

1624-3

1. Considered 12-4 12
2. Name of Applicant CHARLES M. FURR
3. Post Office Address VERMILION
4. Amount of water claimed 1.14
5. Source of water supply Spring water
6. Water to be used for irrigation
- Acres to be irrigated On
7. Water to be diverted and used in CLAY county
about 26 35 miles of VERMILION
8. Proof of Publication Received W
Not Received 151
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

8. Estimated cost of work:

(a) Head Gates, \$

(c) Fluming, \$

(e) Other structures

(d) Canal earth,

(b) Pumping plant, \$1700

Rock, \$30

Total, \$2950

9. Description of diversion works:

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

II. Dimensions of works.

(a) Dam: Height _____ feet; length at bottom _____ feet; length at top _____ feet; thickness at bottom _____ feet; thickness at top _____ feet; slope at front water face _____; slope at back face _____ material used in construction _____

(b) Reservoir: Capacity when filled _____ acre 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; height _____ feet; Material _____

(d) Canal: Total length _____ miles.

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: 2 years for irrigation system
11. Time required for complete application of water to the proposed beneficial use 1 year domestic
12. Choice of newspaper for publication of notice of intention to appropriate _____

STATE OF SOUTH DAKOTA

County of _____

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, 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 _____

Subscribed and sworn to before me this _____ day of _____ 19____

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

My Commission Expires March 6, 1922

LANDS COVERED UNDER THIS PERMIT ARE ALSO COVERED UNDER
WATER RIGHT 977-3. THE COMBINED DIVERSION RATE UNDER
THE TWO PERMITS SHALL NOT EXCEED THE ONE CUBIC
FOOT PER SECOND FOR EACH 70 ACRES IRRIGATED.

The irrigation well approved under this Permit is located near
domestic wells which may obtain water from the same aquifer.
The irrigation well owner, under this Permit, shall control his
irrigation withdrawals so there is not a reduction of needed
water supplies in existing domestic wells.

County of HUGHES ss.

Pierre, South Dakota, DECEMBER 16, 1968

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock
a.m. upon the 8TH day of OCTOBER, 1968

State Water Resources Commission

By:

[Signature]
for Chief Engineer, Executive Officer

Number of permit 1624-3

Date of first receipt of application OCTOBER 8, 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 OCTOBER 8, 1968

Approved DECEMBER 4, 1968, Recorded in Book 10 Page 304

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 limita-
tions and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before
DECEMBER 4, 1969

2nd. The whole of said work is to be completed on or before DECEMBER 4, 1970

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is
DECEMBER 4, 1971

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 1.14
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 DECEMBER 4, 1971; said water to be used
during the following described annual period:

APRIL THRU OCTOBER

Witness my hand this 16TH day of DECEMBER, 1968.

State Water Resources Commission

By:

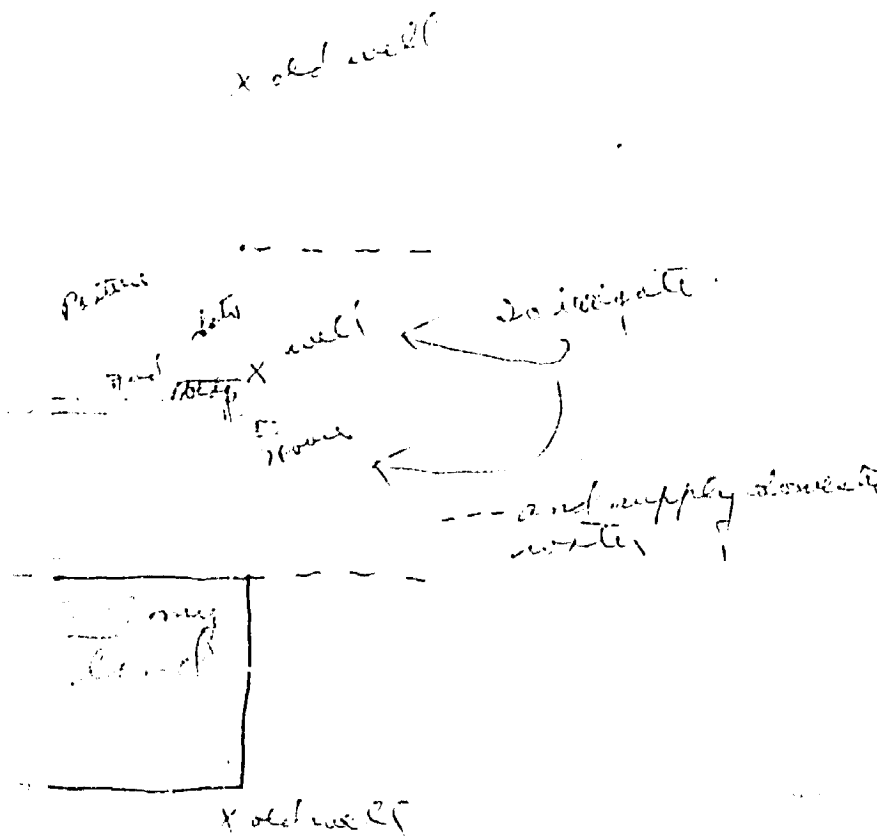
[Signature]
Chief Engineer, Executive Officer

Certificate of Construction issued SEPTEMBER 11, 1972

Water License issued SEPTEMBER 11, 1972

Remarks by the Applicant:

old pumping
permit for
irrigation



Permit No. 1624-3

Water Diversion No. 3 VERMILLION RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Charles M. Fuller

_____ the holder _____ of
Permit No. 1624-3, issued upon Application No. 1624-3, bearing date of priority of October 8,
1968 authorizing the diversion of 1.14 cu. ft. per second of the waters of _____
ground water County of Clay, State of South Dakota at _____
a point near the SW Corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33, T92N, R51W

_____, for irrigation

purposes, has 8 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 3.0 cu. ft. per second of water.

Date September 11, 1972

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1624-3

(1) WHEREAS On the 8th day of October A.D. 1968

Charles M. Fuller

made Water Right Application No. 1624-3 for a permit to use 1.14 cubic feet per second of the waters of ground water

County of Clay State of South Dakota for irrigation
purposes; and

(2) WHEREAS, On the 16th day of December A. D. 1968

Permit No. 1524-3 with a date of priority of October 8, 1968

was issued to said applicant _____ for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 4th day of December A. D. 1970 and for the application to beneficial use of said water on or before the 4th day of December A. D. 1971

and:

(3) WHEREAS, it is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.14 cubic feet per second of water for beneficial use and,

(4) WHEREAS, it is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

for irrigating the following land in Section 33, T92N, R51W

SET NET 40 acres

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres

Total 86 Acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Charles M. Fuller

_____ of Vermillion, S.D.

the holder _____ and owner _____ of said permit No. 1624-3 a water right, dating from October 8, 1968

_____ to use of 1.14 cubic feet per second of the waters of ground water

in the County of Clay and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point near the SW Corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$,

Section 33, T92N, R51W

and conduct to and upon the E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 33, T92N, R51W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1624-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 11th day of September A. D.
Nineteen Hundred and Seventy-two

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer J.W. GRIMES

on or before
(First Publication November 7, 1968.)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., October 29, 1968.

Notice is hereby given that Charles M. Fuller whose postoffice address is Vermillion 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 2.2 cubic feet of water per second of time from ~~xxx~~ ground water through the Fuller #2, the point of diversion of which is to be located ~~on the~~ bank of said stream in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 33 Twp. 92N Range 51W. Said water to be used for the purpose of providing supplemental irrigation on the following described land:

E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 33, T92N, R51W

and for supplying water for feed lots and domestic purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 4th day of December, 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 information presented.

State Water Resources Commission

cc: Charles M Fuller, Vermillion, S.D.

