

1. Considered 5-27-1981 171
2. Name of Applicant RAYMOND D. PRAVECEK
3. Post Office Address RR #1 WINNER 57580
4. Amount of Water Claimed 1.66
5. Source of Water Supply 156' WELL
6. Water to be used for IRR
7. Acres to be Irrigated 11.6 maximum acre feet
8. Water to be diverted and used in TRIPP County
about 11.54 W miles of WINNER
9. PROOF OF PUBLICATION Received (1st) 5-26-81

Not Received _____

APPLICATION

Approved 5/27/81Subject to WI-76

Not Approved _____

Action deferred _____

Priority

Date

Received 4-30-81 Application Complete yes _____ no _____ FEE 225⁰⁰

Remarks _____

Date information and/or

fee or corrected Application received _____

Period of Annual use MAY - SEPTEMBERWATER
QUALITYReceived yes 5/7/81 no _____ APPROVED/CONDITIONAL (Circle one)WI-i Description same as application yes (yes) no _____ Remarks _____

Disapproved _____

Returned _____

Diversior. Point _____

					<u>x</u>

Apply Center NE 415-97-77

Lands to be irrigated _____

NE 4 15-97-77WELL
LOG

Remarks _____

Driller SargentLicensed (yes) no _____Depth 156' Deep

MAP

Map No. 1525-2 Map located in Water Right ☒ Map file _____

Type of Map AERIAL Prepared by Co AGENT - SCS

+++++

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 5-8-81.

Barton Jones
(Signed) Bu

+++++

PROTESTS

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

REMARKS

Date _____

F.F. & C

Final Decision, including F.F. & C of Law were adopted _____

OF LAW,

Date _____

FINAL

Final Decision mailed to parties and/or parties notified that Final Decision

DECISIONS

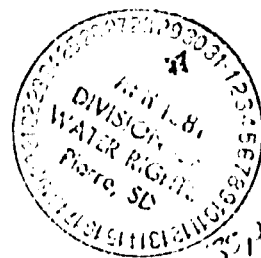
was adopted _____

ETC.

Remarks _____

No. 1769-2Map No. 1525-2 Water Division No. 2 WHITE RIVER District

Above for Office Use

10140209

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

Check one of the following:

New ☒ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Pravecsek, Raymond D. Phone No. (605) 842-3505
 Post Office Address R.R. #1 Winner, State South Dakota 57580
(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) Contract3. Name of diversion work Irrigation4. Amount of water claimed (cubic feet per second) 2.0 1.66 MAX ALLOWABLE5. Source of water supply Well

6. Location of point of diversion 100' N and 50'E of the SW corner of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$
Sec. 15 T 97 N R 77 W

County Tripp7. Annual period or periods during which water is to be used May - September8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation9. For irrigation use, Total number of acres to be irrigated 116

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.
NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec 15 T97N	
R 77 W	29
SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec 15 T97N	
R 77 W	29

Land Description	No. Acres Irr.
SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec 15 T97N	
R 77 W	29
SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec 15 T97N	
R 77 W	29

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1/12.5 years. Additional time required to complete application of water to the proposed beneficial use 1/12.4 years.

11. Choice of county newspaper for publication of Notice of intent to Appropriate Water Winner Advocate

12. Principal Features of the Proposed Water Supply System.

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

Drill Irrigation well.B. Works proposed to transport water to place of use.
Pump and pipe.C. Works proposed to apply water to beneficial use.
Pivot irrigation system.Estimated Total Cost \$ 50,000.00

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

STATE OF SOUTH DAKOTA)
) ss.
 County of Tripp)

I, Raymond D. Pravecsek

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

Raymond D. PravecsekSubscribed and sworn to before me this 5th day of April, 1981

James L. Halper
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No 1769-2.

