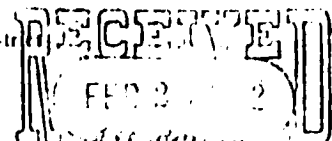


Water Right Number 1928-3

1. Considered MAY 17, 1972
2. Name of Applicant WALTER SOULEK
3. Post Office Address LAKE ANDES, S.D.
4. Amount of water claimed 5.10
5. Source of water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
Acres to be irrigated 360
7. Water to be diverted and used in CHARLES MIX County
about 25 IW Miles of Lake Andes
8. Proof of Publication
Received 4-28-72
Not received _____
9. Application
Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

No. 1928-5Map No. 1364-3 Water Division No. 3 Missouri River District

(Blanks to be Filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COUNCIL
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE: Draw a line through items not applicable)

1. Name of Applicant Walter Soulek, AB1, Box 120
 Postoffice address Lake Andes State South Dakota 57346
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract and Direct labor
3. Name of diversion work Walter Soulek Irrigation project No 1
4. Amount of water claimed (cubic feet per second) maximum allowable 5.1
5. Source of water supply ~~Amorin Creek Reservoir~~ Missouri River
6. Location of point of diversion Same as Permit No 130-3 (James Soulek Irrigation project Number 1) S15°30'E 550 FEET FROM THE CENTER OF THE NE⁴ SECTION 30, T96N, R65W County Charles Mix
7. Annual period or periods during which water is to be used April Thru October
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 360

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
S $\frac{1}{2}$ Sect. 17, 96, 65	320		
SE $\frac{1}{4}$, SW $\frac{1}{4}$, Sect, 19, 96, 65	40		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 1 years. Additional time required to complete application of water to the proposed beneficial use 1 years
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Lake Andes Press
12. Principal Features of the Proposed Water Supply System.

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

B. Works proposed to transport water to place of use.

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ _____

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

STATE OF SOUTH DAKOTA)

County of Charles Mix)I, Walter Soulek, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary constructionSigned Walter SoulekSubscribed and sworn to before me this 24th day of Feb 1928

Notary Public (or other qualified officer)

1928-3

map - done by
Surveyor - is
Wrong. Should be
T96N
Lenny

AREA TO BE IRRIGATED BY LEGAL SUBDIVISION
320 ACRES $5\frac{1}{2}$, SECT 17, T96N, R65W.
40 ACRES $SE\frac{1}{4}$ - $SW\frac{1}{4}$, SECT 19, T96N, R65W.

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA)
COUNTY OF MINNEHAHA) SS

I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
CERTIFY THAT AT THE REQUEST OF WALTER SOULEK,
I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED
WITHIN HIS OWNERSHIP BOUNDARIES ON FEB 23, 1972 FOR WHICH
APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND
THIS MAP IS A TRUE REPRESENTATION OF THE SAME.
WITNESS MY HAND AND SEAL THIS 23RD DAY OF FEB. 1972

