

- 1564-3
1. Considered 5.22, 1968
2. Name of Applicant GEORGE LYATOS
3. Post Office Address LAKE ANDES
4. Amount of water claimed 4.57
5. Source of water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
- Acres to be irrigated 520
7. Water to be diverted and used in CHARLES MIX county
about 53 1/4 miles of LAKE ANDES
8. Proof of Publication Received 1/15
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:

No. 1564-3Water Division No. 3 MISSOURI RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)

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

(NOTE—Draw a line through items not applicable.)

1. Name of applicant GEORGE SVATOS, DAN D
Postoffice address LAKE ANDES, County CHARLES MIX, State S. DAK

- I. If a corporation _____
- (a) Name of same _____
- (b) Date and place of incorporation _____
- (c) Amount of capital stock _____
- (d) Amount paid in _____
- (e) Names and addresses of directors _____

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)
CONTRACT & DIRECT LABOR
- (b) Cash on hand, \$ _____ (c) Treasury stock, \$ _____
- (d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work GEORGE SVATOS #1
3. Amount of water claimed 4.57 cubic feet per second
4. Source of water supply MISSOURI RIVER
5. Location of point of diversion SEE ATTACHMENT
_____ on LEFT bank CHARLES MIX County.
6. Annual period or periods during which water is to be used APRIL THRU OCTOBER
7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? SPIRINKLER

- (a) Number of acres to be irrigated 320 acres.

- (b) Legal subdivisions to be irrigated SEE ATTACHMENT

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

- (c) Statement as to domestic use (giving location, etc.) _____

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

- (a) Nature of use _____
Name any of the above uses claimed
- (b) Amount of power to be generated _____ horse power.
Amount claimed for engine cooling _____
- (c) Location of plant _____
- (d) Method of developing power _____
- (e) Point where water will be returned to stream _____

SEE MAPS 255-3 & 256-3

8. Estimated cost of work:

(a) Head Gates, \$..... (b) Pumping plant, \$.....
 (c) Pumping, \$..... (d) Canal-earth, \$..... Rock, \$.....
 e) Other structures Total, \$.....

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

PUMPING UNIT, MAINLINE & SPRINKLER SYSTEM

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottomfeet; length at topfeet; thickness at bottomfeet; thickness at topfeet; slope at front water face; slope at back face material used in construction
 (b) Reservoir: Capacity when filledacre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET—ACRES	FEET	ACRE FEET CAPACITY

(c)* Head gate. Width.....feet; heightfeet;
 Material
 (d) Canal: Total lengthmiles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER LINE	GRADE PER MILE
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work 5 years.
 11. Time required for complete application of water to the proposed beneficial use 4 years.
 12. Choice of newspaper for publication of notice of intention to appropriate LAKE ANDER WAVE, LAKE ANDER, S.D.A.

STATE OF SOUTH DAKOTA

County of Charles mix ss.

I, George A. Horton, 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, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed George A. Horton

Subscribed and sworn to before me this 3 day of April 1968

Paul A. K...
 Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota, MAY 27, 1968

This is to certify that the foregoing application was received by the Commission at 8.30 o'clock
9 a.m. upon the 17TH day of APRIL, 1968

State Water Resources Commission

By:

Durton Jones
for Chief Engineer, Executive Officer

Number of permit 1564.3

Date of first receipt of application APRIL 17, 1968

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right APRIL 17, 1968

Approved MAY 22, 1968, Recorded in Book 10 Page 193

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 22, 1970

2nd. The whole of said work is to be completed on or before MAY 22, 1973

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is MAY 22, 1977

4th. The water appropriated shall be used for the purpose of IRRIGATION

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed 4.57 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must 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 22, 1977; said water to be used during the following described annual period:

APRIL THRU OCTOBER
Witness my hand this 27TH day of MAY, 1968

State Water Resources Commission

By:

John Jones
Chief Engineer, Executive Officer

Certificate of Construction issued SEPTEMBER 17, 1968

Water License issued SEPTEMBER 17, 1968

POINTS OF DIVERSION

#1 S 2° W, 1522' FROM THE W 1/4 1/4 CORNER, SE 1/4, SECTION 32,
T96N, R65W

#2 S 87° 30' W, 3285' FROM THE W 1/4 1/4 CORNER SE 1/4, SECTION 29

#3. APPROX 550' S & 100' W OF THE NE CORNER, T96N, R65W,
SEC 30, T96N, R65W.

LANDS TO BE IRRIGATED

ALL IN T96N, R65W

SECTION 32	S ² NE ⁴	80	ACRES
	E ² NW ⁴	80	"
	NE ⁴ SW ⁴	40	"
SECTION 29	S ² SE ⁴	80	"
	SE ⁴ SW ⁴	10	"
	NW ⁴ SW ⁴	20	"
	NE ⁴ SW ⁴	10	"
TOTAL		320	ACRES

Permit No. 1564-3

Water Division No. 3 MISSOURI RIVER Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That George Syatosof Lake Andes, County of Charles Mix, and State of South Dakotathe holder of Permit No. 1564-3 issued upon Application No. 1564-3 bearing date of priority of April 17, 1968, authorizing the diversion of 4.57 cu. ft. per second of the waters of the Missouri RiverCounty of Charles Mix, State of South Dakota, at Points S²W, 1522' from the W¹/₄ Corner, SE¹/₄, Section 32; S87°30' W, 3285' from the W¹/₄ Corner, Section 29; and 550' S and 100' W of the NE Corner, Section 30, all in T96N, R65W for irrigationpurposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 8.0 * cu. ft.per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: All in T96N, R65W

Section 29	S ¹ / ₄ SE ¹ / ₄	80.0 acres
	SE ¹ / ₄ SW ¹ / ₄	10.0 acres
	NW ¹ / ₄ SW ¹ / ₄	20.0 acres
	NE ¹ / ₄ SW ¹ / ₄	10.0 acres
Section 32	S ¹ / ₄ NE ¹ / ₄	80.0 acres
	E ¹ / ₂ NW ¹ / ₄	80.0 acres
	NE ¹ / ₄ SW ¹ / ₄	40.0 acres
Total		320.0 acres

* Pump and Distribution System used on 1564-3 and 1565-3/

Witness my hand this 17th day of September A. D. 1968

State Water Resources Commission

By

J.W. GRIMS
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No.... 1564-3 ..

WHEREAS, On the 17th day of April A. D. 1968

George Svatos

of Lake Andes County of Charles Mix and State of
South Dakota duly made application (No. 1564-3) to us for a permit to use 4.57
cubic feet per second of the waters of the Missouri River
County of Charles Mix, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 27th day of May A. D. 1968

Permit No. 1564-3 was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described on or before the 22nd day of
May A. D. 1973 and for the application to beneficial use of said
water on or before the 22nd day of May A. D. 1977
and,

WHEREAS, On the 12th day of September A. D. 1968

the holder of said permit duly made proof of the completion of adequate works for the diversion of 8.0*
cubic feet per second of said waters, as evidenced by our Certificate No. 1564-3
dated September 17, 1968 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 8.0* cubic feet per second of water, with date of
priority of April 17, 1968 and,

WHEREAS, On the 12th day of September A. D. 1968

proof was duly made of the application to beneficial use of 4.57 cubic feet per second of said water,
for irrigating 320 acres in portions of Sections 29 and 32, T96N,
R65W.

*Pump and Distribution System used on 1564-3 and 1565-3.

NOW, THEREFORE, By the virtue of the authority vested in us by the law, of the State of South Dakota,
We hereby grant and confirm to George Svato
of Lake Andes the holder, and owner, of said permit No. 1564-3
a water right, dating from April 17, 1968 to the use of 4.57
cubic feet per second of the waters of the Missouri River
In the County of Charles Mix and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinafter mentioned, to be diverted at Points S 2° W, 1522' from the W 1/4
Corner, SE 1/4, Section 32; S 87° 30' W, 3285' from the W 1/4 Corner, Section 29;
and 550' S and 100' W of the NE Corner, Section 30, all in T96N, R65W.
and conducted to and upon portions of Sections 29 and 32, T96N, R65W, more
specifically described in the Certificate of Completion of Works.

for the purpose of irrigation, subject to any limitations listed in the
Permit to Appropriate Water, and

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the
State, and subject, also to the local or community customs, rules and regulations which have been or may be
adopted from time to time by a majority of the users from a common source of supply, canal or lateral from
which such water may be taken, when such rules and regulations have for their object the economical use of such
water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 17th day of September A. D. Nineteen
Hundred and Sixty-eight.

State Water Resources Commission

By:

J.W. GRIMES
Chief Engineer, Executive Officer

on or before
(First Publication April 25 1966)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., April 18, 1966

Notice is hereby given that George Svatos whose postoffice address is Lake Andes S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 4.57 cubic feet of water per second of time from the Missouri River through the George Svatos #1, the point of diversion of which is to be located on the left at points in the NE 1/4 NW 1/4, Section 5, T95N, R65W, and bank of said stream in the SE 1/4 of the SE 1/4 of Section 30 Twp. 96N Range 65W Said water to be used for the purpose of providing irrigation on all or portions of the following described land:

SW 1/4 NE 1/4, E 1/4 NW 1/4, NE 1/4 SW 1/4, Section 32, SW 1/4 SE 1/4, NW 1/4 SW 1/4,
Section 29, T96N, R65W
~~and~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 22nd day of May, 1966 at 2:00 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

cc: Dale E. Svatos, Lake Andes, S.D.
By:

Chief Engineer, Executive Officer
~~XXXXXXXXXXXXXXXXXXXX~~

BURTON F. JONES

Water Rights Specialist

March 27, 1968

Mr. Dale Svatos
Lake Andes, S.D. 57356

Dear Mr. Svatos:

Per our discussion on March 20, I am enclosing completed application forms on the irrigation proposals of George Svatos. These should be signed before a notary, and returned to this office with a fee of \$8.00 for each application.

As discussed, I have combined the acreage under Permits 337-3 and 338-3 on George Svatos #1, and have prepared George Svatos #2 application to cover the additional 240 acres you propose to irrigate. Approval of the #1 application will cancel 337-3 and 338-3. You will note that the point of diversion is not shown on the attachment to #2. You indicated you would show this on the aerial photo and send it along with these forms.

Should you have further questions, feel free to contact this office.

Sincerely,

BURTON F. JONES
Water Rights Specialist

BFJ/LW
Encl: As stated

AFFIDAVIT OF PUBLICATION

State of South Dakota
County of Charles Mix

ss

William D. Palmer Being first duly sworn,
says that the Lake Andes Wave is a legal, weekly newspaper for
publication of legal and other official notices as required by
Chapter 293 of the Session Laws of South Dakota, 1939; that it
has a bona fide paid circulation of more than two hundred copies
weekly; that it is published in English language in the City of
Lake Andes, Charles Mix County, South Dakota, and has been
admitted to the United States mail under second class mailing
privilege for more than one year prior to the first publication of
the notice herein mentioned, and that it is printed in an office
maintained at the place of publication at Lake Andes, South
Dakota, and that deponent is publisher in charge of the advertis-
ing department of said newspaper; that the advertisement
headed *Appropriation of Water*

a printed copy of which is hereto attached, was printed and pub-
lished in said newspaper for successive weeks, upon the
following dates:

<i>April 1st</i> 19 <i>68</i>	19.....
<i>May 1st</i> 19 <i>68</i>	19.....
<i>May 8th</i> 19 <i>68</i>	19.....
<i>May 15th</i> 19 <i>68</i>	19.....

That the full amount of the fee charged for the publication of
said notice, \$*12.98*, inures to the benefit of the publication
of said newspaper, that no agreement or understanding for the
division thereof has been made with any other person, and that
no part has been agreed to be paid to any person whomsoever.

Subscribed and sworn to before me

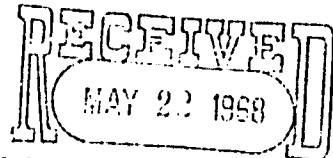
this *15th* day of *May*, 19*68*

William D. Palmer

Notary Public, South Dakota

My Commission expires *Jan 23*, 19*72*

1564-3



STATE WATER RESOURCES COM. I.
PIERRE, SOUTH DAKOTA

APPROPRIATION OF WATER

Office of State Water Resources
Commission, Pierre, S. Dak., April
18, 1968.

Notice is hereby given that George
Svatos whose postoffice address is
Lake Andes, S. Dak., has made an
application in accordance with the
provisions of the water laws of South
Dakota for a permit to appropriate
for beneficial use 4.57 cubic feet of

water per second of time from the
Missouri River through the George
Svatos No. 1, the point of diversion
of which is to be located on the left
bank of said stream at points in the
NE¼ NW¼, Section 5, T96N, R65W,
and in the SE¼ of the SE¼ of Sec-
tion 30, Twp. 96N, Range 65W. Said
water to be used for the purpose
of providing irrigation on all or por-
tions of the following described land:

SW¼ NE¼, E¼ NW¼, NE¼
SW¼, Section 32; S½ SE¼, SE¼
SW¼, N½ SW¼, Section 29,
T96N, R65W.

This application will be taken up
by the State Water Resources Com-
mission at their office at Pierre for
consideration upon the 22nd day of
May, 1968, at 2:00 P.M. All interested
persons may appear and be heard.

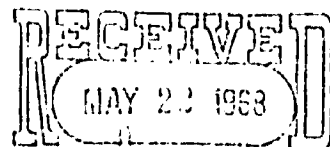
Appropriate action will be taken
by the Water Resources Commission
after suitable time has elapsed for
the consideration of any or all infor-
mation presented.

State Water Resources Commission

By: BURTON F. JONES

Water Rights Specialist

Apr. 24-May 1, 8, 15



STATE WATER RESOURCES COM. I.
PIERRE, SOUTH DAKOTA

REPRODUCTIONS, REDUCTION 25:1

ROLL NO 22

4-12-82

DATE MICROFILMED

71 in

Adm

Permit No. 1564-3
MISSOURI
 Water Division No. 3 RIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that ~~in accordance with your letter of authorization dated~~

I have this day made a thorough examination of the diversion works constructed by GEORGE SVATOS of LAKE ANDES
CHARLES MIX County, South Dakota, holder of Permit No. 1564-3, issued upon Application No. 1564-3, bearing date of priority of APRIL 17, 1968 authorizing the diversion of 4.57 cu. ft. per second of the waters of MISSOURI RIVER for IRRIGATION purposes. I have to report on the condition of the same as follows: 60" INLET & 10" OUTLET

The diversion works comprise: 8" BERKELEY PUMP, POWERED BY 3500
ALLIS CHALMERS DIESEL ENGINE. 2800' 10" & 1200' 8" MAINLINE
(ADDITIONAL 1200' 8" & 1300' 6" MAINLINE ON PERMIT 1565-3) 8, 1420'
4" TOWNLINES & 2-1320' 4" TOWNLINES W/ RAINBIRD W/
SPRINKLER HEADS (1" 104 ORIFICE) @ 40' SPACINGS. *
 and the system is in the following condition: EXCELLENT

The point of diversion is located AS SHOWN ON W/R MAPS 255-3 & 256-3

The works are capable of diverting and conveying to the place of use 8.00 cu. ft. per second of water, which is to be used for IRRIGATION

The legal sub-divisions to be irrigated are: ALL 1/2 PORTIONS OF S²NE⁴, E²NW²,
NE²SW², SECTION 32; S²SE², SE²SW², NW²SW² & NE²SW²,
SECTION 29, T96N, R65W

comprising a total of 320 acres of land.

The domestic use intended comprises

The utilization for power, mining, or other beneficial uses comprises:

* USED INTERCHANGEABLY WITH 1565-3

Witness my hand, this 12TH day of

SEPTEMBER

D. 1968

--SEAL--

Quinton Jones
 WATER RIGHT SPECIALIST
 WATER RESOURCES COMM.

March 6, 1980

Dan D Svatos
RR #1
Lake Andes, SD 57356

Dear Mr. Svatos:

This letter is in reference to your 1979 Irrigation Questionnaire in which you indicated that you would like information on Water Right Nos. 1964-3 and 1965-3 in the name of George Svatos and also information on Water Permit No. 1392-3 in the name of Dale L Svatos.

Enclosed please find a copy of each of the afore mentioned water rights. Also enclosed is a transfer notice for each of the water rights. If you want the water rights to be transferred to your name, please complete the forms, have notarized, sign and return them to this office with a \$2.50 filing fee for each transfer. It would also be satisfactory to have your name appear on the permits as a leasor and not owner. It would be advisable in the case of your father's water permit, No. 1392-3, to have it transferred since he is deceased.

If you have any questions, please contact this office. Please notify this office of your intentions on these water rights so that they may be properly handled.

Sincerely,

GENNY YOUNG
Staff Assistant

gy

encl

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7634

PIERRE, Aug. 11, 1980

RECEIVED OF Dan D. Svatos, Rural Rt. 1, Lake Andes, SD 57356

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and Issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and Issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw. No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for transfer of WRA 1564-3	2.	50
(any other work as provided by law)		
TOTAL	2.	50

WATER RIGHTS COMMISSION

By *(Dan Svatos)*
Chief Engineer, Executive Officer
JOHN HATCH / (b/c)

NO. 1564-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

This is to notify you that the title to the lands described as follows:

320 acres - S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 29; S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32;
all in T96N, R65W

formerly owned by George Svatos, Lake Andes, SD

has been transferred to Dan D Svatos, RR #1, Lake Andes, SD 57356

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1564-2 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of the Board of Water Management as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Loups) ss.

I, _____ 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 I know of my own personal knowledge that the information herein stated is true.

Dan D Svatos
(Signed)

Subscribed and sworn to before me this 11th Day of August, 19 80

Betty Westlund
(Notary Public)
Water Rights Specialist



Department of Water & Natural Resources

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

March 31, 1986

Notice

Dan D. Svatos
RR 1, Box 126
Lake Andes, SD 57356

Re: Violation of Requirement to Submit 1985 Irrigation Questionnaire

Our records indicate that the 1985 Irrigation Questionnaire has not been submitted for Water Permit No(s). 1392-3, 1564-3, and 1565-3. The request for the Questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 p.m., May 14, 1986 in Room 216, Joe Foss Building, Pierre, South Dakota.

The hearing(s) 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(s), the Water Management Board can:

1. Amend Permit No(s). 1392-3, 1564-3, and 1565-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.

Sincerely,

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

Note: If the questionnaire(s) is received in this office before the May 14 hearing date, your name will be deleted from the agenda for the hearings.

South Dakota Department of
Water & Natural Resources

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

May 20, 1986

NOTICE OF AMENDMENT TO WATER PERMIT(s)

To: Dan D Svatos
RR 1 Box 126
Lake Andes SD 57356

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352



SUBJECT: Amendment to Water Permit No(s). 1564-3, 1392-3 &
1565-3

Pursuant to the provisions of the notice dated March 31, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No(s). 1564-3, 1392-3 & 1565-3 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

Equal Opportunity Employer

 **Department of
Water & Natural Resources**

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

Attachment to Water Permit No. 1564-3

Pursuant to the provisions of the notice dated May 20, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No. 1564-3 to add the following qualification:

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

Equal Opportunity Employer

 **Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

January 29, 1988

DAN D SVATOS
PR #1 BOX 126
LAKE ANDES, SD 57356

NOTICE

Re: Violation of Water Permit No(s). 1392-3, 1564-3

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 1392-3, 1564-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1392-3, 1564-3 qualification:

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

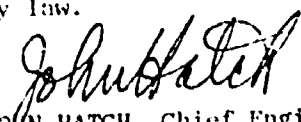
The hearing(s) will be at 9:00 am, March 2, 1988, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) 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(s) the Water Management Board can:

1. Suspend Permit No(s). 1392-3, 1564-3 until either the 1987 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.


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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

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

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

February 5, 1988

1392-3
1564-3

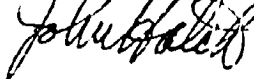
Dan D Svatos
RR 1, Box 126
Lake Andes SD 57356

Dear Mr. Svatos:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the the requirement to submit the Irrigation Questionnaire(s) for Water Permit Nos. 1392-3 & 1564-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

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 9, 1990

DAN D SVATOS
RR #1 BOX 126
LAKE ANDES, SD 57356

NOTICE

RE: Violation of Water Permit No(s). 1392-3, 1564-3

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 1392-3, 1564-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted the 1988 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). 1392-3, 1564-3 qualification:

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

The hearing will be held at 8:30 am, March 7, 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). 1392-3, 1564-3 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is 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

**South Dakota Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

February 16, 1990

1392-3
1564-3

Dan D Svatos
RR 1, Box 126
Lake Andes SD 57356

Dear Mr. Svatos:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit Nos. 1392-2 and 1564-3. 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



GREAT FACES. GREAT PLACES.

February 1, 1991

DAN D SVATOS
RR #1 BOX 126
LAKE ANDES SD 57356

DEPARTMENT OF WATER & NATURAL RESOURCES

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

NOTICE

RE: Violation of Water Permit No(s) 1392-3, 1564-3, 5337-3

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 1392-3, 1564-3, 5337-3. 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) 1392-3, 1564-3, 5337-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being 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) 1392-3, 1564-3, 5337-3 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is 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 7-J-3352



DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

February 14, 1991

1564-3

1392-3
~~1564-3~~
5337-3

Ean D Svatos
RR #1 Box 126
Lake Andes, SD 57356

Dear Mr. Svatos:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires for Water Permit Nos. 1392-3, 1564-3 and 5337-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaires, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division



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

DAN D SVATOS
RR #1 BOX 126
LAKE ANDES SD 57356

NOTICE

RE: Violation of Water Permit No(s) 1392-3, 1564-3 & 5337-3

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 1392-3, 1564-3 & 5337-3. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1392-3, 1564-3 & 5337-3 qualification:

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

The hearing will be held at 9:15 am, March 4, 1992, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1392-3, 1564-3 & 5337-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office before the March 4th hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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



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

February 6 , 1991

1392-3
1564-3
5337-3

Dan D Svatos
RR #1 Box 126
Lake Andes, SD 57356

Dear Mr. Svatos:

I am writing to acknowledge receipt of your 1991 irrigation questionnaires for Water Permit Nos. 1392-3, 1564-3, and 5337-3. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. 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 me at (605) 773-3352.

Sincerely,


Genny McMath
Natural Resources Analyst
Water Rights Division



1564-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 2, 1995

Dan Svatos
RR #1 Box 126
Lake Andes, SD 57356

Dear Mr. Svatos:

Thank you for taking the time to visit with me about the status of your water rights. As you indicated during our phone conversation, portions of your land were sold to the Yankton Sioux Tribe. The following is a listing of your water right numbers and their respective legal descriptions.

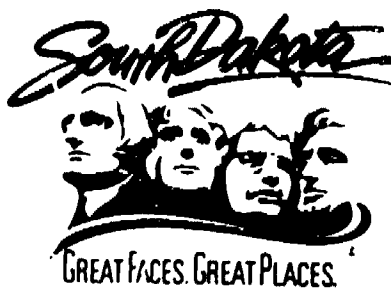
No. 1392-3	122 acres	E 1/2 NW 1/4, W 1/2 NE 1/4 Section 8, T96N, R65W
No. 1564-3	320 acres	S 1/2 SE 1/4, SE 1/4 SW 1/4, N 1/2 SW 1/4 Section 29; S 1/2 NE 1/4, E 1/2 NW 1/4, NE 1/4 SW 1/4 Section 32; all in T96N, R65W
No. 5337-3	40 acres	NW 1/4 NE 1/4 Section 32, T96N, R65W (The permit indicates this tract of land is owned by Jack Soulek)
No. 336-3	80 acres	E 1/2 SW 1/4 Section 30, T96N, R65W (This water right is listed in the name of Tommy Svatos)

Please review the above legal descriptions and let me know which pieces of land were sold. This will allow us to update our records. If you have any questions, please contact me.

Sincerely,

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

1564-3



January 30, 1996

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

NOTICE

TO: DAN D SVATOS, RR #1 BOX 126, LAKE ANDES, SD 57356

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Water Permit No(s) 1564-3, 5337-3.

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 1564-3, 5337-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1564-3, 5337-3 qualification:

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

The hearing will be held at 9:45 am, March 6, 1996 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1564-3, 5337-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1996, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Ginny McMath at (605) 773-3352.

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

1564-3



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

August 2, 1995

Dan Svatos
RR #1 Box 126
Lake Andes, SD 57356

Dear Mr. Svatos:

Thank you for taking the time to visit with me about the status of your water rights. As you indicated during our phone conversation, portions of your land were sold to the Yankton Sioux Tribe. The following is a listing of your water right numbers and their respective legal descriptions.

- from Sweden*
- No. 1392-3 122 acres E 1/2 NW 1/4, W 1/2 NE 1/4 Section 8, T96N, R65W
- No. 1564-3 320 acres S 1/2 SE 1/4, SE 1/4 SW 1/4, N 1/2 SW 1/4 Section 29;
S 1/2 NE 1/4, E 1/2 NW 1/4, NE 1/4 SW 1/4 Section 32;
all in T96N, R65W
- No. 5337-3 40 acres NW 1/4 NE 1/4 Section 32, T96N, R65W
(The permit indicates this tract of land is owned by Jack Soulek)
- No. 336 3 80 acres E 1/2 SW 1/4 Section 30, T96N, R65W
(This water right is listed in the name of Tommy Svatos)

Please review the above legal descriptions and let me know which pieces of land were sold. This will allow us to update our records. If you have any questions, please contact me.

Sincerely,

Genny McMath

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