RAYMOND D. FRANECEK
(Applicant)

RR #1 WINNER
(Post Office Address)

SOUTH DAKOTA 57580
(State)

With the following qualifications

The irrigation well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells 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 April 30, 19 81
Date of return to applicant for correction, amendments or changes required _____, 19____
Date of receipt of corrected application May 7, 19 81
Approved May 27, 19 81, Recorded in Book 22 Page 171

WATER RIGHT PERMIT NO. 1769-2

The Water Management Board hereby grants and issues this Water Right Permit No. 1769-2 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 April 30, 19 81
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before November 27, 19 83
3. The whole of said work is to be completed on or before May 27, 19 86
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith, is May 27, 19 90
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 1.66 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 May 27, 19 90; said water to be used during the following described annual period: May - September

Witness my hand this 28th day of May, 19 81

THE WATER MANAGEMENT BOARD

By

John Hatch
Chief Engineer, Water Rights

JOHN HATCH

Certificate of Construction Issued _____, 19____

Water license Issued _____, 19____

SARGENT IRRIGATION COMPANY
Bassett, Nebraska

TEST LOG

March 10, 1981

Ray Pravecek
Winner, South Dakota

#1 Test

0-4	sandy clay
4-54	med sand
54-56	clay
56-72	med sand
72-74	clay
74-84	med sand
84-87	clay
87-114	med sand
114-117	clay
117-124	med sand
124-137	clay
137-150	med sand
150-151	limestone
151-156	med sand
156-180	shale

~~34~~
80
16
10
27
6
13
5
131

156
24
132

W.L. - 24 ft.

Sargent Irrigation Co.
Bassett Nebraska.

S.D. 273th

Dale Wiles
Branch Manager.

D Well Information

- (1) Drill Hole, Diameter 24", Depth 160'
- (2) Casing, Type transite (Asbestos and cement), Diameter 12", Thickness 1"
(wood, concrete, steel, etc)
- (3) Screen, Type _____, Diameter _____, Length _____
- (4) Gravel Pack, Thickness 12", Length of gravel pack 130'

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 24'

Depth to bottom of water bearing material 156'

Depth to water (ground surface to water level) 24'

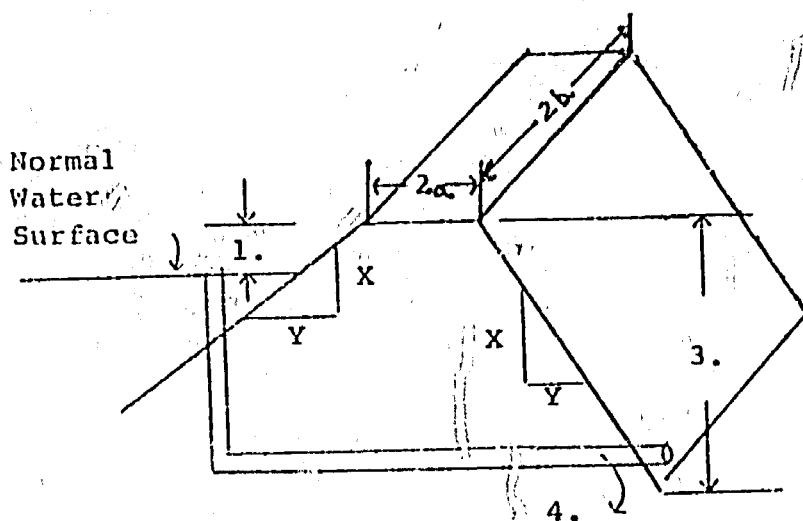
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property 80 rds.

On property owned by others 240 rds.

G Water Storage Dams

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, 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 _____

Raymond P. Piarach
Signature of Applicant

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM
STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: Pravecek, Raymond D. OWNERS ADDRESS: Rural Route #1
Winnier, South Dakota 57580

COUNTY LAND LOCATED IN: Tripp PHONE: (605) 842-7505

TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____
2880-TR

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)

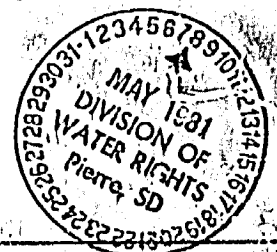
1. WELL LOCATION OR DIVERSION POINT: 100' N and 50' E of SE corner of NE 1/4 Sec. 15
T 97 N R 77 W
2. SURFACE WATER SOURCE: _____
3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