By:

(Chief Engineer ~~xxxxxx~~ Executive Officer)

Burton F. Jones
Water Rights Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Clay } ss.Raymond J. Anderson being duly sworn, deposes and says the annexed printed copy of Noticeof Intention to Appropriate Water was taken from the _____
Vermillion Plain Talk a newspaper which during the whole itme of publication of said notice herein after stated, has been and is printed and published in the_____ of _____ County of _____
Clay and State of South Dakota; that the said notice was published in said newspaper on the following dates:November 4, 1968
November 11, 1968
November 18, 1968
November 25, 1968in each and every issue of the full number thereof, the first publication being made on the 4th day of November 1968 and the last publication on the 25th day of November 1968, upon which days or times of publication aforesaid the newspaper wa regularly published, and that during the whole time of said publication he was Printing Clerk the printer and publisher of the said newspaper.

APPROPRIATION OF WATER Office of State Water Resources Commission, Pierre, S. Dak., October 29, 1968.

Notice is hereby given that Charles M. Fuller whose postoffice address is Vermillion, 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 2.2 cubic feet of water per second of time from ground water through the Fuller #2, the point of diversion of which is to be located in the NE 1/4 of the NW 1/4 of Section 33 Twp. 92N Range 51W. Said water to be used for the purpose of providing supplemental irrigation on the following described land: E1/2 NE 1/4, Section 33, T92N, R51W and for supplying water for feed lots and domestic purposes.

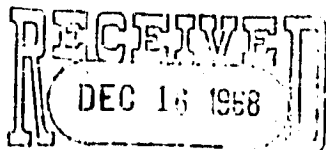
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 4th day of December, 1968, at 2:00 P.M. All interested persons may appear and be heard.

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

State Water Resources Commission

By: Burton F. Jones
Water Rights Specialist

Pub. Nov. 4, 11, 18, 25

Subscribed and sworn to before me this 22nd day of November A. D. 1968STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTANotary Public Clay County, S. D.

Permit No. 1624-3

Water Division No. _____ Water District _____

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) 212 Sinclair, N.D.(Date) June 8, 1971

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of _____
_____ 1.14 cu. ft. per second of the waters of the state from _____
through the _____
for Irrigation purposes
_____ In accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is Chas M Fuller

2. The postoffice address of such person or the place of business of such corporation is _____
County of Clay State of S. Dak.

3. The number of such permit is 1624-3 and the date set for the completion of such work is
2 years

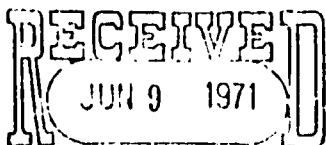
4. Said water to be used for Irrigation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 1.14 cubic feet per second.

6. The amount of land for which said water is available is 80 acres,
particularly described as follows: N 1/4 7 NE 1/4 7 NE 1/4 8 33-92-51

I hereby certify that the facts set forth in the above notice are true.

(Signature of Owners)

Chas M Fuller

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Permit No. 1627-3

Water Division No. _____ Water District _____

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) Box 493 - Vermillion(Date) June 8, 1971

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the 1st day of July, 1971, at Vermillion County of Clay State of South Dakota, before _____ proof will be submitted of the application to beneficial use of 1.14 cubic feet per second of the waters of _____ In accordance with the terms and conditions of Permit No. 1627-3 heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are _____

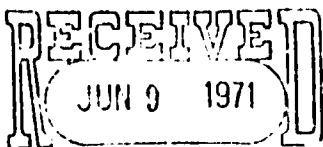
Charles F. Miller2. The use to which said water has been applied is Irrigation3. The amount applied to beneficial use is 1000 gal per acre4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) 2 square 40's - NE 1/4 & SE 1/4 ofNE 1/4 Sec 33-92-57

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is

Well irrigated pipe6. The right to take the water from such works is based upon permit No. 1627-3

7. The source of supply from which such water is diverted is _____

8. The date of priority which said user is prepared to establish is _____

(Sign) Charles F. MillerSTATE WATER RESOURCES COMM
PIERRE, SOUTH DAKOTA

Permit No. 1624-3Water Division 3 VERMILLION RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by CHARLES M. FULLER of VERMILLION holder of Permit No. 1624-3, bearing date of priority of OCTOBER 8, 1968 authorizing the diversion of 1.14 cu. ft. per second of the waters of GROUND WATER for IRRIGATION purposes, in CLAY County.

