

WATER PERMIT NO. 2523-2

Name of Applicant: **Daniel Vavra**

Address: **HC 78 Box 28, Crookston NE 69212**

Phone: **605 747-2545**

Amount of Water Claimed: **1.94**

Total Acres: **136**

Source of Water Supply: **groundwater**

Water to be used for: **irrigation**

County: **Todd**

Type of Waste Disposal System:

Location: **9 miles southwest of Mission**

PRIORITY

Date Received: **3-30-04**

Application/License Fee: **\$300**

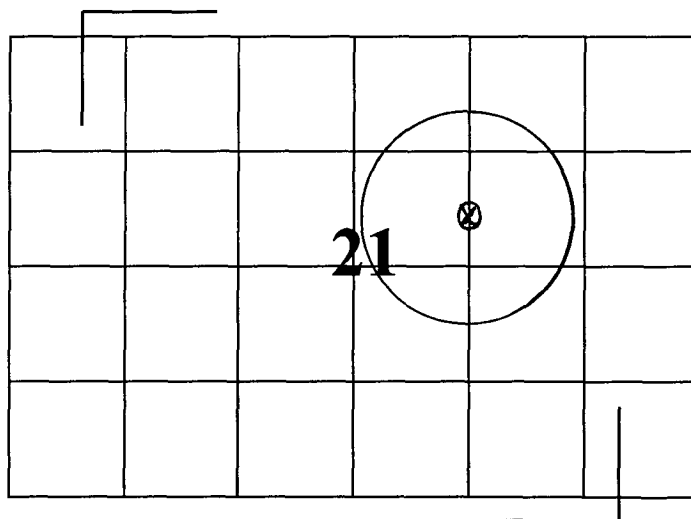
Corrected Application Received:

Period of Annual Use: **April 1- October 31**

Remarks:

Diversion Point: **S ½ NE ¼ Sec 21-T37N-R29W**

Land to be Irrigated: **NE ¼, N ½ SE ¼ Sec 21-T37N-R29W**



Depth of Well: **260 feet deep**

Well Driller: : **Grosch Irrigation Co.**

Remarks:

Type of Map: **aerial**

Prepared by: **Ron Duvall**

Reviewed and the Number Assigned on: **3-31-04**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

RECEIVED

MAR 30 2004

WATER RIGHTS
PROGRAM

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>2523-2</u> (office use only) Hydrologic Unit <u>10150006</u>
	Basin <u>Nebraska Trib</u>
	Newspaper <u>Todd Co. Tribune, Mission</u>

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

- Name of Applicant Daniel Vavra Phone (605) 747-2545
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address HC 78 Box 28 Crookston State NE 69212
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.940 *CFS or **GPM ***AF Total Acreage 136
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply ground water - one well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Todd
S1/2 NE1/4 section 21-T37N-R29W
- County or counties where water will be used Todd
- Annual period during which water is to be used Apr 1 - Oct 31
- List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
<u>NE NE 1/4 21-37-29</u>	<u>15</u>	<u>NE SE 21-37-29</u>	<u>14</u>
<u>NW NE 1/4 "</u>	<u>15</u>	<u>NW SE "</u>	<u>14</u>
<u>SW NE "</u>	<u>39</u>		
<u>SE NE "</u>	<u>39</u>		

- Give a description of the project. (Attach sheet if more space is needed)

STATE OF SOUTH DAKOTA) SS
County of Hughes

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

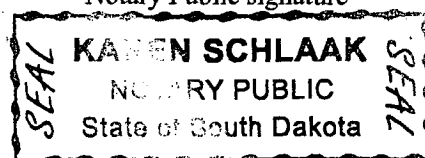
I, DANIEL VAVRA, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Daniel E Vavra

Subscribed and sworn to before me this 30th day of March 20 04

Karen Schlaak

Notary Public signature



**SOUTH DAKOTA
WATER PERMIT NO. 2523-2**

Date of first receipt of application March 30, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2523-2 to Daniel Vavra, HC 78 Box 28, Crookston NE 69212 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. 2523-2 appropriates 1.94 cubic feet of water per second from one well (Ogallala Formation) 260 feet deep located in center of the S ½ NE ¼ Section 21 to irrigate 136 acres located in the NE ¼, N ½ SE ¼ Section 21; all in T37N-R29W.
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 March 30, 2004.
4. The date of approval of Permit No. 2523-2 is June 21, 2004.
5. One-fifth of the construction is to be completed on or before December 21, 2006.
6. All construction is to be completed on or before June 21, 2009.
7. Water is to be put to beneficial use on or before June 21, 2013.
8. 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. The well authorized by Permit No. 2523-2 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele
Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

AUG 17 2004

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

see attached log

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System _____

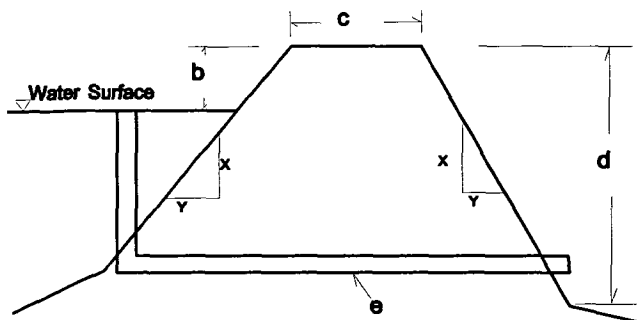
3. Dugout Information

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 30, 20 04

RECEIVED OF Daniel Vavra, HC 78 Box 28, Crookston NE 69212

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	250	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. _____	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	300.00

No.