Legal Description	Acres	Legal Description	Acres
<u>N 1/4 of NE 1/4 Sec. 15 T97N R77W</u>	<u>29</u>		
<u>N 1/4 of NE 1/4 Sec. 15 T97N R77W</u>	<u>29</u>		
<u>SE 1/4 of NE 1/4 Sec. 15 T97N R77W</u>	<u>29</u>		
<u>SW 1/4 of NE 1/4 Sec. 15 T97N R77W</u>	<u>29</u>		

4. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: XX GUN: _____ OTHER: _____ (Specify) _____
5. CROPS TO BE IRRIGATED: Corn
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: _____
LEGAL DESCRIPTION: _____
IN WHAT NAME: _____

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

7. WATER SAMPLE NUMBER: 01-387
8. SALINITY (EC X 10⁶): 900
9. SODIUM (SAR): 0.34
10. ADJUSTED (SAR): 0.67 0.47



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 2:00 a.m./p.m. on April 17, 1981, at the following location: well in NE 1/4 Sec. 15 T97N R77W by Raymond D. Pravecek (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
30 DAY OF April, 1981.

James D. Johnson
(NOTARY PUBLIC) 9/17/88
IMPORTANT

Raymond D. Pravecek
APPLICANT'S SIGNATURE

Jack H. Light
Director, Division of Conservation

☒ APPROVED
☐ DISAPPROVED
☐ CONDITIONALLY APPROVED

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.

No. 1769-2

Publish first publication, on or before May 13, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

May 8, 1981

Notice is hereby given that Raymond D. Pravecek whose post office

address is Winner, 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 1.66 cubic feet of water per second of time from groundwater

(one well) through the Pravecek Irrig. Project, the point(s) of diversion of

which is (are) to be located in the approximate center of the NE 1/4

of Section 15, Twp. 97N, Range 77W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NE 1/4, Section 15, T97N, R77W

This Application No. 1769-2 will be considered by the Water Management Board at Meeting Room #1, Kneip Building Church & Illinois St, Pierre SD upon the 27th day of May, 1981

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

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

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

WATER MANAGEMENT BOARD

cc: Raymond D Pravecek
RR #1
Winner SD 57580

~~JOE F. JOHNS~~ BURTON F JOHNS
Water Rights Specialist

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

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 1769-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Tripp) ss.

I, H. L. Johansen hereby

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

Water was taken from the Winner Advocate

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 Winner

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

May 13, 1981

May 20, 1981

H. L. Johansen
(Signature)

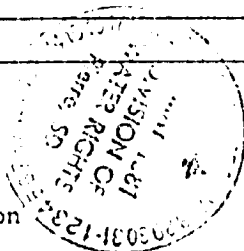
Publisher
(Title)

May 20, 1981
(Date Signed)

Cost of Printing: \$20.11

WNR-808-7/79

Proof of Publication



No. 1769-2

NOTICE OF HEARING ON
APPLICATION TO

APPROPRIATE WATER

Pierre, South Dakota 57501

May 8, 1981

Notice is hereby given that
Raymond D Pravecek whose
post office address is Winner,
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 46-5-3; 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 1.66 cubic feet
of water per second of time
from groundwater (one well)
through the Pravecek Irr.
Project, the point of diversion
of which is to be located in the
approximate center of the
NE 1/4 of Section 15, Twp. 97N,
Range 77W. Said water to be
used for the purpose of provid-
ing irrigation on portions of
the following described land:
NE 1/4, Section 15, T97N, R77W.
This Application No. 1769-2
will be considered by the
Water Management Board at
Meeting Room #1, Kneip
Building Church & Illinois St.,
Pierre SD upon the 27th day of
May, 1981 at 10 A.M. The
Board is authorized to make a
determination on this applica-
tion at the hearing. All in-
terested 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 adver-
sary 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, DWR, Joe Foss
Building, Pierre SD, prior to
the hearing date for assis-
tance to assure access to the
hearing.

WATER MANAGEMENT
BOARD

-s- Burton F. Jones

BURTON F. JONES

Water Rights Specialist.

