1993
Date

NOT TO SCALE

T77.6 T2N

15R

No. 5422 -3

Larry Alverson

Drawn by:

Gregory C. Johnston

Gregory C. Johnston
Natural Resources Engineer
Water Rights, DENR

9/13/91

N

1" = 660'

T105N-R51W

53.9

37.9

37.9

NW 1/4 NE 1/4

Sec 16 =
31 acres

NE 1/4 NE 1/4

Sec 16 =
33 acres

X Well

Pivot

1650'

SW 1/4 NE 1/4

Sec 16 =
39 acres

SE 1/4 NE 1/4

Sec 16 =
37 acres

Pivot

NW 1/4 SE 1/4

Sec 16 =
29 acres

NE 1/4 SE 1/4

Sec 16 =
29 acres

T174

17.3

H2L

72.5

T173

13.8

T72.8 Sec 16 = T105N-R51W:

T336 NW 1/4 NE 1/4 = 31 acres

SW 1/4 NE 1/4 = 39 acres

NE 1/4 NE 1/4 = 33 acres

SE 1/4 NE 1/4 = 37 acres

NW 1/4 SE 1/4 = 29 acres

NE 1/4 SE 1/4 = 29 acres

Total = 198 acres

93.3

93.3

T128

NC

15R

19.6

T336



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 23 1993

5422A-3

Larry Alverson
RR 1, Box 55
Chester, SD 57016

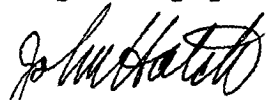
Dear Mr. Alverson:

Enclosed is Water License No. 5422A-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413701 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. 5422A-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

rd
enclosures

NOTE: The applicable portions of Water Permit No. 5422-3 have been incorporated into this Water License No. 5422A-3.



5422A-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 18, 2008

NOTICE

TO: LARRY ALVERSON, 46257 240TH ST, CHESTER, SD 57016

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaires

Our records indicate that the 2007 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 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) 2987-3 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) 5422A-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, 2008** 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) 5422A-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2987-3 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 3, 2008**, 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/eforms/secure/eforms/E0455V6-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.

5422A-3

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January 29, 2008

2987-3
5422A-3

Larry Alverson
46257 240th St
Chester SD 57016

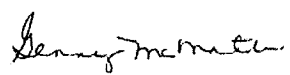
Dear Mr. Alverson:

I am writing to acknowledge receipt of your 2007 irrigation questionnaires. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right Nos. 2987-3 and 5422A-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