004238

By

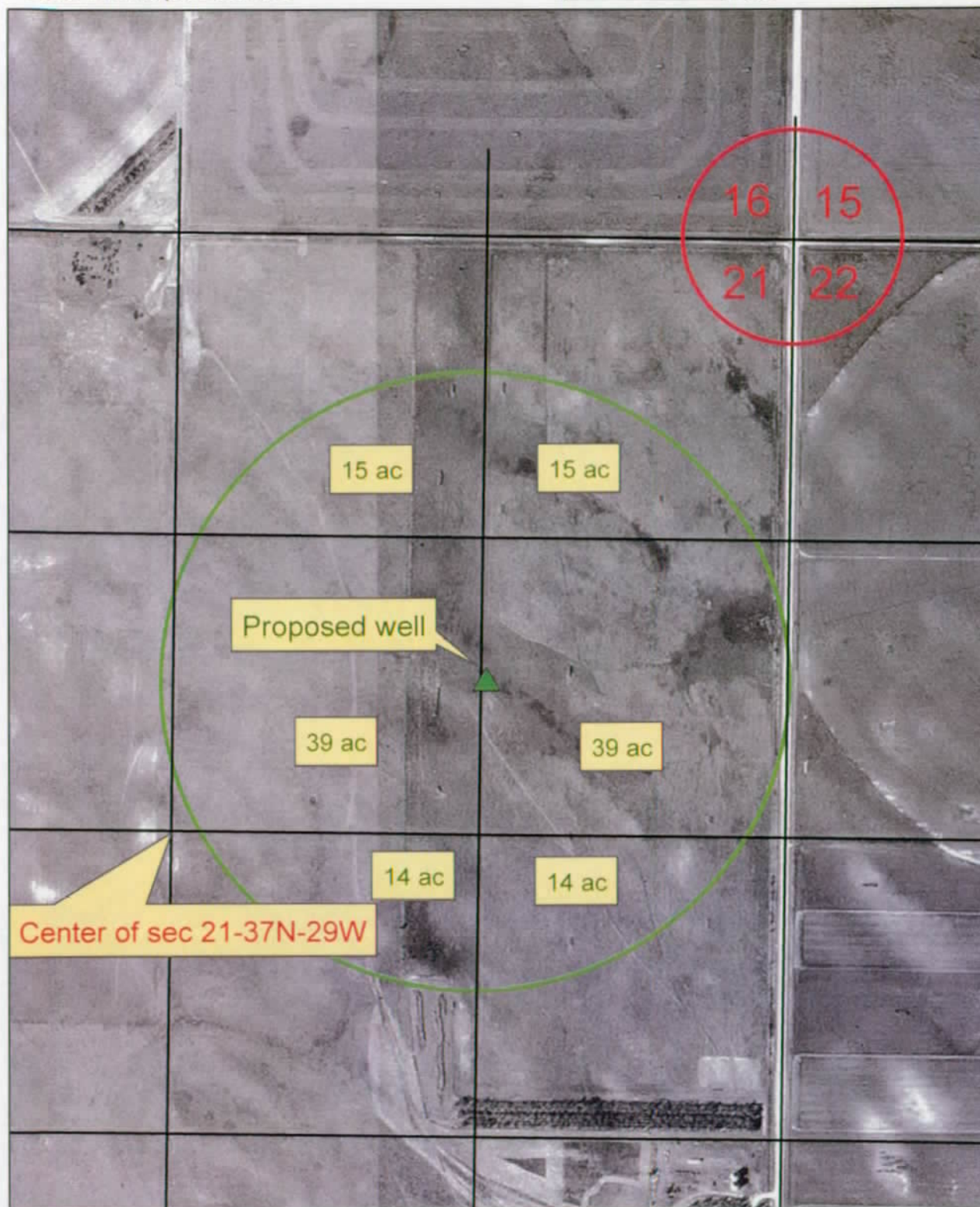
Darlene Ebel

Chief Engineer

gm

Scale: 1 inch equals 653 feet

710 Feet



Completed by:

Ron Duvall
Ron Duvall, Natural Resources Engineer
Water Rights Program

Date: March 30, 2004

NOTICE OF WELL CONSTRUCTION

INSUFFICIENT LOCATION

37-29-22b

(1) WELL CONSTRUCTION

X Location of well: NW 1/4 1/4 Section 22 Township 37 Range 29

Well owner Danny Vavra Crookston, NE
(Name) (Address)

Date well drilling completed 5/18/78 Purpose of well Irrigation
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer
0- 98	Sandstone, lime- stone and clay lys
98- 184	Sandstone, and limestone layers
184- 236	Sand & sandstone
236- 260	Red rock

Depth to top of water producing aquifer 98 ft.
Depth to static water level 98 ft.
Name of producing aquifer (if known) Sandstone
Total depth of drill hole 238 ft.
Depth to bottom of casing 238 ft.

Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.
All concrete, 21" od, 16" id. Well is cased with 1' plug in bottom, 136' of screen following and 101' of plain on top.

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

Maximum GFM-- 925 from 139'

If a flowing well, flow of completed well _____ G.P.M.

GROSCH IRRIGATION CO., INC.

Name of Drilling Contractor

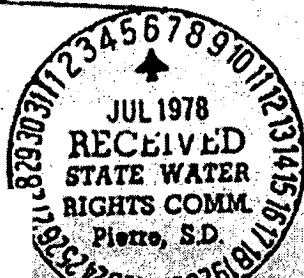
(2) PUMP INSTALLATION

Company name and size of pump Fairbanks Morse, 11" HP 84
Type of pump Turbine Capacity of installed pump 800 G.P.M.
Depth of pump placement 180 ft., Date of pump installation 6/16/78

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____



Grosch Irrigation Co., Inc. --O'Neill, NE
Name of Pump Installation Contractor

WATER PERMIT APPLICATIONS NO. 2522-2 & NO. 2523-2
DANIEL VAVRA
MAY 25, 2004

Water Permit Application No. 2522-2 proposes to appropriate 1.94 cubic feet of water per second from one well (Ogallala Formation) 260 feet deep located in the center of the NW¼ Sec. 16 to irrigate 136 acres located in the NW¼ Sec. 16; all in T37N-R29W, Todd County.

Water Permit Application No. 2523-2 proposes to appropriate 1.94 cubic feet of water per second from one well (Ogallala Formation) 260 feet deep located in the center of the S½ NE¼ Sec. 21 to irrigate 136 acres located in the NE¼, N½SE¼ Sec. 21; all in T37N-R29W, Todd County.