(19-20)

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 8194

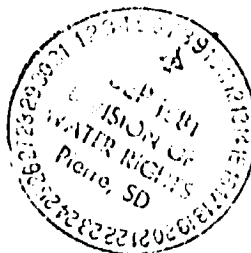
RECEIVED OF Ray Pravecek, RR 1, Winner SD 57530 PIERRE, April 30, 1981
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to appropriate Water No. <u>1752-2</u> (examination, processing, recording and filing)	225	00
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	225	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USEPost Office Winner, SDDate Sept 4, 81

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

Dear Sirs:

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

1769-2.

Water Right Permit No. 1769-2 states that the diversion system is to be constructed by Beck Well Drilling and that the water is put to beneficial use by Irrigation.
Ainsworth, Neb.

The diversion system was completed on July 1 81. Applying the water to beneficial use was completed on July 1 81.

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

Ray Prange
(Signature)



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

1769-2
Raymond D Pravecek
RR 1
Winner SD 57580

Dear Sir:

Water Permit No. 1769-2 was approved with the qualification that the irrigation questionnaire be submitted each year. To date we have not received the 1982 questionnaire from you.

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

Please advise, if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure

 **Department of
Water & Natural Resources**

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

February 9, 1990

RAYMOND D PRAVECEK
RR 1 BOX 91
WINNER, SD 57580

NOTICE

RE: Violation of Water Permit No(s). 1829-2, 1769-2 and 1989 Irrigation Questionnaire Requirements

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 1829-2, 1769-2. The request for the Questionnaire was dated October 13, 1989. The Water Management Board has directed that owners of water permits who have not submitted the 1989 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1829-2, 1769-2 qualification:

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

The hearing will also be to determine if Permit No. 1808-2 should be amended with the qualification to require the Questionnaire to be submitted each year. The hearing will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Roosevelt-Jefferson Room, I-90 at LaCrosse, Rapid City SD.

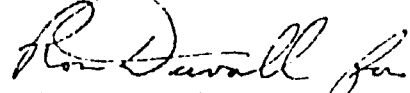
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 1829-2, 1769-2 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s). 1808-2 also held by RAYMOND D PRAVECEK to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. 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 7th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



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



Department of Water & Natural Resources

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

February 16, 1990

1769-2
1808-2
1829-2

Ray Pravecek
RR 1, Box 91
Winner SD 57580

Dear Mr. Pravecek:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit Nos. 1769-2, 1808-2 and 1829-2. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,

Ron Duvall /ks

RON DUVALL
Natural Resources Engineer
Water Rights Division



DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.
February 1, 1991

RAYMOND D. PRAVECEK
RR 1 BOX 91
WINNER SD 57500

NOTICE

RE: Violation of Water Permit No(s) 1808-2, 1769-2, 1829-2 and 1990 Irrigation Questionnaire Requirements

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 1808-2, 1769-2, 1829-2. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s) 1769-2, 1829-2 qualification:

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

The hearing will also be to determine if Permit No(s) 1808-2 should be amended with the qualification to require the Questionnaire to be submitted each year. The hearing will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s) 1769-2, 1829-2 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s) 1808-2 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 February 27th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,

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

**Department of
Water & Natural Resources**

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

March 5, 1991

1769-2
1808-2
1829-2

Raymond D Pravacek
RR #1 Box 91
Winner, SD 57580

Dear Mr. Pravecek:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires and chemical use data for Water Permit Nos. 1769-2, 1808-2 and 1829-2. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire and Notice of failure to report chemical use. The questionnaires were received prior to the Water Management Board meeting and your name was deleted from the agenda.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,



Ron Duvall, Natural Resources Engineer IV
Water Rights Division

White River Water District

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

I have this day made a thorough examination of the water use system constructed by Raymond D. Praeger
_____ of Rt. 1 Box 91 Winner, SD holder of
Permit No. 1768-3, bearing the priority of April 30 1981 authorizing
the diversion of 1.66 cu. ft. per second of the waters of Groundwater (Well)
for Irrigation purposes, in Tripp County.

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

A. Works used to divert the water:

Works used to divert the water:
Aurora Verti-Line 6 stage turbine Pump, Model 38171983.
GE Electric 40Hp Motor, Model 5K6237XM501E

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

500 ft. Buried 6" PVC pipe

C. Works used to apply water to beneficial use:

works used to apply water to beneficial use.