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

The Water Use System consists of,

A. Works used to divert the water:

116' DEEP WELL W/ 18" CONCRETE CASING
WESTERN LAND ROLLER 10" PUMP, PRESENTLY POWERED BY
FARMALL "M" TRACTOR. (POWER SOURCE WILL BE CHANGED TO
IHC 60 HP POWER UNIT-GAS)

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

1900' OF 8" GATED PIPE

C. Works used to apply water to beneficial use.

GATED PIPE TO LEVELLED LAND.The system is in the following condition: VERY GOODThe point of diversion is located NEAR THE SW CORNER OF THE NE⁴NE⁴ SECTION 33, T92N, R51WThe works are capable of diverting and conveying to the place of use 3.00cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN SEC 33, T92N, R51W

<u>NE⁴NE⁴</u>	<u>40 ACRES</u>	<u>WELL IS ALSO USED FOR</u>
<u>SE⁴NE⁴</u>	<u>40 "</u>	<u>LARGE PEELOT & FOR</u>
<u>TOTAL 80 ACRES</u>		<u>HOUSE & YARD USE</u>

comprising a total of 80 acres of land.Date SEPTEMBER 5, 1972

Sutton Jones
 (Signature)

WATER RIGHT SPECIALIST
 WATER RESOURCES COMMISSION

Form 20.

No. 1624-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: **WATER RIGHTS COMMISSION**

Water Resources Commission
State Office Building No. 2
Pierre, South Dakota 57501

Date November 26, 1975

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

NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33 T 92N R 51 W

SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33 T 92 N R 51 W

formerly owned by Charles M. Fuller

has been transferred to Berwyn Svoboda

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 1624-3 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

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

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.5159 of the 1960 Supplement to the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA)
County of Hughes) 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.

Berwyn Svoboda
(Signed)

Subscribed and sworn to before me this 26th day of November, 19 75

Justin A. Ziebrich
(Notary Public)

My Commission Expires 3/27/83



Department of Water & Natural Resources

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

March 23, 1987

BERWYN SVOBODA
RR 1 - BOX 11B
BURBANK, SD 57010

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 1624-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 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 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, 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(s), the Water Management Board can:

1. Amend Permit No(s). 1624-3 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.

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

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

SOUTH DAKOTA
Department of
Water & Natural Resources

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

April 24, 1987

1624-3
977-3

Berwyn Svoboda
Svoboda Farms
RR #1 Box 11B
Burbank, SD 57010

Dear Mr. Svoboda:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 1624-3 and 977-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division
605 773-335.

Sent 3/26/87

1624-3
977-3

Stoboda Farms 671-3

RR1 Box 11 B

Burbank SD 57010

Dept of Water, Natural Resources

Dear Sir,

We have had a change in management
and some things didn't get done.

Would you send us the forms again
for our farm which has 3 wells + 1 pump
out of the Vermillion River.

Also send us the forms for the
cotton farm which is located at address
of Marilyn Horst 953 Crestview
Vermillion, S.D. Send this to us
as she is gone on vacation.

Sorry for this oversight.

yours truly

Bernard L. Laska





DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

February 1, 1991

BERWYN SVOBODA
RR 1 - BOX 11B
BURBANK SD 57010

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 1624-3. 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 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 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(s), the Water Management Board can:

1. Amend Permit No(s) 1624-3 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.

If the questionnaire(s) is received in this office before the February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,

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

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 or 4.
 Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to, and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.
 1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: BERWYN SVOBODA RR 1 - BOX 11B BURBANK SD 57010	4. Article Number P 694 057 303 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise
5. Signature - Addressee X	Always obtain signature of addressee or agent and DATE DELIVERED .
6. Signature - Agent X	8. Addressee's Address (ONLY if requested and fee paid) Rt 1 Box 11B Burbank SD 57010
7. Date of Delivery 2-4-41	

South Dakota

Great Faces. Great Places.

DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 5, 1991

977-3
1624-3

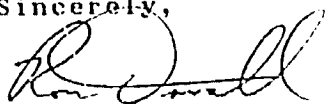
Berwyn Svoboda
Svoboda Farms
RR #1 Box 11B
Burbank, SD 57010

Dear Mr. Svoboda:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires for Water Right Nos. 977-3 and 1624-3. You may disregard the February 1, 1991, Notice of Failure to submit the 1990 irrigation questionnaires. 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



1624-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 1997

NOTICE

TO: BERWYN SVOBODA, RR 1 BOX 11, BURBANK, SD 57010 9706

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

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 977-3 & 1624-3. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 2:30 pm, March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDC 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 977-3 & 1624-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 1997, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

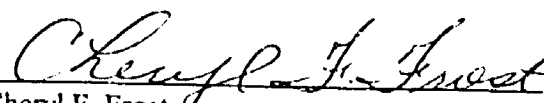
Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

CERTIFICATION

I hereby certify that on February 26, 1997, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated February 26, 1997, along with the Certified Letter that was sent on February 4, 1997, but was returned to our office unclaimed, regarding Unclaimed Certified Mail Concerning Violation of Water Permit Nos. 816-2 & 973-2 (Dennis Lien, Lien Ranch, Inc.), and Water Permit Nos. 977-3 & 1624-3 (Berwyn Svoboda), addressed as stated below:

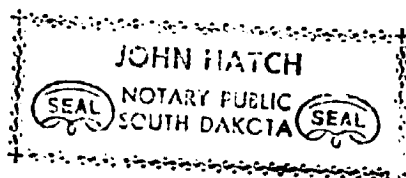
W.P. #'s 816-2 & 973-2: Dennis Lien, Lien Ranch, Inc., HCR 80, Box 17, Presho, SD 57568.

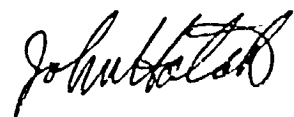
W.P. #'s 977-3 & 1624-3: Berwyn Svoboda, RR 1, Box 11, Burbank, SD 57010-9706.


Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 27th day of February, 1997





Notary Public

JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001

1624-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 26, 1997

NOTICE

TO: Berwyn Svoboda, RR 1 Box 11, Burbank, SD 57010-9706

FROM: Ron Duvall, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division

SUBJECT: Unclaimed Certified Mail Concerning Violation of Water Permit Nos. 977-3 & 1624-3

The attached notice was sent certified mail, return-receipt requested. The post office has returned the certified mail return-receipt requested envelope to our office marked "unclaimed". The envelope indicated the post office notified you February 5 and February 11, 1997, to pick up and sign for the certified mail.

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

enclosure

1624-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 3, 1997

977-3

1624-3

Berwyn Svoboda
46675 S Bend Pl
Burbank, SD 57010

Dear Mr. Svoboda:

I am writing to acknowledge receipt of your 1996 irrigation questionnaires. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaire.

I completed questionnaires for you based on our March 3rd telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

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

Sincerely,

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 23, 2007

977-3
1624-3

Berwyn Svoboda
224 S Walker St
Vermillion SD 57069

Dear Mr. Svoboda:

Enclosed is a "Notice" dated October 19, 2007 concerning your 2007 irrigation questionnaires. The notice was originally mailed to 46675 S Bend Pl, Burbank SD. 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,

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

enclosures

1624-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 13, 2010

1624-3
977-3

Kris O'Connor
PO Box 411
Vermillion SD 57069

Dear Ms. O'Connor:

Thank you for visiting with me about the ownership changes for Water Right Nos. 1624-3 and 977-3. I have enclosed copies of both water rights for your review.

