

1. Considered March 25 19 81
2. Name of Applicant Walter J. Soulek
3. Post Office Address RR 1, Box 108, Lake Andes 57356
4. Amount of Water Claimed 2.28
5. Source of Water Supply Missouri River
6. Water to be used for IRR
7. Acres to be irrigated 160 maximum acre feet
8. Water to be diverted and used in Charles Mix County
about 2S 1 miles west of Lake Andes
9. PROOF OF PUBLICATION Received 3/12/81
Not Received _____
- APPLICATION Approved _____
Subject to _____
Not Approved _____
Action deferred _____

Priority 2/3/81 Date Received 2/3/81 Application Complete yes X no _____ FEE 250
Remarks Add acreage on 1923-3

WATER
QUALITY

Date information and/or
fee or corrected Application received _____
Period of Annual use ~~April to October~~ April to October
Received yes 2/12/81 no _____ APPROVED CONDITIONAL (Circle one)
WI-1 Description same as application yes X no _____ Remarks _____

Disapproved _____

Returned _____

					18
				30	

Diversion Point _____

NE 1/4 NE 1/4, Sec. 30-96-65

Lands to be Irrigated _____

NE 1/4, Section 18-96-65WELL
LOG

Remarks _____

Driller _____ Licensed yes _____ no _____

Depth _____

MAP Map No. 3840-3 Map located in Water Right XX Map file _____
Type of Map Aerial Prepared by Cons. Dist. Wayne Noble

+++++

REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 5/25/81.

Betty H. [Signature]
(Signed)

+++++

PROTEST Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date _____
F.F. & C Final Decision, including F.F. & C of Law were adopted _____
OF LAW, Date _____
FINAL Final Decision mailed to parties and/or parties notified that Final Decision
DECISIONS was adopted _____
ETC.

Remarks _____

No. 4623-3Map No. 3840-3 Water Division No. 3 MISSOURI RIVER District
Above for Office Use 10140101

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

Check one of the following:

New ☐ Vested Right ☒ Future Use ☐Change in Diversion ☐ Additional Diversion ☐Change in Acreage ☐ Additional Acreage ☒ ON 1928-3

1. Name of Applicant WALTER J. SOULEK Phone No. 487-7279
 Post Office Address R.R. Box 728 LAKE ANDES State SD 57356
 (Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
3. Name of diversion work W. SOULEK IRRIGATION PROJECT #1
4. Amount of water claimed (cubic feet per second) 2.28
5. Source of water supply MISSOURI RIVER
6. Location of point of diversion NE 1/4 Sec 30, 96-65

County CHARLES MIX

7. Annual period or periods during which water is to be used April to Sep.
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 160

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.
<u>NE 1/4 NE 1/4 18, 96-65</u>	<u>40</u>		
<u>NW 1/4 NE 1/4 18, 96-65</u>	<u>40</u>		
<u>SW 1/4 NE 1/4 18, 96-65</u>	<u>40</u>		
<u>SE 1/4 NE 1/4 18, 96-65</u>	<u>40</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system completed years. Additional time required to complete application of water to the proposed beneficial use \$ 4 years.
11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water LAKE ANDES WAVE
12. Principal Features of the Proposed Water Supply System.

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

TURBINE (ELEC)

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

galaminam + plastic

C. Works proposed to apply water to beneficia. use.

sprinklerEstimated Total Cost \$ 1000

most of it is in - need to put in a little pipe

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) ss.

I, Walter J. 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 construction.

Signed Walter J. SoulekSubscribed and sworn to before me this 2 day of February, 1961.
Martha P. Dwyer, Reg. Sec.
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4623-3
Walter J. Soulek R.R. 1, Box 108, Lake Andes
 (Applicant) (Post Office Address)

South Dakota 57356 With the following qualifications.
 (State)

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application FEBRUARY 3, 1981
 Date of return to applicant for correction, amendments or changes required FEBRUARY 3, 1981
 Date of receipt of corrected application FEBRUARY 12, 1981
 Approved MARCH 26, 1981, Recorded in Book 22 Page 70

WATER RIGHT PERMIT NO. 4623-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4623-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified 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 3, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before COMPLETED, 1981
3. The whole of said work is to be completed on or before COMPLETED, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 26, 1985
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 2.28 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 irrigation purposes said appropriation must be limited to not more than 2 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 MARCH 26, 1985, said water to be used during the following described annual period: APRIL TO OCTOBER

Witness my hand this 20th day of APRIL, 1981

THE WATER MANAGEMENT BOARD

By: John Hatch
 Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

CONSERVATION COMMISSION

WIFI FORM

3/80

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

Office Use Only

2685-CM

OWNERS NAME: Walter Soulek OWNERS ADDRESS: RK 1

Lake Andes, SD 57356

COUNTY LAND LOCATED IN: Charles Mix PHONE: 605 734-1111

TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

In accordance with State Law SDCL 46-5-6.5, if a water permit is granted with a conditional Soil/Water Compatibility permit, a copy of such conditional soil/water compatibility permit must be filed with the County Register of Deeds. This action must be taken by the holder of a water permit within 6 months of receipt of such water permit.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION OR DIVERSION POINT: _____
2. SURFACE WATER SOURCE: Missouri River (Lake Francis case)
3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

Legal Description	Acres	Legal Description	Acres
<u>NE 1/4, Sec. 18, T96, R65</u>	<u>160</u>		

4. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: _____ (Specify) _____
5. CROPS TO BE IRRIGATED: corn, alfalfa, wheat
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: 1974
LEGAL DESCRIPTION: SE 1/4, Sec 18, 96-65
IN WHAT NAME: Walt Soulek

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 211330001 River at Fort Randall Dam
8. SALINITY (EC X 10⁶): 785
9. SODIUM (SAR): 2.04
10. ADJUSTED (SAR): 3.37

RECEIVED

JAN 22 1981

South Dakota
Division of Conservation

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____, 19____, at the following location: water from Ft. Randall reservoir by _____ (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

9 DAY OF June, 1981.

Martin Thomas Rye
(NOTARY PUBLIC)

Walter J. Soulek
APPLICANT'S SIGNATURE

Jack M. Felt
Director, Division of Conservation

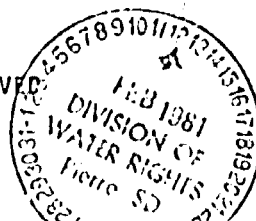
IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER PERMIT must be obtained from the Board of Water Management.

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED



RECOMMENDED MANAGEMENT:

No. 4623-3

Publish first publication, on or before February 25, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 13, 1981

Notice is hereby given Walter J Soulek whose post office

address is Lake Andes, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, and Board Rules ARSD 52:01.01:01 thru 52:01.01:13, for a permit to appropriate for beneficial use 2.28 cubic feet of

water per second of time from the Missouri River through the

W Soulek Irrigation Project #1, the point of diversion of which is ~~(xxx)~~ to be located

in the NE 1/4 NE 1/4

of Section 30, Twp. 96N, Range 65W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NE 1/4, Section 18, T96N, R65W

This Application No. 4623-3 will be considered by the Water Management Board at the Holiday Inn, Sandy Shore Room Watertown, SD upon the 25th day of March, 1981

at 1:00 P.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWR, Joe Ross Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

BETTY WESTLUND

Water Rights Specialist

cc: **Walter J Soulek**
RR #1, Box 108, Lake Andes, SD 57356

WNR-806B-7/79 Notice of Intent to Appropriate Water
SURFACE WATER

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Charles Mix) ss.

I, Pam Wells hereby

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

Water was taken from the Lake Andes Well

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
two dates:

March 4, 1981

March 11, 1981

Pam Wells
(Signature)

Managing Editor
(Title)

3-12-81
(Date Signed)

NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER
Pierre, South Dakota 57501
February 13, 1981

Notice is hereby given Walter J. Soulek whose post office address is Lake Andes, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-6 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, and Board Rules AFSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.28 cubic feet of water per second of time from the Missouri River through the W Soulek Irrigation Project #1, the point of diversion of which is to be located in the NE 1/4 NE 1/4 of Section 30, Twp. 96N, Range 65W. Said water to be used for the purpose of providing irrigation on portions of the following described land: NE 1/4, Section 18, T96N, R65W. This Application No. 823-3 will be considered by the Water Management Board at the Holiday Inn, Sandy Shore Room Watertown, SD upon the 25th day of March, 1981 at 1:00 P.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 46-1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRN, Jon Foss Building, Pierre, SD, prior to the hearing day for assistance to assure access to the hearing.

WATER MANAGEMENT
BOARD
BETTY WESTLUND
Water Rights Specialist

5-25-77-4-67L



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7962

PIERRE, February 3, 1981

RECEIVED OF Walter J. Soulek, RR 1, Box 108, Lake Andes, SD 57356

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

Fee for Application for Permit to Appropriate Water No. 4623-3 (examination, processing, recording and filing)	25	00
Fee for inspecting Construction, and Issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and Issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	25	00

WATER RIGHTS COMMISSION

By *(John Hatch)*
Chief Engineer, Executive Officer
JOHN HATCH / *(E)*

Permit No. **4623-3**
Missouri River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DENR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Walter J. Soulek of RR1 Box 120, Lake Andes, SD 57356 holder of Permit No. 4623-3, bearing the priority of February 3, 1981 authorizing the diversion of 2.28 cu. ft. of water per second from surface water (Missouri River) for irrigation purposes, in Charles Mix County.

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

A. Works used to divert the water:

Pump:

- 1) Make Valley
- 2) Model 12HHE4A
- 3) Pressure 110 PSI
- 4) Capacity 1000 GPM

Motor:

- 1) Make General Electric
- 2) Serial No. BPJ208335
- 3) Horsepower rating 100 hp

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

DISTRIBUTION LINES:

- | | | |
|----------------------|--------------------------|----------------------------|
| 1) Type <u>Steel</u> | 2) Size <u>6</u> inches | 3) Length <u>1980</u> feet |
| 1) Type <u>Alum</u> | 2) Size <u>10</u> inches | 3) Length <u>2640</u> feet |
| 1) Type <u>PVC</u> | 2) Size <u>12</u> inches | 3) Length <u>7920</u> feet |

C. Works used to apply water to beneficial use:

SYSTEM TYPE:

Towline:

- 1) Length 5000 feet
- 2) Sprinkler spacing 40 feet
- 3) Nozzle size 3/16 inches

The system is in the following condition good. The point of diversion is located 1920 feet N 34 degrees W from the E quarter corner of Section 30 T96N-R65W (NE 1/4 NE 1/4). The works are capable of diverting and conveying to the place of use 2.28 cu. ft. of water per second which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

T96N-R65W

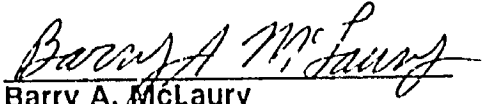
SECTION 18

<u>NW 1/4 NE 1/4</u>	<u>24 acres</u>
<u>NE 1/4 NE 1/4</u>	<u>40 acres</u>
<u>SW 1/4 NE 1/4</u>	<u>32 acres</u>
<u>SE 1/4 NE 1/4</u>	<u>40 acres</u>

comprising a total of 136 acres of land and the license should be issued for 1.94 cfs.

Applicable permit qualifications have been complied with: Yes X No

Exceptions to compliance are: None Date: June 9, 1993

A handwritten signature in cursive script, reading "Barry A. McLaury". The signature is written in dark ink and is positioned above the printed name.

Barry A. McLaury
Natural Resources Analyst
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 4623-3

DATE: June 9, 1993

Other permit(s) associated with the project: None

DIVERSION POINT LEGAL LOCATION: 1920 feet N 34 degrees W from the E quarter corner of Section 30 T96N-R65W (NE¼ NE¼).

Pump:

- 1) Make Valley
- 2) Model 12HHE4A
- 3) Pressure 110 PSI
- 4) Capacity 1000 GPM

Motor:

- 1) Make General Electric
- 2) Serial No. BPJ208335
- 3) Horsepower rating 100 hp

DISTRIBUTION LINES:

- | | | |
|----------------------|--------------------------|----------------------------|
| 1) Type <u>Steel</u> | 2) Size <u>6</u> inches | 3) Length <u>1980</u> feet |
| 1) Type <u>Alum</u> | 2) Size <u>10</u> inches | 3) Length <u>2640</u> feet |
| 1) Type <u>PVC</u> | 2) Size <u>12</u> inches | 3) Length <u>7920</u> feet |

SYSTEM TYPE:

Flowline:

- 1) Length 5000 feet
- 2) Sprinkler spacing 40 feet
- 3) Nozzle size 3/16 inches

CHEMIGATION EQUIPMENT:

- 1) Does chemigate N

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y
- 2) Special qualifications to permit being abided by Y
- 3) All structures, wells and lands on map Y
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 21, 1994

4623-3

Walter J. Soulek
RR 1, Box 120
Lake Andes, SD 57356

Dear Mr. Soulek:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 4623-3, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Division
523 E. Capitol
Pierre, SD 57501-3181

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

Division of Water Rights

414234

South Dakota Department of Environment and Natural Resources

Pierre, August 1, 1991

RECEIVED OF Joyce Soulek, RR 1 Box 120, Lake Andes, SD 57356-9639

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. <u>4623-5</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Michael Rine
Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4623-3

(1) Walter J. Soulek, of RR 1, Box 120, Lake Andes SD 57356 made Application No. 4623-3, February 3, 1981 for a water permit to appropriate 2.28 cubic feet of water per second from the Missouri River, Charles Mix County, South Dakota for irrigation purposes. Permit No. 4623-3, with a priority date of February 3, 1981 was approved March 26, 1981 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

(2) It is certified that the applicant 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 1.94 cubic feet of water per second for beneficial use. The location of the diversion point is 1920 feet N 34 degrees W from the E 1/4 corner of Section 30-T96N-R65W (NE 1/4 NE 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 18-T96N-R65W	NW 1/4 NE 1/4	24 acres
	NE 1/4 NE 1/4	40 acres
	SW 1/4 NE 1/4	32 acres
	SE 1/4 NE 1/4	40 acres
	Total	136 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Walter J. Soulek of RR 1, Box 120, Lake Andes SD 57356 the holder and/or owner of Water Permit No. 4623-3 is issued a license to appropriate water, the right to use 1.94 cubic feet of water per second from the Missouri River with a priority date of February 3, 1981 from the location specified in (2) of this license. The water is 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. 4623-3 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

NOV 14 1994

date



NOV 14 1994

4623-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

4623-3

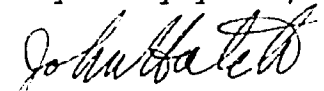
Walter J. Soulek
RR 1, Box 120
Lake Andes, SD 57356

Dear Mr. Soulek:

Enclosed is Water License No. 4623-3 and Receipt No. 414234 for \$50.00 which was assessed for an inspection and issuance of the license. Water License No. 4623-3 is the final document which completes the process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,


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

rd
enclosure

NOT TO SCALE

4623-2

156.4

(236-R)

Walter J. Soule, Jr.
Lake Andes, S.D.

Charles Marx
CONSERVATION DIST
Wayne Mott, D.C.

6 5/8" steel
Buried

10" surface pipe

18

80.4

1980

64.3

47.2

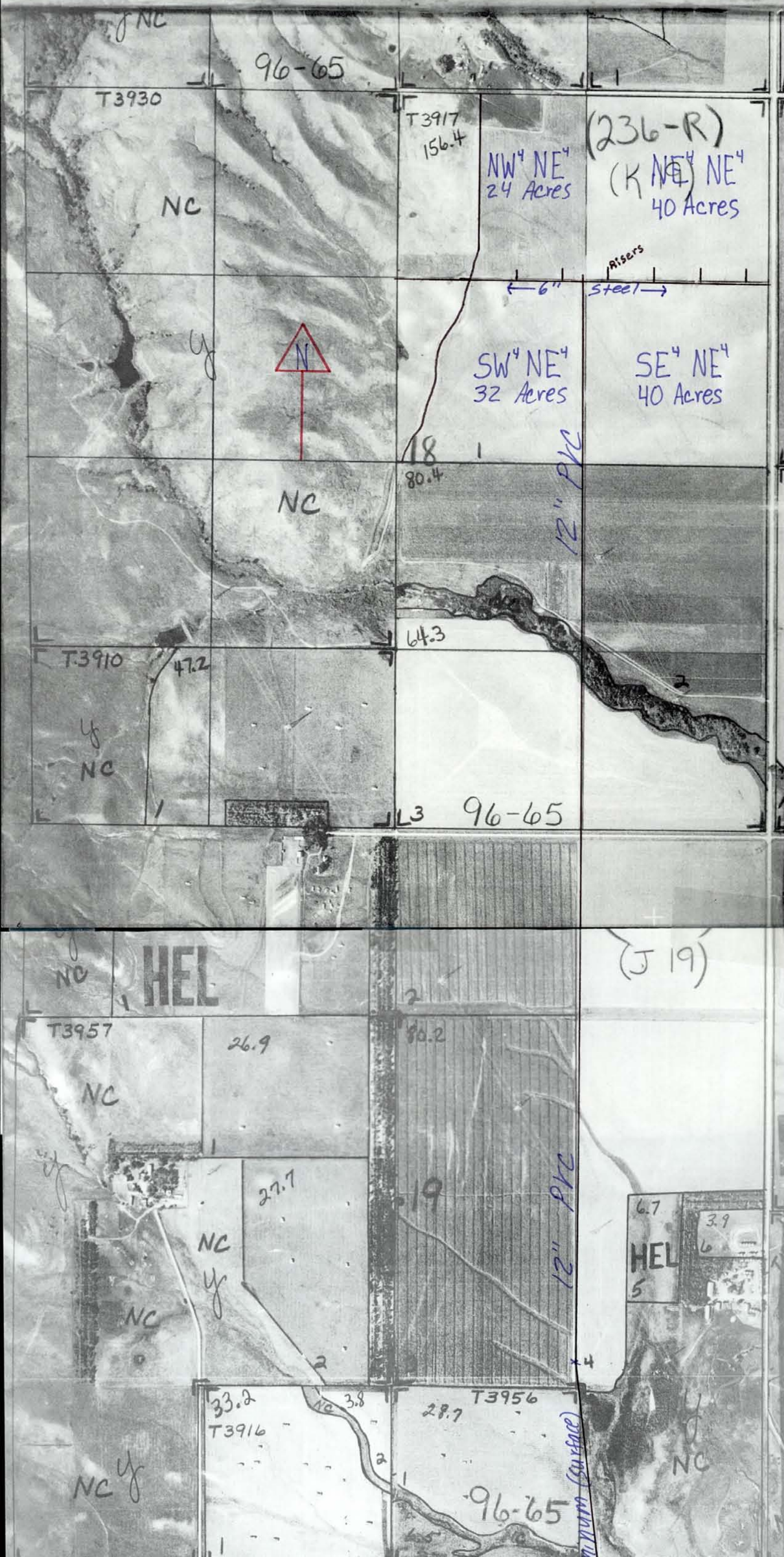
12" Buried
1970

96-65

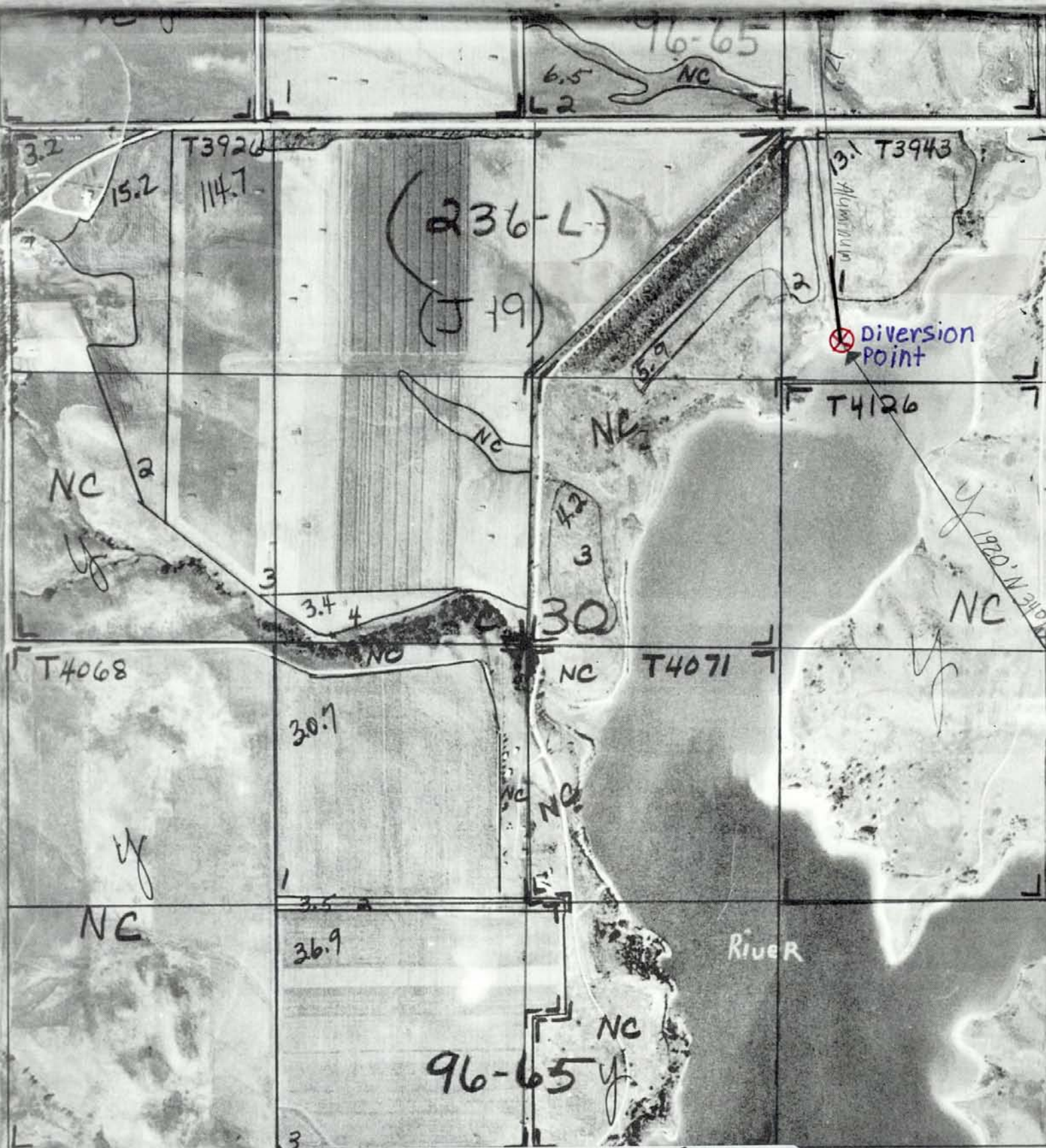
1971 installed

~~Map # 5840-3~~
Appl # 4623-3

NOT TO SCALE



NOT TO SCALE



Barry McLaury *Barry McLaury*
 Natural Resources Analyst
 Division of Water Rights
 Date December 28, 1993

4623-3



**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'd# 5/12/23

No. 4623-3

Date: 5-9-23

I/We request that Water Right No. 4623-3

formerly owned by: Walter Soulek

be transferred to: (name & address) WJ SOULEK FAMILY LAND LLLP

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:

136 acres – NE ¼ Section 18, T96N, R65W

I/We understand that the validity of Water Right No. 4623-3 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 LLLP, the new owner, certify that the above information is true and correct.

38001 295th St
Lake Andes, SD 57356

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>4623-3</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
vm



**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