The system is in the following condition Good

The point of diversion is located 80 ft. North & 80 ft. West of the Center of the NE 1/4 Sec. 15-T 97N-R 77W (NW 1/4 NE 1/4)

The works are capable of diverting and conveying to the place of use 1.11 (500 gpm)
cu. ft. per second of water which is to be used for Irrigation

Water has been put to beneficial use to the maximum extent as follows: Sec. 15-T91N-R 77W

NE 1/4 NE 1/4 - 31 Ac.

NW 1/4 NE 1/4 - 18 Ac.

SW 1/4 NE 1/4 - 11 Ac.

SF^{1/4} NE^{1/4} - 20 Ac.

comprising a total of 80 acres of land and the license should be issued for 111 cfs

Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are: _____ Date July 30, 1991

Timothy H. Phaal
(signature)

LICENSE FOR PERMIT NUMBER 1769-2

1. Legal location of wells: 80 ft. North & 80 ft. West of the center
of the NE 1/4 Sec. 15-T97N-R77W (NW 1/4 NE 1/4)
dams & structures: _____

2. Well Information: Well Drilling Firm Beck's Well Co., Ainsworth, Neb.

Completion Report Yes X No _____ No. of Wells 1 Depth 156 ft.
Casing a) diameter 12" Screen a) type Slot & Pipe
b) length 156 ft. b) length ≈ 20 ft.
c) type Transite Pipe Static Water Level _____
Pump a) make Aurora Verti-Line Motor a) make GE Electric
b) model 38171783 b) model No. SK6237XM51E
c) size _____ c) horsepower rating 40 Hp
d) capacity 500 gpm
e) turbine pump - no. of stages 6
f) operating PSI _____

3. Distribution lines or canals

a) size 6"
b) type Buried PVC
c) length 300 ft.

4. Dam Information:

a) height to crest _____ m) Outlet tubes:
b) height to primary spillway _____ 1) diameter _____
c) height to secondary spillway _____ 2) type _____
d) crest width _____ 3) valved (Y/N) _____
e) crest length _____ 4) valve type _____
f) spillway length _____ 5) location on structure _____
g) spillway width _____
h) approx. storage _____ n) Category of Dam _____
i) approx. storage to crest _____
j) date constructed _____
k) inspection sheet completed (Y/N) _____
l) Name of Contractor _____

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 _____

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

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

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

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

d) center pivot

- 1) make Minigator
- 2) number of towers 6
- 3) distance between towers _____
- 4) overall length 1100
- 5) end gun (Y/N) N
- 6) high or low pressure High 65 psi
- 7) make & size of nozzles _____

- 8) capacity (GPM) 500 gpm

g) siphons

- 1) size _____
- 2) number _____

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>NA</u>	6. If yes, does equipment comply with chemigation rules?

REMARKS:

South Dakota

GREAT LACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 23, 1991

1769-2
1808-2

Raymond D Pravecek
RR 1, Box 91
Winner SD 57580

Dear Mr. Pravecek:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit Nos. 1769-2 and 1808-2, have been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for each inspection and issuance of each Water License. Upon receipt of the \$100.00 fee from you, we will begin processing your Water Licenses.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the license fees have been paid. Please contact us if you have any questions.

Sincerely,

Gerny McMath/ks

Gerny McMath
Natural Resources Analyst
(605) 773-3352

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

SENDER:

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

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:

Raymond D. Pravecek
RR 1, Box 91
Winner, SD 57580

4a. Article Number

P 757 566 247

4b. Service Type

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

7. Date of Delivery

6/17/92

5. Signature (Addressee)

6. Signature (Agent)

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 16, 1992

SECOND NOTICE

Permit No. 1769-2
1808-2

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Raymond D. Pravecek
RR 1, Box 91
Winner, SD 57580

Dear Mr. Pravecek:

On September 23, 1991, you were notified that the two final inspection fees of \$50.00 for each permit for a total of \$100.00 are due before Water License Nos. 1769-2 and 1808-2 can be issued. As of this date, the fees have not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$100.00, your Water Licenses will be sent to you. These are the final documents for the perfection of your Water Rights. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fees immediately to avoid jeopardizing your water permits.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, June 24, 1992

