

Water Right Number 3809-3

1. Considered 5-25, 1977
2. Name of Applicant RICHARD HAVEL
3. Post Office Address TYNDALL
4. Amount of water claimed 1.9
5. Source of water supply 250' DEEP WELL (EXISTING)
6. Water to be used for IRRIGATION
- Acres to be irrigated 192
7. Water to be diverted and used in BON HAMME County
about 3W, 2S Miles of TYNDALL
8. Proof of Publication Received 4-21-77
Not received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

Map No. 2856-3 Water Division No. 3 MISSOURI RIVER
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota
Change of Diversion

(NOTE: Draw a line through items not applicable)

1. Name of Applicant Richard Hagek
Postoffice address Tyndall State South Dakota 57066
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) _____
3. Name of diversion work Hajek - Weisser #1
4. Amount of water claimed (cubic feet per second) no-additional 1.9
5. Source of water supply ground water
6. Location of point of diversion center of the SW $\frac{1}{4}$, Section 15, T94N, R60W

- County Bon Homme
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 _____

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.
Sec. 15, T94N, R60W NE $\frac{1}{4}$	132		
NW $\frac{1}{4}$	60		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 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 Tribune and Register, Tyndall
12. Principal Features of the Proposed Water Supply System.

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

Well, pump and motor

This application proposes the use of the well approved under Permit No. 2587-3 to irrigate the lands under Permit No. 3578-3

B. Works proposed to transport water to place of use

Mainline

C. Works proposed to apply water to beneficial use.

Center pivot sprinkler system

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 St. Lawrence

I, Richard Hagek, the applicant, certify that I have read the foregoing application, examined the attached map and that the matters therein stated are true and that I intend and am able to complete the necessary construction.

Signed Richard HagekSubscribed and sworn to before me this 24th day of March, 1977

Notary Public (or other qualified officer)

Notary Public

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 3809-3

RICHARD HAJEK
(Applicant)

TYNDALL
(Post Office Address)

SOUTH DAKOTA 57066 With the following modifications:

The Irrigation well approved under this Permit will be located near domestic wells and other irrigation 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 adequate domestic wells or in irrigation wells having prior water rights.

LANDS UNDER THIS PERMIT ARE ALSO APPROVED UNDER PERMIT NO 3578-3. COMBINATION OF DIVERSION UNDER THE TWO PERMITS SHALL NOT EXCEED THE STATUTORY LIMIT OF 1 CFS FOR EACH 70 ACRES IRRIGATED.

See 4650-3

Date of first receipt of application MARCH 24 19 77

Date of return to applicant for correction, amendments or changes required — 19 —

Date of receipt of corrected application — 19 —

Approved MAY 25 19 77 Recorded in Book 19 Page 280

WATER RIGHT PERMIT NO. 3809-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 3809-3 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 MARCH 24 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 25 19 78
3. The whole of said work is to be completed on or before MAY 25 19 86 82 11-27-79
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 25 19 81 83
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 1.9 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 25 19 81 83 said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 4TH day of APRIL 19 78

WATER RESOURCES COMMISSION

By

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued — 19 —

Water License Issued — 19 —

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 12", Depth 250'
- (2) Casing, Type steel Diameter 8" Thickness
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type steel, Diameter 8", Length 20'
- (4) Gravel Pack, Thickness , Length of gravel pack

E. Dugout Information or Estimates

- (1) Surface dimensions , Depth

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials
sand and gravel

Depth to top of water bearing material 200

Depth to bottom of water bearing material 240

Thickness of water bearing material 40

Depth to water (ground surface to water level) 75

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property 55 rds. On property owned by others 170 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

P. H. A. H. J. P.
Signature of Applicant

SEE PERMIT NO 2587-3
FOR WATER QUALITY DATA

Publish first publication, on or before 4/15/77

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 15, 1977

Notice is hereby given that Richard H. Hjek

whose post office address is Tyndall, 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

1.9 cubic feet of water per second of time from the ground water through the

Hjek - Weisser # 1, the point of diversion of which is to be located in the

Center of Section

of Section 15, Twp. 94N, Range 69W. Said water to be used for the purpose of providing irrigation on the following described land:

N1/2 Section 15-T 94N-R69W

This application No. 3809- will be considered by the Water Rights Commission at their office at Pierre upon the 25th day of May, 1977, at 10:00 A.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

JAMES WINTERBORN
Water Rights Specialist

BEJ/LW

cc: Richard Hjek, Tyndall, South Dakota 57066

No. 3809-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brown) ss.

I, Wayne L. Bertland hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Tyndall Tribune & Register

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 Tyndall

County of Brown and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

April 14, 1977

" 21, 1977

Wayne L. Bertland
(Signature)

Publisher
(Title)

4-21-77
(Date Signed)

NOTICE INTENT
TO APPROPRIATE WATER
Pierre, South Dakota 57501
April 4, 1977

Notice is hereby given that
Richard Hajek whose post office
address is Tyndall, 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 1.9 cubic feet of
water per second of time from
ground water through the Hajek -
Weisser No. 1, the point of
diversion of which is to be located
in the Center of SW¹/₄ of Section
15, Twp. 94N, Range 60W. Said
water to be used for the purpose
of providing irrigation on por-
tions of the following described
land: N¹/₂, Section 15-T94N-R60W.

This application No. 3809-3 will
be considered by the Water
Rights Commission at their office
at Pierre upon the 25th day of
May, 1977, at 10:00 A.M. All
interested persons may appear
and be heard.

WATER RIGHTS COMMISSION
By: JAMES WINTERTON
Water Rights Specialist
(April 14 & 21)



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7078

PIERRE, October 12, 1922

RECEIVED OF Richard Hajek, Tyndall, SD 57066

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

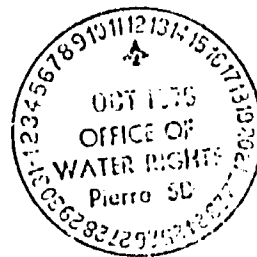
Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and issuing Cert. of Construction No.		
Fee for Inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing extension of time on water right No. 3302-3	2	50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By _____
Chief Engineer, Executive Officer

JOHN HATCH gy

APPLICATION FOR EXTENSION OF TIME



TO: Water Rights
Foss Building
Pierre, South Dakota 57501

Date OCT 10-1979

Dear Sirs:

In Water Right Permit No. 3909-3 it is specified that the water diversion system is to be completed by May 25, 1980 and that the water is to be put to the limit of beneficial use by May 25, 1981.

I hereby request that the date for completing the diversion system be extended to May 25, 1982 and that the date for putting the water to the limit of beneficial use be extended to May 25, 1983.

The extension of time for the completion of these works is requested for the following reasons: the system for this permit has not been constructed. The water is to be piped over from the existing well under permit no. 2587-2.

Enclosed herewith is a fee of Two Dollars and Fifty Cents (\$2.50) to pay the cost of filing this request for extension of time.

R. Rand
(Signed)

Permit Number

APPROVED:

11/27/79

Board of Water Management

BY:

2587-3

3578-3

3809-3

4650-3

November 13, 1984

Richard Hajek
Box 78
Tyndall, South Dakota 57066

Dear Mr. Hajek:

This letter is in reference to my telephone conversation November 9, 1984 with Mike Hajek concerning transfer of Water Permit No. 3578-3 listed in the name of Kenneth Weisser. The permit covers irrigation of the N $\frac{1}{2}$ Section 15, T94N, R60W. According to Mr. Hajek, the permit should be split and transferred with the NE $\frac{1}{4}$ Section 15 listed in your name and the NW $\frac{1}{4}$ listed under Cary Hajek.

Permit Nos. 2587-3, 3809-3 and 4650-3 listed in your name authorize the following:

Permit 2587-3: Well located in center of SW $\frac{1}{4}$, Section 15, to irrigate land in SW $\frac{1}{4}$ of Section 15.

Permit 3809-3: Same well as under Permit No. 2587-3 to irrigate N $\frac{1}{2}$, Section 15 (Land also covered under 3578-3, Kenneth Weisser)

Permit 4650-3: 2 wells located in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15 and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15 to irrigate N $\frac{1}{2}$ Section 15 (Land under 3578-3)

If permit No. 3578-3 is split and transferred, since Permit Nos. 3809-3 and 4650-3 cover the same lands, they too should be split and transferred.

Enclosed is a copy of a map showing Section 15, T94N, R60W (outlined in red). In order to correctly transfer the lands and wells, please plot the location of the wells being used. Identify the wells by number and indicate which wells irrigate which lands. Return the map to our office upon completion. Upon receipt of the map complete with well locations and lands irrigated with those wells, transfer forms will be forwarded to you.

If you have any questions, please contact us.

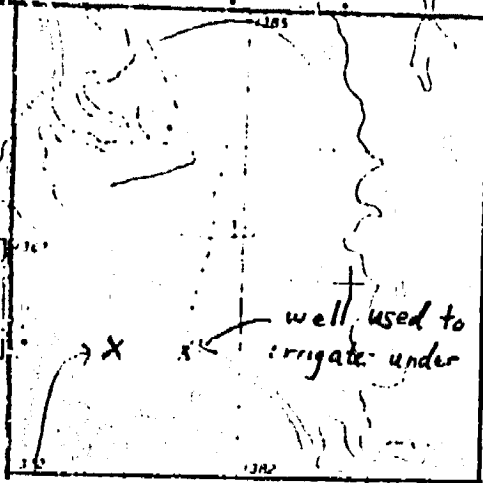
Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc.

NOTE: Please complete the enclosed 1984 Irrigation Questionnaire as would pertain to Permit No. 3578-3.

NORTH BON HOMME STATE
PUBLIC SHOOTING AREA



well used to
irrigate Binder
permit # 2587-3

Permits 3809-3
3578-3 are not being used.

No permit needs to be split.

Permit # 4650-3 should be transferred to Cary Hajek



Department of Water & Natural Resources

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

APR 25 1990

4650-3

Cary Hajek
RR 1, Box 81
Tyndall SD 57066

Dear Mr. Hajek:

Enclosed is Water License No. 4650-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412176 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 4650-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

The applicable portions of Water Permit No. 3809-3 are incorporated into this Water License No. 4650-3.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
(505) 773-3352

enclosures