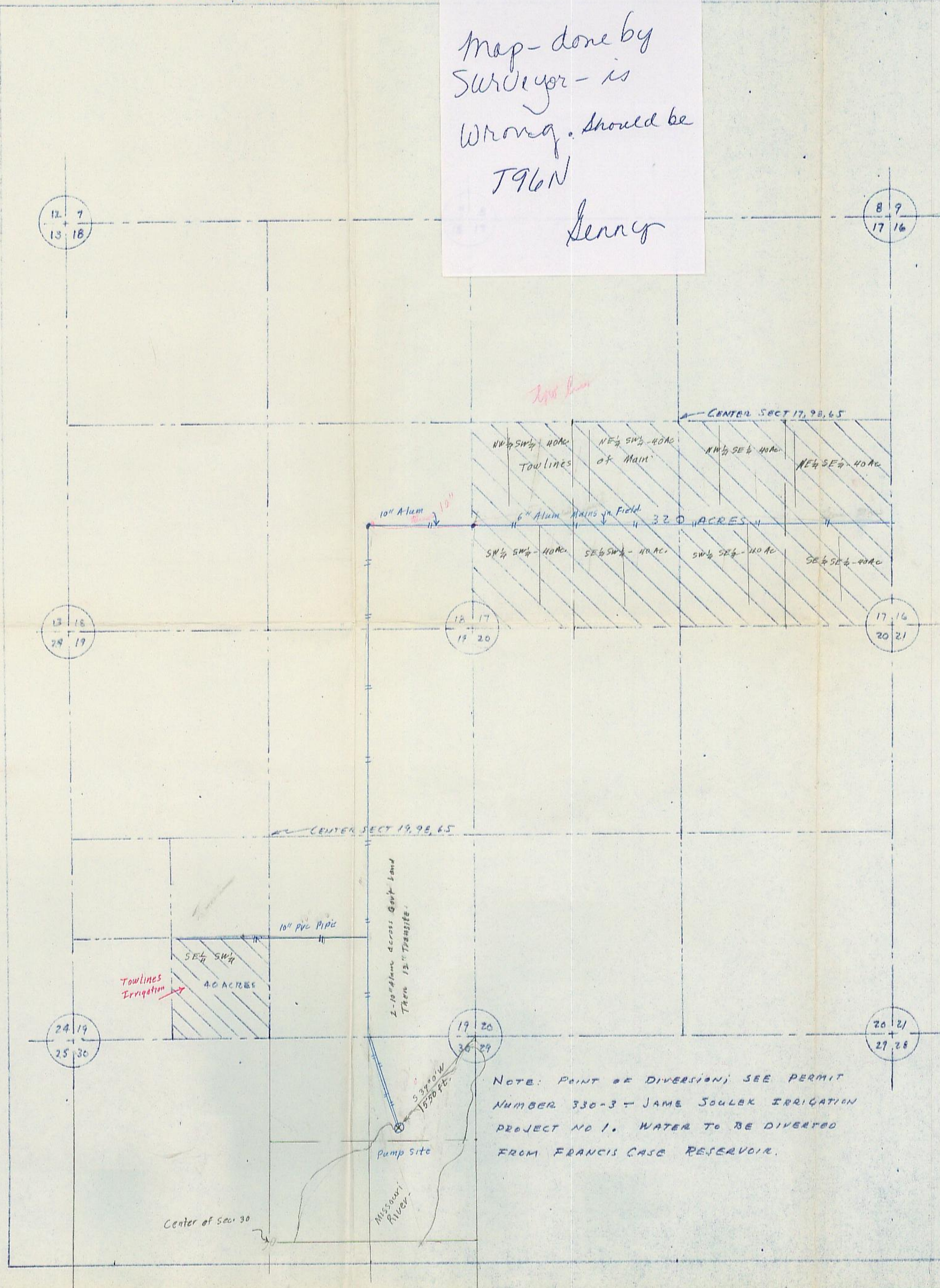
Harlan W. Meyer
REG. L.S. NO 475

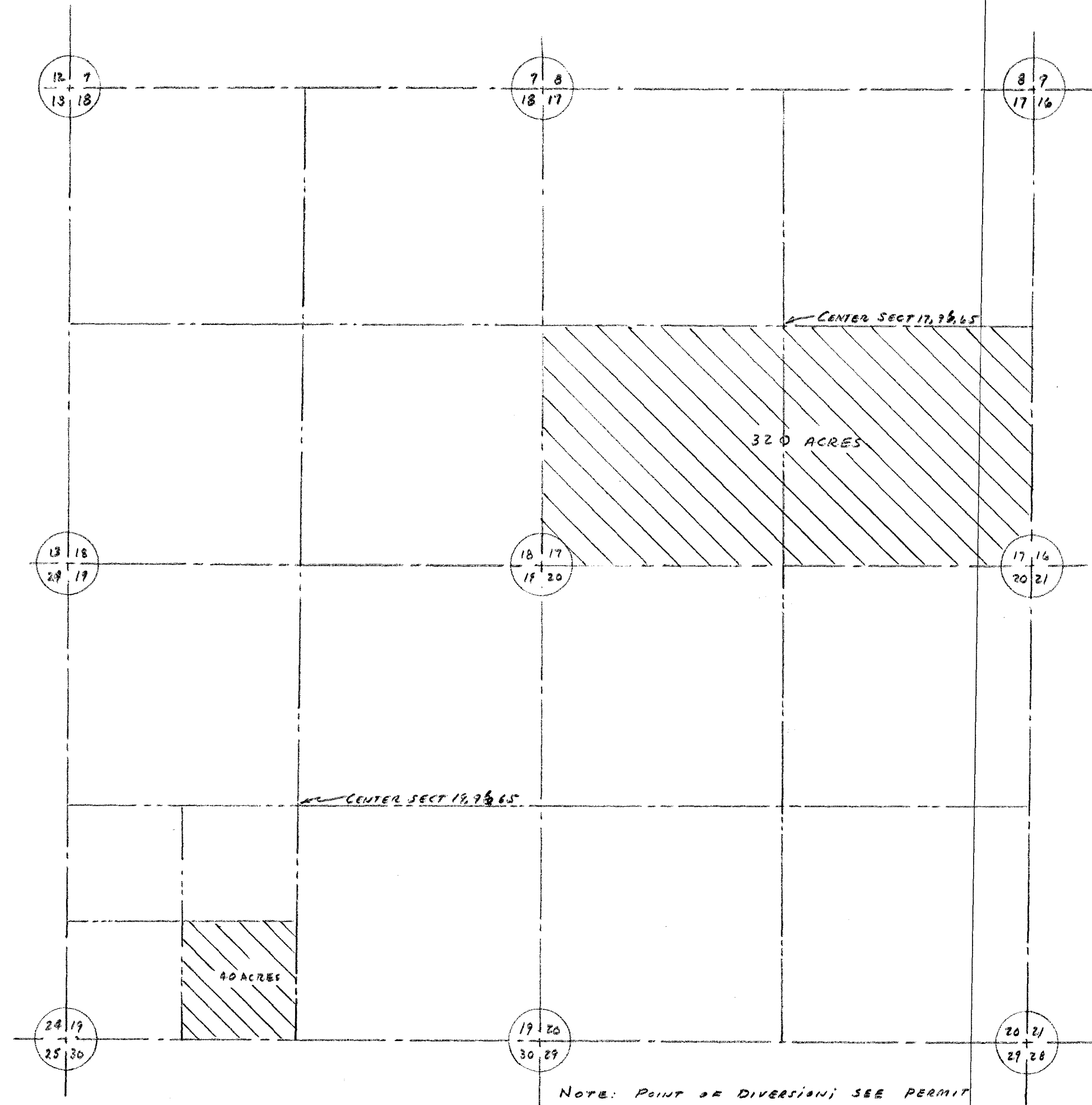
Scale - $1"=800ft.$

WALTER SOULEK IRRIGATION PROJECT #1
SHOWS AREA TO BE IRRIGATED - SEE PERMIT # 330-3
FOR DIVERSION POINT LOCATION

OWNER
SURVEYOR

WALTER J. SOULEK
HARLAN W. MEYER
FEB 72





AREA TO BE IRRIGATED BY LEGAL SUBDIVISION
 320 ACRES S 1/2, SECT 17, T 96N, R 65W.
 40 ACRES SE 1/4-SW 1/4, SECT 19, T 96N, R 65W.

SURVEYOR'S CERTIFICATE
 STATE OF SOUTH DAKOTA) SS
 COUNTY OF MINNEHAHA)
 I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
 IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
 CERTIFY THAT AT THE REQUEST OF WALTER SOULEK,
 I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED
 WITHIN HIS OWNERSHIP BOUNDARIES ON FEB 23, 1972 FOR WHICH
 APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND
 THIS MAP IS A TRUE REPRESENTATION OF THE SAME.
 WITNESS MY HAND AND SEAL THIS 23RD DAY OF FEB. 1972
 Harlan W. Meyer
 REG. L.S. NO 495

NOTE: POINT OF DIVERSION; SEE PERMIT
 NUMBER 330-3 - JAMES SOULEK IRRIGATION
 PROJECT NO 1. WATER TO BE DIVERTED
 FROM FRANCIS CASE RESERVOIR.