It is my understanding that all of the land described in Water Right No. 1624-3 and portions of the land described under Water Right No. 977-3 are now owned by your brother. If this is the case, ownership changes need to be filed. No. 1624-3 can be transferred in its entirety and No. 977-3 will be divided and reissued as an "A" and "B" number to reflect separate ownership.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change. Please complete the forms and return them to our office with a required filing fee of \$50.00 each (total of \$100.00). 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 cursive script that reads "Genny McMath".

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

OCT 18 2010

WATER RIGHTS
PROGRAM

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

No. 1624-3

Date: 10-15-10

I/We request that Water Right No. 1624-3

formerly owned by: Berwyn Svoboda

be transferred to: (name & address) Mike Isaacson
46577 Missouri St. Box 25
Burbank SD 57012 Telephone No. 605-638-0427

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

Section 33, T92N, R51W(E 1/2 NE 1/4)

I/We understand that the validity of Water Right No. 1624-3 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.

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

Mike Isaacson
(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 10/18, 20 10

RECEIVED OF Mike Isaacson 46577 Missouri St Box 25 Burbank SD 57010

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>1624-3</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. _____	50 00	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No.

04630

[Signature]
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

October 19, 2010

1624-3

Mike Isaacson
46577 Missouri St Box 25
Burbank SD 57010

Dear Mr. Isaacson:

I am writing to acknowledge receipt of the ownership changes and filing fees submitted for Water Right Nos. 977-3 and 1624-3.

The ownership change for Water Right No. 1624-3 has been completed. The water right formerly held by Berwyn Svoboda is now listed in your name. The ownership change for No. 977-3 will take a little bit longer due to the fact the water right needs to be divided and reissued between you and Mr. Schenk. Hopefully we can get the paperwork to you within the next couple weeks.

Enclosed is Receipt No. 04630 in the amount of \$50.00 which you paid for filing the ownership change for No. 1624-3. You may keep this for your records.

Each year in October we mail out the annual irrigation questionnaires to irrigators for them to report water use for that specific crop year. It is my understanding that you did not irrigate in 2010. I have completed a questionnaire for you with this information.

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

1624-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 17, 2014

977B-3
1624-3

Francis Heine
412 Sterling
Vermillion SD 57069

Dear Mr. Heine:

I am writing in regard to the two ownership changes you filed on November 25, 2013 for water rights held by Mike Isaacson. The ownership changes have not yet been processed due to lack of the filing fee for each one.

Ron Duvall with our program helped you fill out the transfer forms when you stopped by the office. It is my understanding that you were going to submit two new applications and remit the fees for everything at once.

Unless you intend on filing the applications soon, you should probably go ahead and at least submit the filing fees for the transfers. That way we could make sure everything with them is up to date. The total amount due for the ownership changes would be \$100. The check or money order for the fee can be made payable to the Water Rights Program.

I am including a postage paid envelope for your convenience. 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

enclosure

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 1624-3Date: Nov 25, 2013

I/We request that Water Right/Permit No. 1624-3 formerly owned by:
Mike Isaacson, 46577 Missouri St., Box 25, Burbank SD 57010 be transferred to:

New Owner Name: Francis Heine
Address: 412 Sterling
City, State, Zip Vermillion SD 57069 Telephone No. 605-624-2405

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

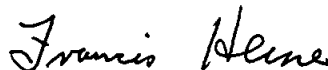
SE1/4 NE1/4 section 33-T92N-R51W

☒ I understand that the validity of Water Right/Permit No. 1624-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 included to cover the filing fee as required by SDCL 46-2-13.

I, Francis Heine, the new owner, certify that the above information is true and correct.