RECEIVED OF Janna Pravecek, RR 1 Box 91, Winner, SD 57580

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. 1769-2

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

50 00

By

John H. Hildebrand
Chief Engineer

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1769-2

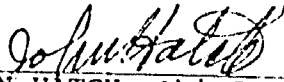
(1) Raymond D. Pravecek of RR 1, Box 91, Winner, SD 57580 made Application No. 1769-2, April 30, 1981 for a water permit to appropriate 1.66 cubic feet of water per second from groundwater (one well), Tripp County, South Dakota for irrigation purposes. Permit No. 1769-2 with a priority date of April 30, 1981 was approved May 27, 1981 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before May 27, 1986 and for the application to beneficial use of said water on or before May 27, 1990.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.11 cubic feet of water per second for beneficial use. The location of the diversion point is: 80'N and 80'W of the center of the NE 1/4 Section 15, T97N, R77W (NW 1/4 NE 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:

T97N, R77W Section 15	NE 1/4 NE 1/4	31 Acres
	NW 1/4 NE 1/4	18 Acres
	SW 1/4 NE 1/4	11 Acres
	SE 1/4 NE 1/4	20 Acres
	Total-----	80 Acres

(4) Pursuant to Section 46-5-30.1 Raymond D. Pravecek of RR 1, Box 91, Winner, SD 57580 the holder(s) and/or owner(s) of Water Permit No. 1769-2 is issued a license to appropriate water, the right to use 1.11 cubic feet of water per second from groundwater (one well) with a priority date of April 30, 1981 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 1769-2 and subject to South Dakota State Law.

 AUG 7 1992

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 7 1992

1769-2
1808-2

Raymond D. Pravecek
RR 1, Box 91
Winner, SD 57580

Dear Mr. Pravecek:

Enclosed are Water License Nos. 1769-2 and 1808-2. These are the final water right documents completing your process of obtaining Water Right. Enclosed are Receipt Nos. 413263 and 413264 in the amount of \$50.00 each which you paid for the inspection and issuance of the Water Licenses.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right Nos. 1769-2 and 1808-2, 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 Licenses, 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
JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

enclosures

6/60

If other: specify

[illegible]

6-12-51
Date



1769-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 8, 1994

No. 1769-2
1808-2

Glen Novotny
RR 1, Box 67A
Winner, SD 57580

Dear Mr. Novotny:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 1769-2 and 1808-2. The water rights are currently listed in the name of Raymond D. Pravecek.

The transfer forms should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 per transfer, a total of \$5.00.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

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

enclosure

1769

RUBEN G. MAULIS
ATTORNEY AND COUNSELLOR AT LAW

TELEPHONE (605) 842-2737

P. O. Box 150
338 SOUTH MAIN STREET
WINNER, SOUTH DAKOTA 57580

March 9, 1994



DENR/Water Rights Division
Joe Foss Building
523 W. Capitol
Pierre, SD 57501-3181

ATTN: Karen Schlaak

RE: Water license no. 1808-2 and no. 1769-2

Dear Ms. Schlaak:

With reference to the above, I am herewith enclosing the following:

1. Notice of Transfer of Ownership of each of the above mentioned licenses. Since I was not certain as to who was required to sign the license, they have been signed by both Ray Pravecek, the prior owner, and Glen Novotny, the present owner. If you do not need one or the other of the instruments, please destroy it.

2. Glen Novotny's check in the amount of \$5.00 in payment of the \$2.50 fee for each of said transfers.

If anything additional is required to complete this transfer, please contact J.M. Grossenburg since he is Mr. Novotny's attorney.

Sincerely yours,

A handwritten signature in cursive script, reading "Ruben G. Maulis".

Ruben G. Maulis

RGM/sbs

ENC (3)

CC: Mick Grossenburg

1769-2

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 1769-2

Date: March 8, 1994

I/We request that Water Right No. 1769-2

formerly owned by: Raymond D Pravecek

be transferred to: (name & address) Glen Novotny, RR 1, Box 67A, Winner, SD 57580

(Telephone No) (605) 842-0596

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

NE 1/4 Section 15, T97N, R77W

I/We understand that the validity of Water Right No. 1769-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, 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 Tripp }

I/We: Raymond D. Pravecek 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.

Raymond D Pravecek
(Signed)

Subscribed and sworn to before me this 8th day of March, 19 94

My Commission Expires: 2/28/97

Raymond L. Hamlin
(Notary Public)

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

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

1769-2

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 1769-2

Date: March 8, 1994

I/We request that Water Right No. 1769-2

formerly owned by: Raymond D Pravecek

be transferred to: (name & address) Glen Novotny, RR 1, Box 67A, Winner, SD 57580

(Telephone No) (605) 842-0596

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

NE 1/4 Section 15, T97N, R177W

I/We understand that the validity of Water Right No. 1769-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, 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 48-2-13.

STATE OF SOUTH DAKOTA)

County of Tripp)

I/We, Glen Novotny 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.

Glen Novotny
(Signed)

Subscribed and sworn to before me this 8th day of March, 19 94.

My Commission Expires: 2/28/97

Robert A. Harris
(Notary Public)

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

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

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

414083

Pierre, March 11, 1994

RECEIVED OF Glen Novotny, RR 1, Box 67A, Winner, SD 57580

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 _____ Water Right No. 1769-2		2 50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer



1769-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 24, 1994

No. 1769-2
1808-2

Glen Novotny
RR 1, Box 67A
Winner, SD 57580

Dear Mr. Novotny:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 1769-2 and 1808-2.

Our records now show you as the owner of Water Right Nos. 1769-2 and 1808-2.

Sincerely,

A handwritten signature in cursive script that reads "Cheryl F. Frost".

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

enclosure

NOT TO SCALE

97-77

T936

72.8 (150-4)

78.0

NW 1/4 NE 1/4
18 Ac.

NE 1/4 NE 1/4
31 Ac.

80'
Well X 80'

HEL

SW 1/4 NE 1/4
11 Ac.

SE 1/4 NE 1/4
20 Ac.

HEL

115

97-77

Kimberly M. Schaal
July 30, 1991

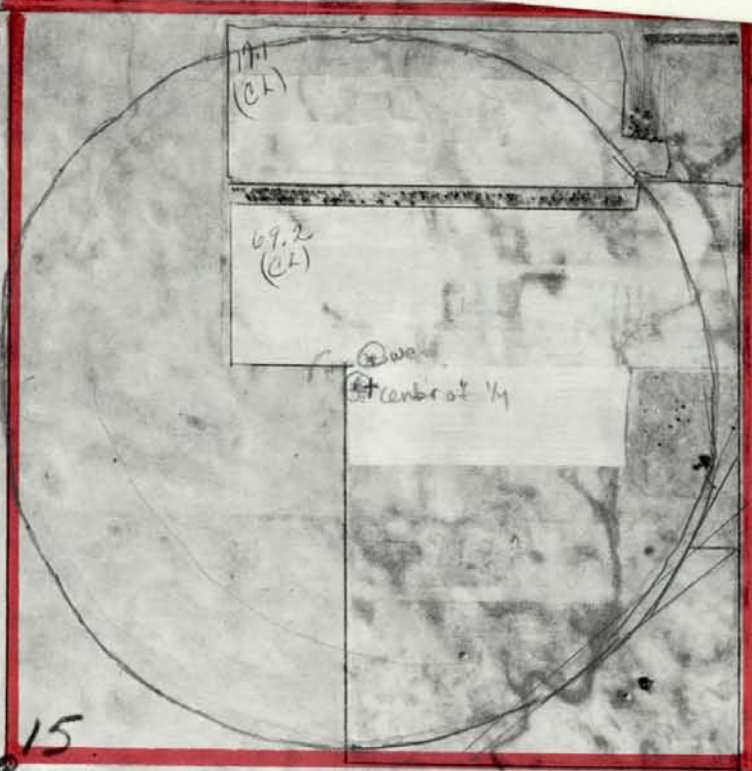
1769-2

115.2 ac.

73.7

(3-269)

1974
10-79



NE 41597-77

George Leibell
District Conservationist
Winner, South Dakota
Soil Conservation Service

97-77

MAP NO ~~1525~~ 2 APP NO 1769-2

map # 1525-2 / app 1769-2