

WATER PERMIT NO. 6473-3

Name of Applicant: Louis Mokrejs

Address: 37249 290th St, Geddes SD 57342

Phone: 605 337-2227

Amount of Water Claimed: 1.88 cfs

Total Acres: 87

Source of Water Supply: Missouri River

Water to be used for: irrigation

County: Charles Mix

Type of Waste Disposal System:

Location: 5 miles southwest of Platte

PRIORITY Date Received: 3-2-04

Application/License Fee: \$275

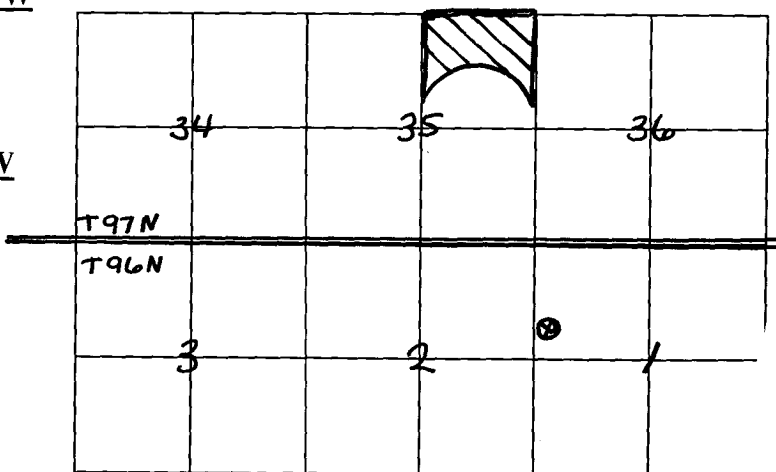
Corrected Application Received: 3-8-04

Period of Annual Use: April 1 – October 31

Remarks: using existing diversion point authorized by Water Right No. 2020-3

Diversion Point: SW ¼ NW ¼ Sec 1-T96N-R67W

Land to be Irrigated: NE ¼ Sec 35-T97N-R67W



Depth of Well: NA

Well Driller:

Remarks:

Type of Map: aerial

Prepared by: Brander Walters, Lake Andes,

NRCS

Reviewed and the Number Assigned on: XX

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6473-3</u>	(office use only) Hydrologic Unit <u>10140101</u>	RECEIVED MAR 02 2004
	Basin <u>Missouri River</u>		
	Newspaper <u>Platte Enterprise, Platte</u>		WATER RIGHTS PROGRAM

RECEIVED
MAR 02 2004
AIR-QUALITY
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

- Name of Applicant Louis Mokrejs Phone 605-337-2227
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 37249 290th Street Geddes State SD 57342
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.88 *CFS or **GPM ***AF Total Acreage 87=90
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Missouri River
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Charles Mix
A point 2020 feet south and 240 feet east of the
northwest corner of section 1-T96N-R67W (SW 1/4 NW 1/4)
- County or counties where water will be used Charles Mix
- Annual period during which water is to be used April 1 to October 31
- List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
Section 35-T97N-R67W			
NE 1/4 NE 1/4	40	SE 1/4 NE 1/4	7
NW 1/4 NE 1/4	33	SE 1/4 NW 1/4	1.2
SW 1/4 NE 1/4	7	NE 1/4 NW 1/4	1.4

8. Give a description of the project. (Attach sheet if more space is needed) Will water most of the acreage with a quarter mile center pivot covering a little more than one half circle. The northeast corner will be furrow irrigated. Will use existing pipe to pump to deliver the water.

STATE OF SOUTH DAKOTA) SS
County of Charles Mix

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

Louis Mokrejs, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Louis Mokrejs

Subscribed and sworn to before me this 1 day of March 20 04

Brenda Khermanek

Notary Public signature Jan 2, 2010

**SOUTH DAKOTA
WATER PERMIT NO. 6473-3**

Date of first receipt of application March 2, 2004.

Date of return to applicant for corrections, amendments or changes March 2, 2004.