WALTER SOULEK IRRIGATION PROJECT #1
 SHOWS AREA TO BE IRRIGATED - SEE PERMIT # 330-3
 FOR DIVERSION POINT LOCATION

OWNER
 SURVEYOR
 WALTER J. SOULEK
 HARLAN W. MEYER
 FEB 72

MAP NO 1364-3 (APPL NO 1928-3)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1928-3
WALTER SOULEK RR2, Box 120 LAKE ANDES
 (Applicant) (Post Office Address)
SOUTH DAKOTA With the following modifications.
 (State)

Date of first receipt of application FEBRUARY 25, 19 72
 Date of return to applicant for correction, amendments or changes required _____, 19 ____
 Date of receipt of corrected application _____, 19 ____
 Approved MAY 17, 19 72, Recorded in Book 12 Page 97

WATER RIGHT PERMIT NO. 1928-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1928-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is FEBRUARY 25, 19 72
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 17, 19 72
3. The whole of said work is to be completed on or before MAY 17, 19 73
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 17, 19 74
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 5.1 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MAY 17, 19 74; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 18TH day of MAY, 19 72

WATER RESOURCES COMMISSION

By: [Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 7, 19 80

Water License Issued FEBRUARY 7, 19 80

WATER LICENSE NO. 112873

to irrigate the following lands all in T9dR, R65E			
Section 17	acres	Section 19	acres
N $\frac{1}{2}$ S $\frac{1}{2}$	40	S $\frac{1}{2}$ S $\frac{1}{2}$	40
N $\frac{1}{4}$ SW $\frac{1}{4}$	40		
S $\frac{1}{2}$ SW $\frac{1}{4}$	40		
SW $\frac{1}{4}$ SW $\frac{1}{4}$	40		
SW $\frac{1}{4}$ SE $\frac{1}{4}$	40		
NE $\frac{1}{4}$ SE $\frac{1}{4}$	40		
SW $\frac{1}{4}$ SE $\frac{1}{4}$	40		
SE $\frac{1}{4}$ SE $\frac{1}{4}$	40		
		TOTAL	360 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 Walter Soulek

_____ of Lake Andes SD

the holder _____ and owner _____ of said permit No. 1928-3 a water right, dating from February 25, 1972

_____ to use of 2.67 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 a point south 37°0' west - 1550 feet from NE

corner of Section 30, T98N, R65W

and conduct to and upon portions of land in Sections 17 and 19, T98N, R65W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1928-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 7th day of February A. D.

Nineteen Hundred and Eighty

Board of Water Management

By:

John Hatch
Chief Engineer, JOHN HATCH

Permit No. 1928-3

Water Diversion No. 3 Missouri River Water District

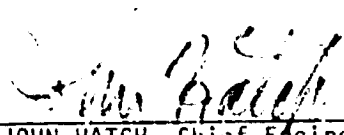
CERTIFICATE OF CONSTRUCTION

This is to Certify, That Walter Soulek

_____ the holder _____ of
Permit No. 1928-3, issued upon Application No. 1928-3, bearing date of priority of February 25,
1972 authorizing the diversion of 5.1 cu. ft. per second of the waters of _____
the Missouri River County of Charles Mix, State of South Dakota at _____
a point south 39°0' East - 1550 feet from NE corner of Section 30,
T20N, R65W
_____, for irrigation

purposes, he is 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 2.67 cu. ft. per second of water.

Date February 7, 1980



JOHN HATCH, Chief Engineer
Water Rights, WND

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Charles Mix) ss.

I, Edith M. Patton hereby

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

Water was taken from the Charles Mix Irrigation Project

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

City Sioux Falls of _____

County of Charles Mix and State of South Dakota;
that the said notice was published in said newspaper on the following
four dates:

March 26, 1972

April 5, 1972

April 12, 1972

April 19, 1972

Edith M. Patton
(Signature)

Co-editor and publisher
(Title)

April 19, 1972
(Date Signed)

NOTICE OF INTENT
TO APPROPRIATE WATER
Pierre, South Dakota 57501, Mar.
22, 1972.

Notice is hereby given that Walter Soulek, whose post office address is Lake Andes, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 5.1 cubic feet of water per second of time from the Missouri River through the Walter Soulek #1, the point of diversion of which is to be located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Twp. 96N, Range 65W. Said water to be used for the purpose of providing irrigation on the following described land:

S $\frac{1}{2}$ Section 17 and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19, T96N, R65W.

This application No. 1928-3 will be considered by the Water Resources Commission at their office at Pierre upon the 17th day of May, 1972, at 2:00 P.M. All interested persons may appear and be heard.

WATER RESOURCES
COMMISSION

By: BURTON F. JONES,
Water Rights Specialist
Mar. 23-Apr. 5-12-19

RECEIVED
APR 28 1972

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

No. 1928-3Publish first publication, on or before April 20, 1972NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 22, 1972Notice is hereby given that Walter Soulekwhose post office address is Lake Andes, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use5.1 cubic feet of water per second of time from the Missouri River through theWalter Soulek fl, the point of diversion of which is to be located in theSE 1/4 NE 1/4of Section 30, Twp. 96N, Range 65W. Said water to be used for the purpose of providing irrigation on the following described land:S 1/2 Section 17 and SE 1/4 SW 1/4, Section 19, T96N, R65W

This application No. 1928-3 will be considered by the Water Resources Commission at their office at Pierre upon the 17th day of May, 1972, at 2:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By.

BURTON F. JONES, Water Rights Specialist

cc: Mr. Walter Soulek, Lake Andes, S.D. 57356

✓

1928-3

Walter Smith

used

7-25-79 Tow Line - 11/10/79 - 1325 ft. long

Am

Used on other projects under James
& Walter

Pumping 200 gpm on 15 ft. line

Line - 800 gpm

400 gpm on 40 ft. line

Revised Apr. 10, 1960, 13/64

30 ft. spring

Pumps at Air U.S. Elev.

100 HP - 1775 RPM

ID # C9961 - 00-637 85-11643

Long. across Vert. line } No 35870955
Type 12 & 1, 1/2

Chrysler Industrial Corp. N.E.

Pump. Const. Model 446284-3

Serial 5465 Full

Flow Chart on 4/1/79 in 19.000 ft. line

12.1 ft. 16 3/4" nozzle

RECEIPT

WATER RIGHTS COMMISSION

No 4 7283

State of South Dakota

January 31

80

PIERRE, _____, 19____

Walter Soulek, Lake Andes SD 57356

RECEIVED OF _____
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. _____ 1928-3)		
Fee for inspecting Beneficial Use, and issuing Water License No. _____ 1928-3)	12	00
Fee for issuing Location Certificate-Dry Draw, No. _____		
Fee for filing _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL	12	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH kw

Permit No. 1925-3Water Division 3 Missouri River Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

TO: WATER RIGHTS, WATER MANAGEMENT BOARD, FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Walter Soule A. of Lake Andes South Dakota 57336 holder of Permit No. 1925-3, bearing date of priority of February 25, 1972 authorizing the diversion of 5.1 cu. ft. per second of the waters of Missouri River for Irrigation purposes, in Charles Mix 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:

Motor: 45 Elec. TP# C9981-00-037. 55-11643
Pump: Ingersoll Rand, No 75670755, Type 12RL 6 stage
Chrysler Industrial, Propane V.S., Pump Control, Model 4462A4-1
Set # 5461

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

10" PVC, 10" Alum and 12" Transite as part of system
for other permits.
6" Alum Mains in fields

C. Works used to apply water to beneficial use.

11 - Towlines 1320 ft long available to irrigate this permit
Rainbird Sprinklers # 14, 600 with 3/4" nozzles, 30 ft spacing

The system is in the following condition: Good

The point of diversion is located S 39° 0' W - 1950 ft from N.E. Cor. of
Sec 30, T 95N R 65W

The works are capable of diverting and conveying to the place of use 2.67
 cu. ft. per second of water which is to be used for Irrigation

Water has been put to beneficial use to the maximum extent as follows: The following in Sec. 17, T 95N R 65W

N 1/2 S 1/4 - 40 ac, N E 1/4 S 1/4 - 40 ac, S W 1/4 S 1/4 - 40 ac.
S E 1/4 S 1/4 - 40 ac, N W 1/4 S E 1/4 - 40 ac, N E 1/4 S E 1/4 - 40 ac
S W 1/4 S E 1/4 - 40 ac, S E 1/4 S E 1/4 - 40 ac.
The following in Sec 19, T 95N R 65W S E 1/4 S 1/4 - 40 ac.

comprising a total of 360 acres of land.

400 gpm pumped to T 10 S E 1/4 S 1/4 - 19
500 gpm pumped to T 10 S 1/4 Sec 17
Total 1200 gpm used on this permit

Date July 25 1979
Larry J. Minnigh
 (Signature)

STATE OF SOUTH DAKOTA
REISSUED WATER LICENSE NO. 1928-3

(1) Walter Soulek of RR #1 Box 120, Lake Andes, SD 57356-9659 was issued Water License No. 1928-3, February 7, 1980 for a right to appropriate 2.67 cubic feet of water per second from the Missouri River, Charles Mix County, South Dakota for irrigation purposes. Water License No. 1928-3, with a priority date of February 25, 1972 was issued to the permit holder for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

A review of the original water permit and water license found an error in the legal descriptions specified on the license. The investigation report and water license list the diversion point and lands irrigated as being in **T98N**. The correct township designation should be listed as **T96N**. The water license is being reissued to correct this error. The remaining portions of the original license are not altered by the reissued license.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.67 cubic feet of water per second for beneficial use. The location of the diversion point is S 39°0'W, 1550 feet from the NE corner of Section 30, T96N, R65W (NE 1/4 NE 1/4).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following **360 acres - all located in T96N, R65W**

Section 17	SW 1/4	160.00 acres
	SE 1/4	160.00 acres
Section 19	SE 1/4 SW 1/4	40.00 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Walter Soulek of RR #1 Box 120, Lake Andes, SD 57356-9659 the holder and/or owner of Water Permit No. 1928-3 is issued a license to appropriate water, the right to use 2.67 cubic feet of water per second from the Missouri River with a priority date of February 25, 1972 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 1928-3 and subject to South Dakota State Law.

John Hatch
John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 2 1993
date





1928-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 2 1996

1928-3

Walter Soulek
RR 1 Box 120
Lake Andes SD 57356-9659

Dear Mr. Soulek:

Enclosed is your Reissued Water License No. 1928-3. The water license has been reissued to correct an error in the legal description of the diversion point and the acreage irrigated. The remaining portions of the license were not altered by reissuance of the license.

As long as you use the water beneficially, as stated in the license, SD water laws provide that you have a continuing right to the use of the water.

If you have any questions concerning the reissued license, please contact us.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

enclosure

gm



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 8, 2022

WJ Soulek Family Land LLLP
38001 295th St
Lake Andes SD 57356

RE: Water Right Nos. 330-3, 1407-3, 1928-3, 4623-3 and 6543-3

Dear Sir:

Thank you for returning the 2022 irrigation questionnaires by the deadline. Based on the notations on each form, all five water rights need to be transferred.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing an ownership change. Please review and complete as needed. Upon completion, please sign and return the forms to our office with a required filing fee of \$50 each (\$250 total). The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

May 25, 2023

WJ SOULEK FAMILY LAND LLLP
38001 295TH ST
LAKE ANDES, SD 57356

Dear Soulek Family:

I am writing to acknowledge the receipt of your transfer forms and filing fees.

The ownership changes have all been completed. The water rights under Walter's name are now listed under WJ Soulek Family Land LLLP.

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

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

NOTICE OF TRANSFER OF OWNERSHIP

PAID

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

MAY 12 2023
Ck# 1181
Rec't# 5/12/23

No. 1928-3

Date: 5-9-23

I/We request that Water Right No. 1928-3

formerly owned by: Walter Soulek

be transferred to: (name & address)

WJ Soulek Family Land LLC
38001 295th St
Lake Andes, SD 57356 Telephone No. 605-645-7632

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

360 acres - S 1/2 Section 17, SE 1/4 SW 1/4 Section 19, all in T96N, R65W

I/We understand that the validity of Water Right No. 1928-3 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 WJ Soulek Family Land LLC, the new owner, certify that the above information is true and correct.

Paul Soulek Partner
Joyce Soulek Partner
(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

MAY 12 2023

OFFICE OF
WATER

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date May 12, 2023

RECEIVED OF Wj Soulek Family Land LLLP 38001 295th ST., Lake Andes, SD 57356

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>1928-3</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
EGM



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 14, 2025

NOTICE

TO: PAUL SOULEK, 38001 295TH ST, LAKE ANDES, SD 57356

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaires

Our records indicate your 2024 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 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) 330-3, 1407-3 & 1928-3 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) 4623-3 & 6543-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** 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) 4623-3 & 6543-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 330-3, 1407-3 & 1928-3 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 questionnaires are received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: QNAFUR**

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.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 30, 2025

330-3, 1407-3, 1928-3
4623-3, 6543-3

WJ Soulek Family Land LLLP
c/o Paul Soulek
38001 295th St
Lake Andes SD 57356

Dear Mr. Soulek:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 330-3, 1407-3, 1928-3, 4623-3 & 6543-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us