(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 1/27, 20 14

RECEIVED OF Francis J Heine 412 Sterling St Vermillion SD 57069

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>1624-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____	50	00
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. **06697**

By J. Lee Lordman Jr.
Chief Engineer

1624-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 28, 2014

977B-3
1624-3

Francis Heine
412 Sterling
Vermillion SD 57069

Dear Mr. Heine:

I am writing to acknowledge the fees you submitted for transferring Water Right Nos. 977B-3 and 1624-3.

The ownership changes have been completed. The water rights formerly held by Mike Isaacson are now listed in your name.

Enclosed for your records are Receipt Nos. 06696 and 06697 in the amounts of \$50 each. 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



16243
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: FRANCIS HEINE, 412 STERLING, VERMILLION, SD 57069

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaires

Our records indicate your 2014 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 671-3, 977A-3, 977B-3, 1624-3 2053-3 & 2947-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5435-3, 5471-3, 5639-3, 6057-3, 6059-3, 6679-3, 6993-3, 6994-3, 7297-3, 7298-3, 7299-3, 7300-3, 7301-3, 7302-3, 7577-3, 7578-3, 7579-3, 7580-3 & 7980-3 qualification:

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

The hearing will be held at **10:00 am, March 4, 2015** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5435-3, 5471-3, 5639-3, 6057-3, 6059-3, 6679-3, 6993-3, 6994-3, 7297-3, 7298-3, 7299-3, 7300-3, 7301-3, 7302-3, 7577-3, 7578-3, 7579-3, 7580-3 & 7980-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 671-3, 977A-3, 977B-3, 1624-3 2053-3 & 2947-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

16243



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182

February 24, 2015

Francis Heine
412 Sterling
Vermillion SD 57069

RE: Water Permit and Water Right Nos. 671-3, 977A-3, 977B-3, 1624-3 2053-3, 2947-3,
5435-3, 5471-3, 5639-3, 6057-3, 6059-3, 6679-3, 6993-3, 6994-3, 7297-3, 7298-3, 7299-3,
7300-3, 7301-3, 7302-3, 7577-3, 7578-3, 7579-3, 7580-3 & 7980-3

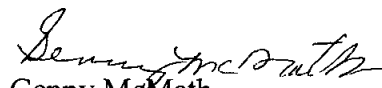
Dear Mr. Heine:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires for the above listed water permits and water rights.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for your water permits and water rights. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,


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

PAID

MAR 27 2023

Ck# 44663

Rec't# _____

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1624-3

Date: _____

I/We request that Water Right No. 1624-3

formerly owned by: Francis Heine

be transferred to: (name & address) See below

Telephone No. _____

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

80 acres – E ½ NE ¼ Section 33, T92N, R51W

I/We understand that the validity of Water Right No. 1624-3 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.

Todd Heine
1020 E. 320th St.

I/We Vermillion, SD 57060, the new owner, certify that the above information is true and correct.



(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.

RECEIVED

MAR 27 2023

OFFICE OF
WATER

1624-3

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Agriculture and Natural Resources

Date March 27, 2023RECEIVED OF Francis J Doris/Tim, Todd & Nick Heine 412 Sterling St., Vermillion SD 57069

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>1624-3</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law) TOTAL	<u>\$50.00</u>

By Eric Gronlund
Chief Engineer
Em



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

April 14, 2023

Todd Heine
1020 E 320th St
Vermillion SD 57069

Dear Mr. Heine:

I am writing to acknowledge receipt of the transfer forms and filing fees for all water permits and water rights listed under Francis Heine.

The ownership changes have been completed. Water Permit/Right Nos. 671-3, 977A-3, 977B-3, 1006-3, 1034-3, 1624-3, 2053-3, 2947-3, 5435-3, 5471-3, 5639-3, 6057-3, 6059-3, 6679-3, 6993-3, 6994-3, 7297-3, 7298-3, 7299-3, 7300-3, 7301-3, 7302-3, 7577-3, 7578-3, 7579-3, 7580-3 & 7980-3 are now listed in your name.

Enclosed are receipts for the filing fees you paid. If you have any questions, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures