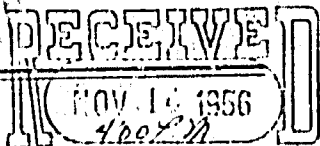


#336-3

1. Considered December 17, 1917
2. Name of Applicant St. Lawrence County
3. Post Office Address Littleton, Colorado
4. Amount of water claimed 1.11 cfs
5. Source of water supply Mountain
6. Water to be used for Domestic
7. Acres to be irrigated 0
8. Water to be diverted and used in St. Lawrence County about 5 miles South of Littleton
9. Proof of Publication Received ☒ Not Received ☒
9. Application Approved ☒ Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:



Water Division No. 3 Missouri River District
(Blanks to be filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COM.
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 Albert Svates
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

(b) Cash on hand, \$ _____

(c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____

(e) Other resources, \$ _____

2. Name of diversion work Albert Svates Irrigation Project #1

3. Amount of water claimed 1.14 cubic feet per second

4. Source of water supply Missouri River

5. Location of point of diversion 1193 feet S 26°-0' E center section 30

Township 96 Range 65 on Missouri bank Charles Mix County.

6. Annual period or periods during which water is to be used April 1 to Nov 1

7. To be used for:

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

(a) Number of acres to be irrigated 80 acres.

(b) Legal subdivisions to be irrigated E 1/2 SW 1/4 section 30 96-65

(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.) NONE

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 _____

Map 16-254-3

8. Estimated cost of work:

(a) Head Gates, \$.....

(b) Pumping plant, \$ 2100-

(c) Fluming, \$.....

(d) Canal-earth, \$.....

Rock, \$.....

(e) Other structures Sprinkler System \$ 3500-Total, \$ 5600-

9. Description of diversion works:

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

1800' Main line, 1320 sprinkler lateral, and Pumping Unit.

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.....feet; slope at back face.....feet; 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	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.11. Time required for complete application of water to the proposed beneficial use 2 years.12. Choice of newspaper for publication of notice of intention to appropriate Lake Hedges, S.D.

STATE OF SOUTH DAKOTA

County of

Charles Mix ss.

I,

Albert Svatoš

, 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

Albert Svatoš

Subscribed and sworn to before me this

18

day of

Oct1946

Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA

ss.

County of

Hughes

Pierre, South Dakota,

December 4, 1956

This is to certify that the foregoing application was received by the Commission at 4:00 o'clock

P.m. upon the 14 day of November, 1956

State Water Resources Commission

By:

J. O. Brinner

Chief Engineer, Executive Officer

Number of permit 336-3

Date of first receipt of application

November 14, 1956

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

Date of receipt of corrected application

Date from which applicant may claim right

November 14, 1956

Approved

January 17, 1957, Recorded in Book 3, Section 2, Page 77

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

July 17, 1958

2nd. The whole of said work is to be completed on or before

January 17, 1962

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

January 17, 1962

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 January 17, 1962; said water to be used during the following described annual period:

April to October inclusive

Witness my hand this

20

day of

March

1957

State Water Resources Commission

By:

J. O. Brinner

Chief Engineer, Executive Officer

Certificate of Construction Issued

JUNE 21, 1966

Water License Issued

JUNE 21, 1966

STATE OF SOUTH DAKOTA

WATER LICENSE No. 336-3

WHEREAS, On 14th day of November A. D. 1956
Albert Svatos

of Lake Andos County of Charles Mix and State of
South Dakota duly made application (No. 336-3) to us for a permit to use 1.14
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 20th day of March A. D. 1957
 Permit No. 336-3 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 17th day of
January A. D. 1960 and for the application to beneficial use of said
 water on or before the 17th day of January A. D. 1962
 and,

WHEREAS, On the 15th day of June A. D. 1966
 the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.14
cubic feet per second of said waters, as evidenced by our Certificate No. 336-3
 dated June 21, 1966 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 1.14 cubic feet per second of water, with date of
 priority of November 14, 1956 and,

WHEREAS, On the 15th day of June A. D. 1966
 proof was duly made of the application to beneficial use of 1.14 cubic feet per second of said water;
 for irrigation of 80 acres in the E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 30, T96N, R65W

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 Albert Svatos
of Lake Andes the holder and owner of said permit No. 336-3
a water right, dating from November 14, 1956 to the use of 1.14
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 hereinbelow mentioned, to be diverted at a point S 26° E, 1193 feet from
the center of Section 30, T96N, R65W
and conducted to and upon the E½ SW¼ Section 30, T96N, R65W

for the purpose of irrigation

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 21st day of June A. D. Nineteen
Hundred and Sixty-Six

State Water Resources Commission

By:

J. W. ORMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

Source of Supply _____

County _____

Point of Diversion _____ c. f. s. _____

Purpose of Use _____

Date of Priority _____

Recorded _____

Book _____ of _____ Page _____

Permit No. 336-3Water Division No. 3 Missouri River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Albert Svatos

of Lake Andes County of Charles Mix, and State of South Dakota, the holder of Permit No. 336-3, issued upon Application No. 336-3, bearing date of priority of November 14, 1956, authorizing the diversion of 1.14 cu. ft. per second of the waters of the Missouri River County of Charles Mix, State of South Dakota, at a point S 26° E, 1193 feet from the center of Section 30, T96N, R65W for irrigation

purposes, has 5 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 1.14 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: for irrigating 80 acres, E½ SW¼ Section 30, T96N, R65W

Witness my hand this 21st day of June A. D. 1966

State Water Resources Commission

By: J. W. CRIMES

No. 336-3

First Publication before Dec. 21, 1956

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., December 4, 1956

Notice is hereby given that Albert Svatos whose postoffice address is Lake Andea 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 1.14 cubic feet of water per second of time from the Missouri River through the Albert Svatos Irrigation Project #1, the point of diversion of which is to be located on the westerly bank of said stream in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 30 Twp. 96N Range 65W. Said water to be used for the purpose of providing irrigation on the following described land:

E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 30, T 96N, R 65W

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of January, 1957, 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.

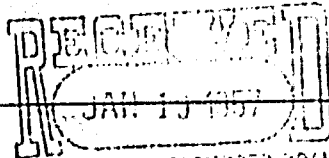
State Water Resources Commission

By:

J. W. Grimes,

Chief Engineer, Executive Officer

cc: Publisher



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA } ss.
County Charles Mix

Arthur P. Breen being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the _____

Lake Andes Wave a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the

City of Lake Andes County of

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

Dec. 13, 1956

Dec. 20, 1956

Dec. 27, 1956

Jan 3, 1957

in each and every issue of the full number thereof, the first publication being made on the 13 day of Dec

1956 and the last publication on the 3 day of

Jan 1957, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was _____ the printer, and publisher of the said newspaper.

Arthur P. Breen

Subscribed and sworn to before me this 3 day of Jan A. D. 1957

Notary Public Charles Mix County, S. D.

APPROPRIATION OF WATER

Office of State Water Resources Commission
Pierre, S. D.
December 4, 1956

Notice is hereby given that Albert Syatos, 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 1.14 cubic feet of water per second of time from the Missouri River through the Albert Syatos Irrigation Project No. 1, the point of diversion of which is to be located on the westerly bank of said stream in the NW 1/4 of the SE 1/4 of Section 30, Twp. 06N, Range 65W. Said water to be used for the purpose of providing irrigation on the following described land:

E 1/2 SW 1/4, Sec. 30, T 06N, R 65E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of January, 1957, 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: Les Wyborny

Water Rights Engineer

For: J. W. Grimes

Chief Engineer, Executive Officer

(Dec. 13-20-27; Jan. 3)

The Sudan is bidding for foreign capital.

Permit No. 336-3RECEIVED
OCT 14 1963

Water Division No. _____ Water District _____

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

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.) Lake Andes, S. D.(Date) November 3, 1959

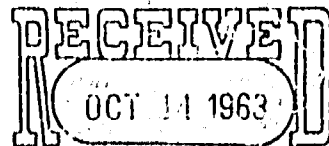
TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the _____ day of _____
 10. Lake Andes County of Charles Mix State of South Dakota,
 before _____ proof will be submitted of the application to beneficial use
 (Examining Engineer or Officer)
 of 1.14 cubic feet per second of the waters of Randall Reservoir
 _____ in accordance with the terms and conditions of Permit No. 336-3
 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 _____
Albert Svatos
Lake Andes So. Dak.
2. The use to which said water has been applied is _____
Irrigation
3. The amount applied to beneficial use is 1.14 cu. ft. per sec.
4. The place where said water is used is (If for irrigation, give full and accurate description of the lands irrigated) E 1/2 of SW 1/4 Sec. 30 T96 R65
White Swan Twp. - Charles Mix Co.
South Dakota.
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is Albert Svatos Project No. 1
6. The right to take the water from such works is based upon permit No. 336-3
7. The source of supply from which such water is diverted is Randall Reservoir
8. The date of priority which said user is prepared to establish is Sept. 30, 1959

(Sign)

Albert Svatos

Permit No. 336-3

STATE WATER RESOURCES COMM.

Water Division No. _____

Water District PIERRE, SD

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.) Lake Andes, S.D.(Date) Sept. 30, 1959

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
one and fourteen hund. cu. ft. per second of the waters of the state from Randall Reservoir
through the Albert Svatos Project #1
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 _____

Albert Svatos

2. The postoffice address of such person or the place of business of such corporation is Lake Andes
County of Chas. Mix State of South Dakota

3. The number of such permit is 336-3 and the date set for the completion of such work is _____

4. Said water to be used for _____ 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: E 1/2 of SW 1/4 Sec. 30 - T 96 -
R 65 White Swan Twp., Charles Mix Co.
South Dakota

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

(Signature of Owners)

Albert Svatos

Call from Mr. Clark -
Corp. Engineers,
Omaha relative to
division points for
Albert Switzer's permit
336-3

Told him that a new
application would not
be required for an
additional pump station
- That it would be
added at the time of
the final inspection

2-26-65

DEPARTMENT OF THE ARMY
EASEMENT FOR RIGHT OF WAY
(PIPELINE)

336-3

ON FORT RANDALL DEL AND LA SALLE LA CUE RESERVE, NORTH DAKOTA

No. DA-25-000-GRVING-63-933

THE SECRETARY OF THE ARMY, under and by virtue of the authority vested in him by Title 10, United States Code, Section 2669, hereby grants to

ALBERT G. UHLEN of Lake Andes, South Dakota

hereinafter designated as the grantee, for a period not exceeding **Fifty** (50) years from the date hereof, an easement for a right of way for the installation, operation, and maintenance of portable water pipelines and pumping units at two locations, hereinafter referred to as said line

over, across, in, and upon land under the control of the Secretary of the Army at the location shown in red on Exhibit "A", map entitled Map Sheet "B", Fort Randall Reservoir, dtd 10-16-47 attached hereto and made a part hereof, and described as follows:

A strip of land 33 feet in width and 6 rods, more or less, in length situated in the NW 1/4, Section 30, and also a strip of land 33 feet in width and 12 rods, more or less, in length situated in the SE 1/4, Section 19, Township 56 North, Range 65 West of the 5th Principal Meridian, Charles Mix County, South Dakota.

THIS EASEMENT is granted subject to the following conditions:

1. The grantee shall pay to the United States compensation in the amount of

One Hundred Dollars (\$ 100.00) payable in advance. Compensation shall be made payable to the Treasurer of the United States and forwarded by the grantee to

District Engineer,
U. S. Army Engineer District, Omaha, COLE U. S. Post Office and Court House,
215 North 17th Street, Omaha, Nebraska 68102.

2. The installation and/or operation and maintenance of said line shall be accomplished without cost or expense to the United States under the general supervision and subject to the approval of the officer having immediate jurisdiction over the property, hereinafter designated as "said officer", and in such manner as not to endanger personnel or property of the United States on the said United States land or obstruct travel on any road thereon. The grantee shall have the right of ingress and egress for such purposes.

3. The use and occupation of said land incident to the exercise of the privileges hereby granted shall be subject to such rules and regulations as the said officer may from time to time prescribe.

4. The grantee shall supervise the said line and cause it to be inspected at reasonable intervals, and shall immediately repair any leaks found therein as a result of such inspection, or when requested by said officer to repair any defects. Upon completion of the installation of said line and the making of any repairs thereto, the premises shall be restored immediately by the grantee, at the grantee's own expense, to the same condition as that in which they existed prior to the commencement of such work, to the satisfaction of the said officer.

5. Any property of the United States damaged or destroyed by the grantee incident to the use and occupation of the said premises, shall be promptly repaired or replaced by the grantee to the satisfaction of the said officer or in lieu of such repair or replacement the grantee shall, if so required by the said officer, pay to the United States money in an amount sufficient to compensate for the loss sustained by the United States by reason of damages to or destruction of Government property.

6. The United States reserves to itself the right to construct, use, and maintain across, over, and/or under the right of way hereby granted, electric transmission, telephone, telegraph, water, gas, gasoline, oil and sewer lines, and other facilities, in such manner as not to create any unreasonable interference with the use of the right of way herein granted.

7. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the use and occupation of the said premises, nor for damages to the property of the grantee, or for injuries to the person of the grantee (if an individual), nor for damages to the property or injuries to the person of the grantee's officers, agents, servants, or employees, or others who may be on said premises at their invitation or the invitation of any one of them, arising from or incident to government activities, and the grantee shall hold the United States harmless from any and all such claims.

8. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the construction, maintenance, and use of said line.

9. That the grantee shall furnish through said line such service as may be required from time to time for governmental purposes on said land, provided that payment for such service will be made by the United States at rates which shall be mutually agreeable but which shall never exceed the most favorable rates granted by the grantee for similar service.

10. In the event all or any portion of said land occupied by said line shall be needed by the United States, or in the event the existence of said line shall be considered detrimental to governmental activities, the grantee shall, from time to time, upon notice so to do, and as often as so notified, remove said line and related facilities to such other location or locations on said land as may be designated by said officer, and, in the event said line shall not be removed or relocated within ninety (90) days after any aforesaid notice, the United States may cause the same to be done at the expense of the grantee.

11. This easement may be terminated by the Secretary of the Army upon a reasonable notice to the grantee if the Secretary of the Army shall determine that the right of way hereby granted interferes with the use or disposal of said land or any part thereof by the United States, or it may be terminated by the Secretary of the Army for failure, neglect, or refusal by the grantee fully and promptly to comply with any and all of the conditions of this grant, or for nonuse, or for abandonment.

12. Upon the expiration or termination of this grant, the grantee shall, without expense to the United States, and within such time as the Secretary of the Army may indicate, remove the said line from said land and restore the premises hereby authorized to be used and occupied to a condition satisfactory to the said officer. In the event the grantee shall fail, neglect, or refuse to remove the said line and so restore the premises, the United States shall have the option either to take over the said line as the property of the United States, without compensation therefor, or to remove the said line and perform the restoration work as aforesaid at the expense of the grantee, and in no event shall the grantee have any claim for damages against the United States or its officers or agents, on account of the taking over of said line or on account of its removal.

13. The conditions of this instrument shall extend to and be binding upon and shall inure to the benefit of the heirs, representatives, successors, and assigns of the grantee.

14. That it is understood that this instrument is effective only insofar as the rights of the United States in the said property are concerned; and that the grantee shall obtain such permission as may be necessary on account of any other existing rights.

15. That this easement and rights of way for water pipelines and pumping units is granted for the exercise of established water rights. It is understood and agreed that no right to use water from the reservoir is created by this grant.

16. That the United States reserves the right to flood the premises when and as required.

That Conditions Nos. 15 and 16 were added prior to execution of this easement.

This easement is not subject to Title 10, United States Code, Section 2662.

IN WITNESS WHEREOF I have hereunto set my hand this 7th
day of April 19 65.

/s/ Dale Kent

DALE KENT
Chief, Real Estate Division
3 U. S. Army Engineer District, Fort

Permit No. **336-3**
MISSOURIWater 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 _____

19____, I have this day made a thorough examination of the diversion works constructed by _____

ALBERT SVATOS of **LAKE ANDES****CHARLES MIX** County, South Dakota, holder of Permit No. **336-3**, issuedupon Application No. **336-3**, bearing date of priority of **NOVEMBER 14 1956** authorizing thediversion of **1.14** 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:

The diversion works comp. **6" BERKELEY PUMP, MODEL B 4-12, POWERED BY CHRYSLER INDUSTRIAL MOTOR, RATED @ 62HP. 1/4 MILE 6" MAINLINE WITH 2 1/4 MILE TRACTOR PULL 4" LINES WITH RAIN BIRD 30 SPRINKLER HEADS @ 30' SPACING.**and the system is in the following condition: **EXCELLENT**The point of diversion is located **AT A POINT S26° E, 1193' FROM THE CENTER OF SECTION 30, T96N, R65W**The works are capable of diverting and conveying to the place of use **1.14** cu. ft. per second of water, which is to be used for **IRRIGATION**The legal sub-divisions to be irrigated are: **E2SW4, SECTION 30, T96N, R65W**comprising a total of **80** acres of land.

The domestic use intended comprises _____

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

Witness my hand, this **15th** day of**JUNE**A. D. 19**66**

—SEAL—

Examining Engineer

OFFICER



**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3354

No. 336-3

December 22, 1986

Mike Whalen
Box 127
Lake Andes, South Dakota 57356

Dear Mr. Whalen:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Haxine Stirling
Secretary

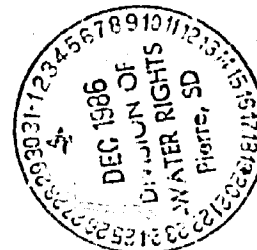
ms/
Enc.

DWNR-820A-8/83

336-3

MICHAEL J. WHALEN
ATTORNEY AT LAW
P. O. BOX 127
LAKE ANDES, SD 57356-0127

TELEPHONE
605/467-7845



December 24, 1986

Ms. Maxine Stirling
Dept. of Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501

RE: Transfer of Water Permit

Dear Ms. Stirling:

Thank you for your letter of December 22. Enclosed please find the completed Transfer of Water Permit along with a check for \$2.50 covering cost of the transfer. Thank you for your assistance in this matter.

Very truly yours,

Michael J. Whalen
MICHAEL J. WHALEN

vt

Enclosures

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: December 24, 1986

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

80 acres - E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 30, T96N, -P65W

formerly owned by Albert Svatos, Lake Andes, SD

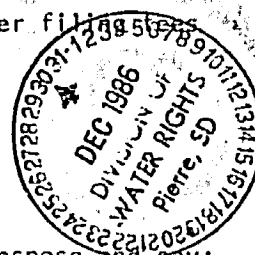
has been transferred to Tommy R. Svatos, R.R. 1, Box 118, Lake Andes, SD 57356
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 336-3 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 Div. of Water Rights, Water Management Board as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)
) ss.
County of Charles Mix



I, Albert G. Svatos 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.

Albert G. Svatos
(Signed)

Subscribed and sworn to before me this 24th Day of December, 1986.

Wanda D. Turner
(Notary Public)
MC 4: 2-5-93

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

410677

Pierre, December 30, 1936

RECEIVED OF Tommy R. Svatos, RR1, Box 118, 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 works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>336-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer JOHN HATCH (MS)

SOUTH DAKOTA Department of
Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

Phone (605) 773-3352

December 31, 1986

Michael J. Whalen
P.O. Box 127
Lake Andes, South Dakota 57356-0127

RE: Tommy R. Svatos Water Permit Transfer

Dear Mr. Whalen:

Enclosed is receipt No. 410677 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 336-3
/Tommy R. Svatos

Our records now show you as the owner of this Water Right.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

WNR-821-7/79
Receipt & Notice of filing of Transfer of Water Right



336-3

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.

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

336-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
E23 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.

- Sold to Yankton Sioux Tribe*
- | | | |
|------------|-----------|---|
| No. 1392-3 | 22 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

2004 Water Management Board Irrigation Questionnaire

Please fill out and return before December 3, 2004

REMEMBER! Return of this questionnaire is required whether or not you irrigated this year.

Return the completed form(s) to the Water Rights Program at 523 E Capitol, Pierre, SD 57501-3181 (605) 773-3352 or send your form(s) electronically over the internet at <https://www.state.sd.us/eforms/secure/eforms/E0455V3-IQ.pdf>

No. 336-3

Any address/ownership corrections?

TOMMY R SVATOS
38115 295TH ST
LAKE ANDES SD 57356

Telephone No. 605-487-7222

1. Is the system constructed? *yes ☐ no ☒

*Type of system used (check all that apply):

center pivots ☐ towlines ☐ big gun ☒
flood ☐ sprinklers ☐ other ☐

3. Is the land enrolled in CRP? *yes ☐ no ☒

*If yes, through what year? _____

4. Did you apply chemicals or fertilizer through the system in 2004? yes ☐ no ☒

2. Did you irrigate in 2004? *yes ☐ **no ☒

*If yes, number of acres irrigated _____

**If no, list reason(s) in comment box and answer No. 3:

5. If permitted for more than one water source, circle each source used. A. MISSOURI RIVER

B.

C.

Comment Box The system needed repair and my banker would not allow me to borrow monies for repair and service. Solution: am going to switch to new bank and also purchase a used center pivot system for the upcoming year of 2005. We are dealing on one now.



BB	BA	AB	AA
BC	BD	AC	AD
CB	CA	DB	DA
CC	CD	DC	DD

1 square mile

Office use only

RECEIVED

DEC 14 2004

WATER RIGHTS
PROGRAM

Acreage permitted for irrigation under No. 336-3

(see above section map for help reading legal descriptions)

sec 30-T096N-R65W, CA/D - 80.00 acres

Comments:

my son and myself would like to pursue the matter of getting a water permit for the east side of Svatos Bay. my father Albert, initially had a permit for irrigation in that area. Please keep us informed on what "paperwork" needs to be done. Thank you for your attention to this matter. Tommy + Chad Svatos

Please provide your 2004 water use to irrigate the above acreage on the REVERSE side of this form.

For an updated example questionnaire, please refer to the reverse side of your cover letter.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 14, 2004

336-3

Tommy & Chad Svatos
38115 285th St
Lake Andes SD 57356

Dear Sirs:

Thank you for returning the 2004 Irrigation Questionnaire. The form indicated you would like to irrigate additional acreage. Enclosed are forms to apply for an *Application for a Permit to Appropriate Water for Irrigation* and instruction sheet.

Please complete the application, sign and have notarized. The filing fee will be based on the number acres to be irrigated. The application filing fee for 60 acres will be \$200. For 60 – 120 acres, the filing fee will be \$275. For 121 -180 acres, the filing fee will be \$300.

A map will be required showing the location of the Missouri River diversion point marked with an "X". On the map, please outline the acreage you intend to irrigate. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties. Our suggestion would be to obtain an aerial photo map from the Charles Mix County Natural Resource Conservation Service in Lake Andes. Someone in the office will be qualified to sign the map.

If you have any questions completing the application, please contact Eric Gronlund or me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosures



336-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

December 28, 2016

336-3
7978-3

Chad Svatos
38115 295th St
Lake Andes SD 57356

Dear Mr. Svatos:

I am writing in follow up to our phone conversation of December 27th. Enclosed as we discussed is a 2016 irrigation questionnaire for Water Right No. 7978-3.

Also enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change with Water Right No. 336-3. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

I have included a postage paid envelope for your convenience. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

JAN - 4 2017

WATER RIGHTS
PROGRAM

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

No. 336-3

Date: 12/31/16

I/We request that Water Right No. 336-3

formerly owned by: Tommy R Svatos

be transferred to: (name & address) Chad or Rita Svatos, 38115 295th St, Lake Andes SD 57356

Telephone No. 605-491-7451

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

80 acres E ½ SW ¼ Section 30, T96N, R65W

I/We understand that the validity of Water Right No. 336-3 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 Chad or Rita Svatos, the new owner, certify that the above information is true and correct.

Chad Svatos

(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 1/4, 20 17

RECEIVED OF Rita A Svatos Living Trust 38115 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	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>336-3</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. **08052**

By Jeanne Goodman
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

December 28, 2016

336-3

Chad Svatos
38115 295th St
Lake Andes SD 57356

Dear Mr. Svatos:

I am writing to acknowledge receipt of the 2016 irrigation questionnaire, the transfer of ownership form and filing fee for Water Right No. 336-3.

The ownership change has been completed. Water Right No. 336-3 formerly held by Tommy R Svatos is now listed under **Chad or Rita Svatos**.

Enclosed for your records is Receipt No. 08052 in the amount of \$50. If you have any questions, please contact me.

Sincerely,

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

enclosures