AQUIFER: Ogallala (OGLL)

GENERAL:

The High Plains Aquifer consists of the upper sandstone units of the Arikaree Formation, the Ogallala Formation, and the Sand Hills Formation, and any terrace or alluvial deposits, all of which are hydraulically connected (Kolm, 1983). The High Plains Aquifer underlies 4,750 square miles of South Dakota and contains an estimated 700 million acre feet of water in the state (Gutentag and others, 1984). The Ogallala Formation, which consists of clays, silts, sands and surface gravel deposits makes up a major part of the High Plains Aquifer. The Ogallala Formation underlies approximately 412,800 acres of Todd County and contains an estimated 12,384,000 acre-feet of recoverable water in storage in the county (Allen and others, 1984). The saturated thickness of the aquifer is estimated to be 200-400 feet in this area. (Kolm, 1983). A well log for a nearby irrigation well indicates mostly sand and sandstone (i.e. Ogallala aquifer) to a depth of 236 feet. The well has a static water level of about 98 feet below grade and was capable of producing a maximum of 925 gpm. The wells proposed by these applications should have similar yields. The Ogallala Formation overlies the Arikaree Formation in this area and it appears that the water levels for the Ogallala are higher than the Arikaree. This would indicate the potential for downward movement of ground water from the Ogallala to the Arikaree. The aquifer is under unconfined conditions with the water table controlled locally by topography. Precipitation is the principal source of recharge to the aquifer. The annual recharge rate has been estimated to be 8 percent of the precipitation rate, or about 1.3 in./yr to 1.8 in./yr (Kolm, 1983). This would equate to an annual recharge of 44,700 acre-feet to 61,900 acre-feet in Todd County. Natural discharge occurs to streams and springs, and directly to the atmosphere by evapotranspiration.

WATER AVAILABILITY:

Water Rights Program monitors 81 observation wells completed into the Ogallala Formation, of which 21 are located in Todd County. Water Rights' Observation Wells TD-76A and TD-76B are located within two miles of the wells proposed by these applications. The hydrographs for these wells are shown in figures 1-2.

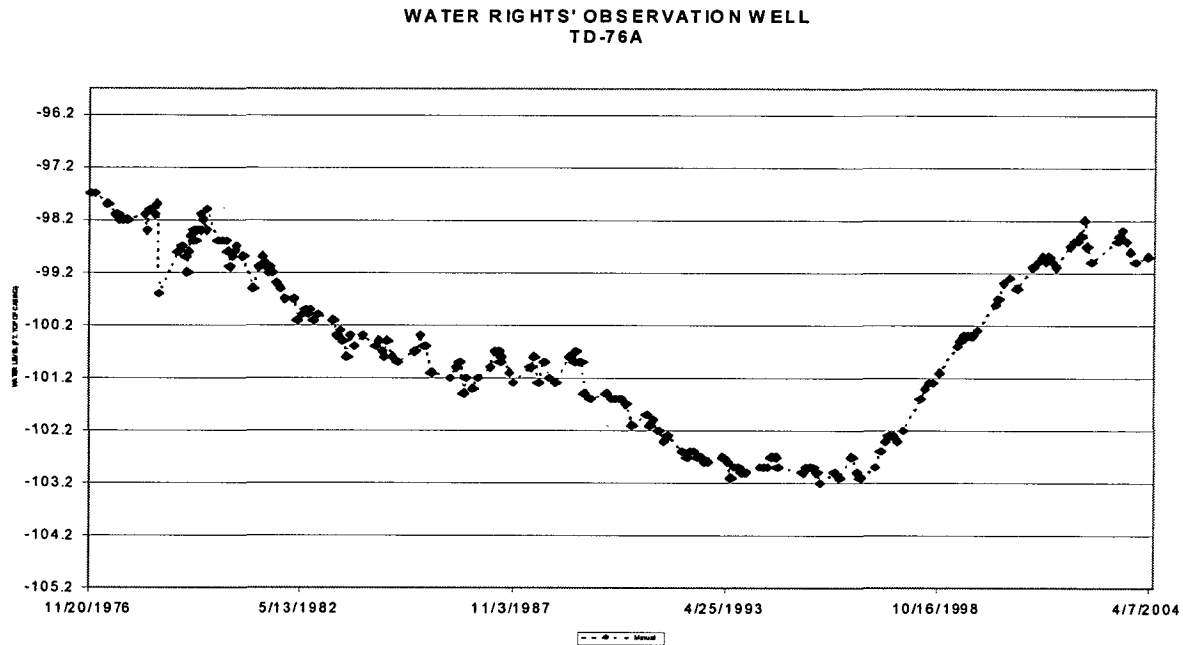


Figure 1. Hydrograph of Water Rights' Observation Well

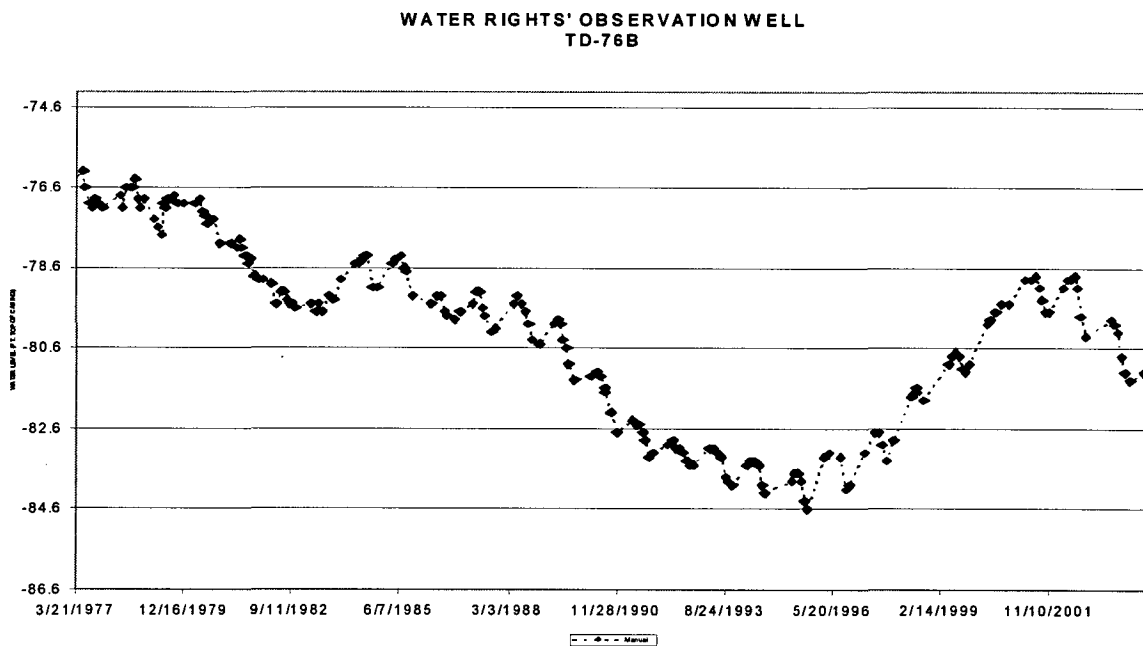


Figure 2. Hydrograph of Water Rights' Observation Well

These observation wells are read monthly and show only slight fluctuations due to existing pumping and changes in climatic conditions (Water Rights, 2004c).

There are 136 permits/rights which appropriate water from the Ogallala aquifer in South Dakota. There are 50 permits/rights from the Ogallala in Todd County. Irrigation is the major water use from the aquifer. Reported pumpage from the Ogallala for irrigation use can be seen in figure 3.

*Reported Irrigation Pumpage
from the Ogallala Aquifer in South Dakota*

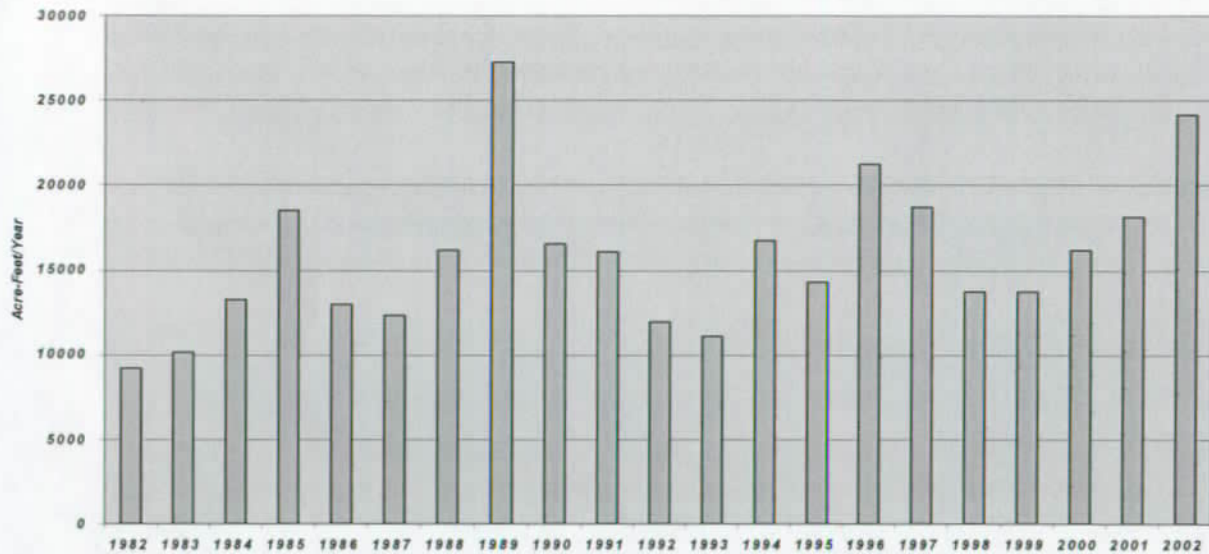


Figure 3. Irrigation usage from the Ogallala aquifer (Water Rights, 2002).

AFFECTS ON EXISTING RIGHTS:

Since the Ogallala Aquifer is under unconfined conditions, drawdown from pumping an individual well is not expected be significant very far from the well. There are ten irrigation Water Rights within three miles of the well sites proposed by these applications (Water Rights, 2004c). They include:

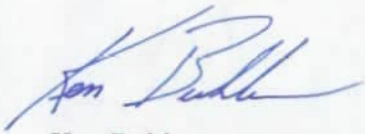
PERMIT	NAME	CFS	ACRES
1224-2	MISSION FARMS	14.30	1,048.00
1253A-2	DANIEL VAVRA	5.30	389.00
1272A-2	DANIELSKI HARVESTING &	1.80	125.00
1294-2A	MISSION FARMS	3.60	255.00
1311-2	GENE POPKES	1.89	142.00
1476-2	MISSION FARMS	1.80	128.00
1615-2	DANIELSKI HARVESTING &	13.40	993.00
1922-2	DANIELSKI HARVESTING &	5.57	401.00
2092-2	MISSION FARMS	1.78	132.00
2096-2	MISSION FARMS	1.78	132.00

Table 1. Water Rights within three miles of 2522-2 and 2523-2.

The nearest Water Right not held by Daniel Vavra is No. 1224-2, with wells located within one mile of the wells proposed by these applications. Drawdown will be created by pumping the wells proposed by these applications but should not adversely impact existing wells.

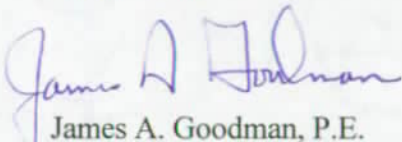
CONCLUSIONS:

1. The Ogallala Aquifer is a viable aquifer in this area, and water is available for these appropriations.
2. Well interference should not be a problem in this area.



Ken Buhler
Natural Resources Engineer

approved by



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

REFERENCES:

- Allen, J.C., Iles, D.L., and Petres, A.K., 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, Task 3 and 4: Groundwater Resource Inventory: South Dakota Department of Water and Natural Resources,
- Gutentag, E.D., Heimes, F.J., Krothe, N.C., Luckey, R.R., Weeks, J.B. 1984, Geohydrology of the High Plains Aquifer in Parts of Colorado, Kansas, Nebraska, New Mexico, Oklahoma, South Dakota, Texas, and Wyoming: U.S. Geological Survey Professional Paper 1400-B, 63 p.
- Kolm, K.E., and Case III, H.L., 1983, A Two-Dimensional, Finite-Difference Model of the High Plains Aquifer in Southern South Dakota: U.S. Geological Survey Water-Resources Investigations Report 83-4175, 34 p.
- Water Rights Program, 2002, "Irrigation Use Summary": DENR-Water Rights Program
- Water Rights Program, 2004a, "Observation Well Files": DENR-Water Rights Program
- Water Rights Program, 2004b, "Water Permit Files": DENR-Water Rights Program,



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2523-2, Daniel Vavra**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 2523-2, Daniel Vavra, HC 78 Box 28, Crookston NE 69212.

The Chief Engineer is recommending APPROVAL of Application No. 2523-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) 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. The well authorized by Permit No. 2523-2 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
May 27, 2004

AFFIDAVIT OF PUB'

State of South Dakota
County of Todd

Wednesday, June 9, 2004

Mandy Scherer, being duly sworn, says: That The Todd County Tribune is, and during all the times hereinafter mentioned was, a weekly legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive, as amended, published at Mission, Todd County, South Dakota by Huether Brothers Publishing, Inc.; that affiant is and during all of said times was, an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order of advertisement, a printed copy of which is attached, was published in said newspaper for 2 successive issues, bearing the following dates:

June 2, 2004

June 9, 2004

that the full amount of the fee charged for publishing the same, to-wit, the sum of \$ 46.08, insures solely to the benefit of the publisher of said newspaper; that no agreement or understanding for the division of the fee has been made with any person, and that no part of the fee has been agreed to be paid by any other person.

Marie A. Huether

Bookkeeper

NOTICE OF APPLICATION

NOS. 2522-2 AND 2523-2 TO APPROPRIATE WATER

Notice is hereby given that Daniel Vavra, HC 78 Box 28, Crookston, NE 69212 has filed the following applications for a water permit.

Application No. 2522-2 appropriates 1.914 cubic feet of water per second (cfs) from one well (Ogallala) Formation) 260 feet deep located in the center of the NW 1/4 section 16 to irrigate 136 acres located in the NW 1/4 Section 16; all in T37N-R29W.

Application No. 2523-2 appropriates 1.94 cfs from one well (Ogallala Formation) 260 feet deep located in center of the S1/2 NE1/4 Section 21 to irrigate 136 acres located in the NE 1/4, N1/2 SE1/4 Section 21; all in T37N-R29W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2522-2 and 2523-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

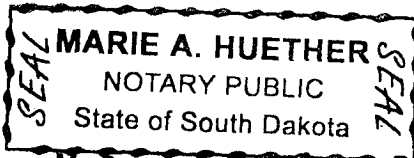
Any person interested in opposing or supporting these applications or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineers recommendations. The Chief Engineers address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605) 773-3352" and the applicants mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 21, 2004.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reason for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to these application. Steven M. Pirner, Secretary, Department of Environmental and Natural Resources.
Publ.: June 2, and 9 2004

Subscribed and sworn to before me this 23
day of June A.D., 20 04

Marie A. Huether

Notary Public



My Commission Expires
July 6, 2007

RECEIVED
JUN 25 2004
WATER RIGHTS
PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

May 27, 2004

Daniel Vavra
HC 78 Box 28
Crookston NE 69212

Dear Mr. Vavra:

Water Permit Application Nos. 2522-2 & 2523-2 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 Todd County Tribune printed at Mission, SD (Ph # 605-856-4469). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and a report on the applications 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. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the applications.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendations, 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 57501-3182
www.state.sd.us/denr

May 27, 2004

Todd Co Tribune
PO Box 229
Mission SD 57555-0229

ATTENTION: Legal Public Notice

Enclosed are the Notice of Hearing on Application Nos. 2522-2 & 2523-2 to Appropriate Water to be published twice. Please publish the first notice on June 2, 2004 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Daniel Vavra, HC 78 Box 28, Crookston NE 69212 (Ph # 605-747-2545).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 2522-2 & 2523-2

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

Date _____

We are in receipt of your letter of May 27, 2004 enclosing Notice of Hearing to Appropriate Water by Application Nos. 2522-2 & 2523-2 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 June 2, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NOS. 2522-2 and 2523-2 to Appropriate Water

Notice is given that Daniel Vavra, HC 78 Box 28, Crookston NE 69212 has filed the following applications for a water permit.

Application No. 2522-2 appropriates 1.94 cubic feet of water per second (cfs) from one well (Ogallala Formation) 260 feet deep located in the center of the NW ¼ Section 16 to irrigate 136 acres located in the NW ¼ Section 16; all in T37N-R29W.

Application No. 2523-2 appropriates 1.94 cfs from one well (Ogallala Formation) 260 feet deep located in center of the S ½ NE ¼ Section 21 to irrigate 136 acres located in the NE ¼, N ½ SE ¼ Section 21; all in T37N-R29W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2522-2 and 2523-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Program, 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 June 21, 2004.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to these applications. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 17 2004

Daniel Vavra
HC 78 Box 28
Crookston NE 69212

Dear Mr. Vavra:

Enclosed is Water Permit No. 2523-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

2523-2

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

Date 11-14-05

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

RECEIVED**NOV 21 2005**WATER RIGHTS
PROGRAM

FROM: DANIEL VAURA
(name)

HC 78 Bx 28
(address)

CROOKSTON NE 69212
(city, state, zip)

605-747-2545
(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 2523-2 states that the water use system is to be constructed by

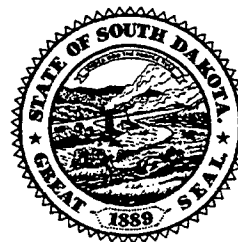
Jul 26 2009, and water is to be put to beneficial use by Jul 26 2013.
(date) (date)

The water use system was completed on 4-29-05.
(date)

Applying the water to beneficial use was completed on 5-5-05.
(date)

You may schedule an investigation so that the water license may be issued.

Daniel E. Savage
(signature)

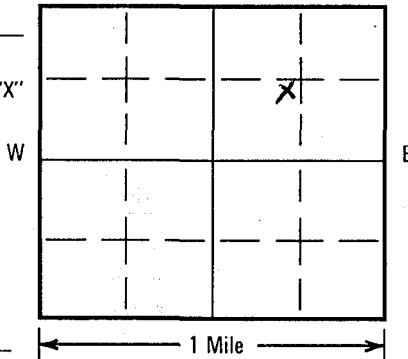


SOUTH DAKOTA WATER WELL COMPLETION REPORT

2523-2
07-92

Location SW 1/4 NE 1/4 Sec 21 Twp 37N Rg 29W
County Todd

Please mark well location with an "X"



Well Completion Date

3-18-2005

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.) 2500 ft. from Corral & Building Site (identify source).

PROPOSED USE:

- ☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Reverse Rotary

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>SDR 26</u> LB/FT	<u>16</u> IN	<u>0</u> FT	<u>180</u> FT	<u>27</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type Concrete No. of Sacks 6 Sack Grout Weight _____ lb./gal From 110 ft To 5 ft

Describe grouting procedure Pumped Concrete into Borehole Annulus until Concrete Was 5' below Surface

SCREEN: ☒ Perforated pipe ☐ Manufactured

Diameter 16 IN Length 60 FEET

Material PVC

Slot Size .085 Set From 180 Feet to 240 Feet

Other information PVC Cap on Bottom of Screen

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How:

Chlorination

Laboratory sent to for water quality analysis

_____ NO, Why Not? _____

Well Owner: Dan Vavra

Business Name: _____

Address: HL 78 Box 28
Crookston NE 69212

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top Soil</u>	<u>0</u>	<u>3</u>
<u>Sand Stone</u>	<u>3</u>	<u>20</u>
<u>Brown Clay</u>	<u>20</u>	<u>30</u>
<u>Fine Sand</u>	<u>30</u>	<u>100</u>
<u>Brown Clay</u>	<u>100</u>	<u>110</u>
<u>Medium Sand</u>	<u>110</u>	<u>160</u>
<u>Medium Sand and Clay Layers</u>	<u>160</u>	<u>185</u>
<u>Very Coarse Water Sand</u>	<u>185</u>	<u>230</u>
<u>Brown Clay</u>	<u>230</u>	<u>250</u>

STATIC WATER LEVEL

95

Feet

If flowing: closed in pressure _____

PSI

GPM flow _____ through _____

RECEIVED

inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ _____

FEB 09 2007

Reduced Flowrate _____

WATER RIGHTS PROGRAM

GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped

Describe: Test Pumped Well with Turbine Pump for 18 hrs

☐ Bailed

☐ Other

Pumping Level Below Land Surface

200 ft. After 18 Hrs. pumped 650 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate 650 GPM GPM

REMARKS

well was pumped directly after construction, well cleaned up in about 5-6 hrs Pumping level remained stable at 200' after first hour

This well was drilled under license # 377

And this report is true and accurate.

Drilling firm Beck's Welland Irrigation

Signature of license Representative:

Tony Beck President

Signature of Well Owner or Equitable Property Holder:

Dan Vavra

Date: 2-7-2007

-9-07

Permit No. 2523-2
Niobrara Tributary - Water District

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

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

I have this day, **November 8, 2006**, made a thorough examination of the water use system constructed by **Daniel Vavra** of **HC 78, Box 28, Crookston, NE 69212** holder of Permit No. **2523-2**, bearing the priority of **March 30, 2004** authorizing the diversion of **1.94** cu. ft. per second of the waters of **groundwater** for **irrigation** purposes, in **Todd** County.

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

- A. Works used to divert the water:
Goulds turbine pump with a 75 HP US Electric motor
- B. Works used to transport water to place of use:
Aluminum pipe
- C. Works used to apply water to beneficial use:
Reinke 8 tower center pivot

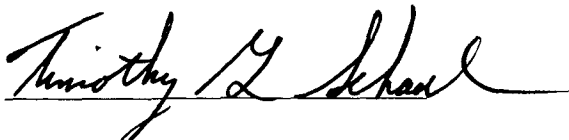
The system is in the following condition **good**. The point of diversion is located **1450 feet south & 1450 feet west of the NE corner of Sec. 21-T37N-R29W (SW ¼ NE ¼ Sec. 21-T37N-R29W) (Lat. 43.168371 Long. -100.754376)**. The works are capable of diverting and conveying to the place of use **1.45** 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. 21-T37N-R29W

NE ¼ NE ¼ --28 acres	NE ¼ NW ¼ --2.0
SE ¼ NE ¼ -- 28	SE ¼ NW ¼ -- 3.0
SW ¼ NE ¼ - 37	total = 136
NW ¼ NE ¼ - 35	
NW ¼ SE ¼ -- 2	
NE ¼ SE ¼ -- 1	

comprising a total of **136** acres of land and the license should be issued for **1.45** cfs.
Applicable permit qualifications have been complied with: Yes **X**

Exceptions to compliance are: **none** Date Report Completed: **February 12, 2007**



Timothy G. Schaal, P.E.
Natural Resources Engineering Specialist
DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 2523-2

DATE OF INSPECTION: November 8, 2006

NAME & ADDRESS OF INSPECTION CONTACT/ Mike Vavra

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: son

NAME & ADDRESS OF PERMIT HOLDER: Daniel Vavra, HC 78 Box 28, Crookston, NE 69212

DIVERSION POINT LEGAL LOCATION: 1450 feet south & 1450 feet west of the NE corner of Sec. 21-T37N-R29W (SW ¼ NE ¼ Sec. 21-T37N-R29W) (Lat. 43.168371 Long. -100.754376).

WELL INFORMATION:

- 1) Well Drilling Firm: Beck's Well & Irrigation, Inc.
- 2) No. of Wells 1
- 3) Depth(s) 240 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 16 inch
- 2) Length 180 feet
- 3) Type PVC

Screen:

- 1) Type Perforated pipe
- 2) Length 60 feet
- 3) Static water level 95 feet

Pump:

- 1) Make Goulds Turbine Pump
- 2) Model
- 3) Size XXX
- 4) Capacity 650 GPM

Motor:

- 1) Make US Electric
- 2) Model No. 5K6255XM502B
- 3) Horsepower rating 75 Hp

DISTRIBUTION LINES OR CANALS:

- 1) Type Aluminum
- 2) Size 8 inches
- 3) Length Approx. 20 feet

SYSTEM TYPE:

Center pivot:

- 1) Make Reinke
- 2) Overall length 1320 feet
- 3) Number of towers 8
- 4) Distance between towers XXX feet
- 5) End gun yes
- 6) High or low pressure Low
- 7) Capacity 650 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate yes
- 2) Main line check valve yes
- 3) Inspection port/air relief yes
- 4) Low pressure drain yes
- 5) Discharge is 20 ft. from source yes
- 6) Interlock type electric
- 7) Injection pump type piston
- 8) Injection check valve yes
- 9) Injection line check valve or positive displacement pump pos. displacement pump
- 10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules yes

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit yes
- 2) Special qualifications to permit being abided by yes
- 3) All structures, wells and lands on map yes
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period yes

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 21 Twp 37N Rg 29WCounty Todd

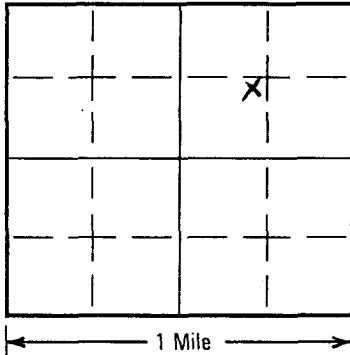
North

Please mark well location with an "X"

W

E

Well Completion Date

3-18-2005

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.) 2500 ft. from Corral & Building Site (identify source).

PROPOSED USE:

- ☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Reverse RotaryCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>SDR 26</u> LB/FT	<u>16</u> IN	<u>0</u> FT	<u>180</u> FT	<u>27</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Concrete</u>	<u>6 Sack</u>	_____ lb./gal	<u>110</u> ft.	<u>5</u> ft.
_____	_____	_____ lb./gal	_____ ft.	_____ ft.

Describe grouting procedure Pumped Concrete into Bare hole Annulus until Concrete Was 5' below SurfaceSCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 16 IN Length 60 FEETMaterial PVCSlot Size .085 Set From 180 Feet to 240 FeetOther information PVC Cap on Bottom of ScreenWAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: Chlorine

Laboratory sent to for water quality analysis

_____ NO, Why Not? _____

Well Owner: Dan Vavra

Business Name: _____

Address: HL 78 Box 28
Crookston NE 69212

WELL LOG:

DEPTH

FORMATION	DEPTH	
	FROM	TO
<u>Top Soil</u>	<u>0</u>	<u>3</u>
<u>Sand Stone</u>	<u>3</u>	<u>20</u>
<u>Brown Clay</u>	<u>20</u>	<u>30</u>
<u>Fine Sand</u>	<u>30</u>	<u>100</u>
<u>Brown Clay</u>	<u>100</u>	<u>110</u>
<u>Medium Sand</u>	<u>110</u>	<u>160</u>
<u>Medium Sand and Clay Layers</u>	<u>160</u>	<u>185</u>
<u>Very Coarse Water Sand</u>	<u>185</u>	<u>230</u>
<u>Brown Clay</u>	<u>230</u>	<u>250</u>

STATIC WATER LEVEL

95

Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

RECEIVED

FEB 09 2007

WATER RIGHTS PROGRAM

WELL TEST DATA:

☒ Pumped☐ Bailed☐ OtherDescribe: Test Pumped Well with Turbine Pump for 18 hrs

Pumping Level Below Land Surface

200 ft. After 18 Hrs. pumped 650 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate 650 GPM GPM

REMARKS

well was pumped directly after construction, well cleaned up in about 5-6 hrs Pumping level remained stable at 200' after first hourThis well was drilled under license # 377

And this report is true and accurate.

Drilling firm Beck's Well and Irrigation

Signature of License Representative:

Tony Beck President

Signature of Well Owner or Equitable Property Holder:

Dan VavraDate: 2-7-2007

10-6-2007

Licensing of Acreage Outside of Permitted Area

NAME: Daniel Vavra

ADDRESS: HC 78 Box 28, Crookston, NE 69212

DATE: February 12, 2007

COUNTY: Todd

TELEPHONE: (605) 747-2545

AUTHORITY

Pursuant to SDCL 46-5-30.5, acreage developed for irrigation outside of the area described on the permit may be licensed provided the following conditions are met:

NO INCREASE IN PERMITTED ACREAGE OR WATER APPROPRIATED:

The acreage developed for irrigation is 136 acres as compared to 136 acres authorized by the permit. Licensing of the permit will not increase the amount of water appropriated.

Water Permit Application No. 2523-2 authorized irrigation of 136 acres located in the NE $\frac{1}{4}$ & N $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 21-T37N-R29W. The center pivot was constructed where 5 acres located in the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 21-T37N-R29W are irrigated.

UNPERMITTED ACREAGE:

- **Contiguous to Permitted Acreage**

yes

- **Owned by Same Property Owner**

yes

- **Developed Prior to Expiration of Construction Period**

yes

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the 5 acre area be included in the water license.



Timothy G. Schaal, P.E.

Natural Resources Engineering Specialist

Water Rights Program

The Chief Engineer makes a finding pursuant to SDCL 46-5-30.5 that:

This acreage change does not adversely impair existing water rights and the overall project, as developed, is consistent with the original application. Licensing of the unpermitted acreage may occur without application or publication pursuant to SDCL 46-2A-4.



Garland Erbe, Chief Engineer

Water Rights Program

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 2523-2**

(1) Daniel Vavra, HC 78 Box 28, Crookston NE 69212 made Application No. 2523-2, March 30, 2004 for a water permit to divert 1.94 cubic feet of water per second from ground water (one well – Ogallala Formation), Todd County, South Dakota for irrigation purposes. Permit No. 2523-2, with a priority date of March 30, 2004 was approved June 21, 2004 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 21, 2009 and for the application to beneficial use of said water on or before June 21, 2003. The Permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on November 21, 2005. The "*Notice*" stated the water use system was completed on April 29, 2005 and the water placed to beneficial use on May 5, 2005.

(2) It is certified that the permit holder 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 1.45 cubic feet of water per second for beneficial use. The location of the diversion point is 1,450 feet south and 1,450 feet west of the NE corner of Section 21, T37N, R29W (SW ¼ NE ¼).

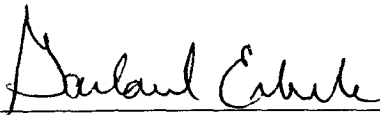
(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 21, T37N, R29W					
NE ¼ NE ¼	28 acres	NW ¼ SE ¼	2 acres	NE ¼ NW ¼	2.0 acres
SE ¼ NE ¼	28 acres	NE ¼ SE ¼	1 acre	SE ¼ NW ¼	3.0 acres
SW ¼ NE ¼	37 acres	Total irrigated: 136 acres			
NW ¼ NE ¼	35 acres				

(4) Pursuant to South Dakota Water Law 46-5-30.1 Daniel Vavra, HC 78 Box 28, Crookston NE 69212 the holder and/or owner of Water Right No. 2523-2 is issued a license to appropriate water, the right to use 1.45 cubic feet of water per second from ground water (one well – Ogallala Formation) with a priority date of March 30, 2004 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 South Dakota Water Law, any limitations or conditions listed in Water Right No. 2523-2 and subject to the following qualifications:

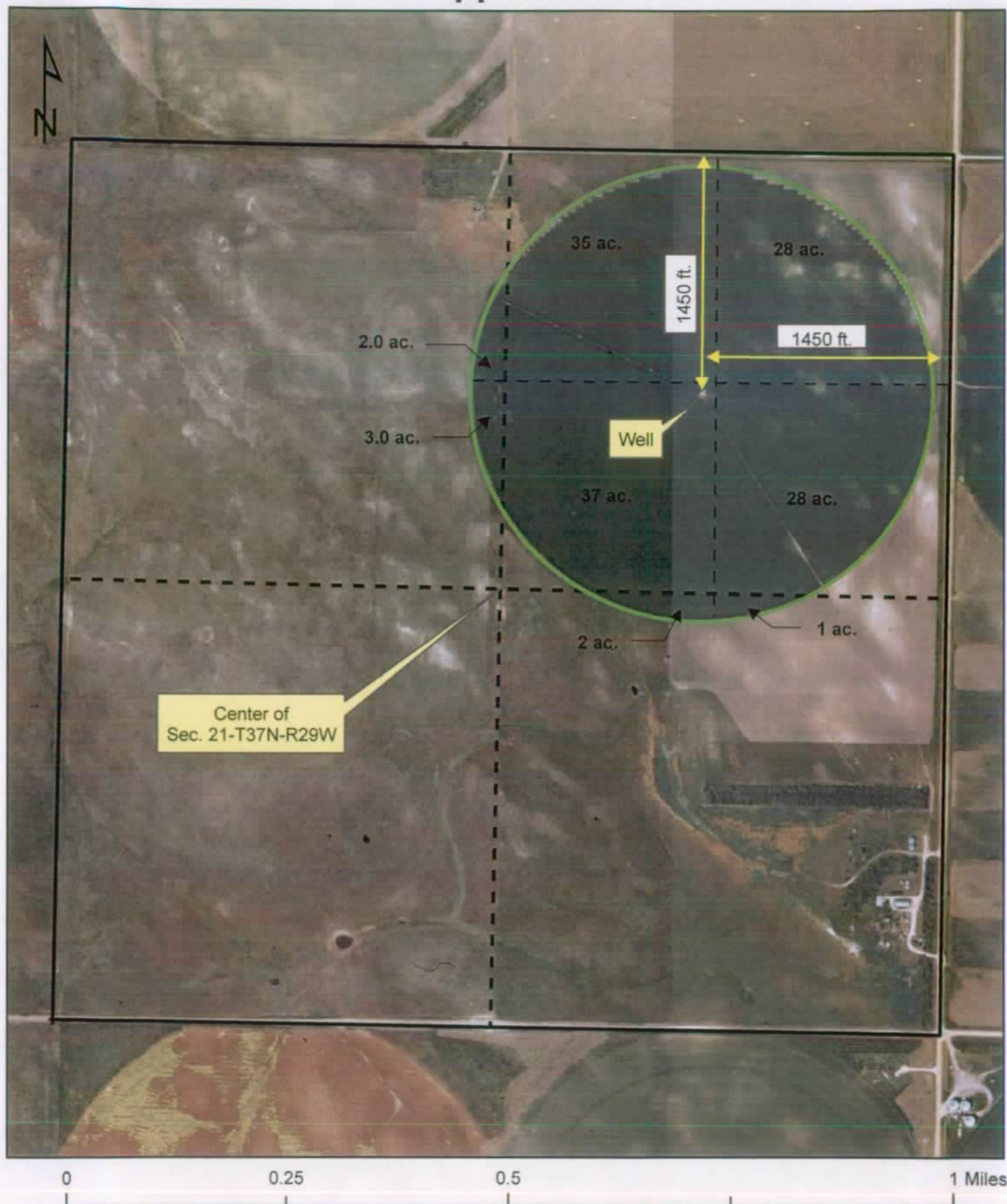
- The well approved under this water right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this water right, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28. (*Well was found to be constructed in accordance with the above rules.*)
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.


Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 20 2007
date



Water Permit Application No. 2523-2



Timothy G. Schaal

Timothy G. Schaal, P.E.
Natural Resources Engineering Specialist
DENR, Water Rights Program

2/12/07



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

APR 20 2007

2523-2

Daniel Vavra
HC 78 Box 28
Crookston NE 69212

Dear Mr. Vavra:

Enclosed is your Water License No. 2523-2. This is the final water right document completing your process of obtaining a Water Right. Included with the license is a copy of the map prepared by the Staff Engineer who conducted the field investigation.

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. 2523-2, 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 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.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 3, 2009

1253A-2
2522-2
2523-2

Daniel Vavra
HC 78 Box 28
Crookston NE 69212

Dear Mr. Vavra:

Thank you for contacting us concerning Water Right Nos. 1253A-2 & 2523-2 and Water Permit No. 2522-2. I have included copies for you in the event you need them.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing ownership changes. Please review and complete as needed. Upon completion, please sign and return them to our office with a required filing fee of \$50.00 each (total of \$150.00). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosures

RECEIVED

AUG 10 2009

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2523-2

Date: 8-6-09

I/We request that Water Right No. 2523-2

formerly owned by: Daniel Vavra

be transferred to: (name & address) DANIEL VAURA - CERRY VAURA

As Joint Tenants

HC 78 Rt 28 Crookston NE 69212 Telephone No. 605-747-2545

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

136 acres - NE 1/4, N 1/2 SE 1/4 and E 1/2 NW 1/4 Section 21, T37N, R29W

I/We understand that the validity of Water Right No. 2523-2 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 with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

Daniel Vavra

I/We Cerry Vavra, the new owner, certify that the above information is true and correct.

Daniel Vavra Cerry Vavra
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. 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

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 8/10, 20 09

RECEIVED OF Gerry Vavra HC 78 Box 28 Crookston NE 69212

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	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 <u>2523-2</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 04196

By

Michael Erb
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 11, 2009

1253A-2
2522-2
2523-2

Daniel & Gerry Vavra
HC 78 Box 28
Crookston NE 69212

Dear Mr. & Mrs. Vavra:

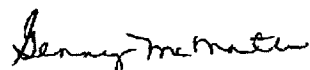
I am writing to acknowledge receipt of the ownership changes you filed for Water Right Nos. 1253A-2 & 2523-2 and Water Permit No. 2522-2. The transfers have been completed. The permit and water rights listed in the name of Daniel Vavra are now listed as "Daniel Vavra and Gerry Vavra as Joint Tenants".

Enclosed are your Receipt Nos. 04194, 04195 and 04196 in the amounts of \$50.00 each. You may keep these for your records.

Also received from you was the "Notice of Completion of Works" form letting us know that you have completed the water use system described in Water Permit No. 2522-2. The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,


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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

November 2, 2015

1253A-2
2522-2
2523-2

Daniel & Gerry Vavra
135 N Shore St
Valentine NE 69201 1758

Dear Mr. & Mrs. Vavra:

Enclosed is a "Notice" dated October 23, 2015 concerning the 2015 irrigation questionnaires.

The notice was originally mailed to 29287 269th Ave, Crookston NE. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

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

enclosures