Date of receipt of corrected application March 8, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6473-3 to Louis Mokrejs, 37249 290th St, Geddes SD 57342 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 6473-3 appropriates 1.88 cubic feet of water per second from an existing Missouri River diversion point authorized by Water Right No. 2020-3 located in the SW ¼ NW ¼ Section 1-T96N-R67W to irrigate 90 acres located in the NE ¼ and E ½ NW ¼ of Section 35-T97N-R67W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 31.
3. The date from which applicant may claim right is March 2, 2004.
4. The date of approval of Permit No. 6473-3 is April 19, 2004.
5. One-fifth of the construction is to be completed on or before October 19, 2006.
6. All construction is to be completed on or before April 19, 2009.
7. Water is to be put to beneficial use on or before April 19, 2013.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.
2. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 6473-3 authorizes a maximum diversion rate of 1.88 cfs for the irrigation of 90 acres with an annual volume not to exceed 2 acre feet of water per acre per year.

WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

APR 22 2004

date



DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
WATER RIGHTS PROGRAM

April 21, 2004

RE: Change in location of diversion point from the Missouri River for Water Permit No. 6473-3,
Louis Mokrejs

Upon issuance of Water Permit No. 6473-3, it was noted that the permit had been advertised with an error in the location of the diversion point from the Missouri River. SDCL 46-5-13.1 provides that a point of diversion may be changed or additional points of diversion may be approved without application or publication of a notice of hearing if the new point of diversion is from the same source of water, no additional water is appropriated and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

Water Permit No. 6437-3 appropriates 1.88 cubic feet of water per second (cfs) from an existing Missouri diversion point authorized by Water Right No. 2020-2 located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2-T96N-R67W to irrigate 90 acres located in the NE $\frac{1}{4}$ and the E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 35-T97N-R67W.

The correct location of the Missouri River diversion point as identified on the permit application and map is the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1-T96N-R67W.

The Report on Water Permit Application No. 6473-3, Louis Mokrejs dated March 17, 2004, prepared by Stacy Johnson identified the correct diversion point from the Missouri River. Therefore, another review is not required. Allowing this change in location of the Missouri River diversion point will not interfere with any water rights.



Eric Gronlund
Water Rights Engineer

The Chief Engineer makes a finding that this change in location does not increase the potential for interference with existing diversions. In making the finding, "does not increase the potential for interference" is interpreted to mean potential for adverse interference. This point of diversion for Water Permit No. 6473-3 may be changed without requiring application or publication of a notice of hearing pursuant to SDCL 46-2A-4.



Garland Erbele Chief Engineer
Water Rights Program

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 2, 20 04

RECEIVED OF Louis Mokrejs, 37249 290th St, Geddes SD 57342-6644

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

Fee for Application for Permit No. <u>6473-3</u> to Appropriate Water, to construct and to put water to beneficial use	225	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. <u>6473-3</u>	50	00
Fee for Filing Transfer Form _____		
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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	275.00

No. 000000

By Garland Erbe
Chief Engineer 1/ks

Conservation Plan Map

HARVEY ROBINSON, renter

Charles Mix

Date: 02/12/2004

Land owner is Lake Andes
Louis Mokrejs NRCS

Brenda Walter
Soil Conservationist
Lake Andes F.O



Section 35-97-67

Diversion point is a
point 2020 ft. south
and 240 ft. east of
the northwest corner
of section 1 - T96N-R67W

T-1263



2000

0

2000

4000 Feet

6473-3

March 5, 2004

Dear Karen Schlaak,

The correct total acreage to be irrigated is 87 acres.

I am requesting 1.88 cfs (843 gpm) because a quarter mile pivot seems to work best with a Gallonage of 800 to 900 gallons per minute. At 556 gpm (1.24 cfs), evaporation & wind drift would be bigger factors due to smaller nozzles and a smaller application rate.

Harvey Robinson
renter + contact person.
37368 290th Street
Wadley, S. D. 57342

Louis Moksreje
37249 290th Street
Wadley, S. D. 57342



March 2, 2004

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Louis Mokrejs
37249 290th St
Geddes SD 57342

Dear Mr. Mokrejz:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation. In order to complete the application the following is required.

- Enclosed is the map submitted with the application. The map must be signed by whoever prepared it for you. I am assuming it was Harvey Robinson with Lake Andes NRCS.
- Item No. 2 of the application indicates the total acreage to be irrigated is 87 acres. The map indicates 76.5 acres. Which acreage amount is correct?
- Item No. 2 of the application also indicates the amount of water claimed to be 1.88 cubic feet of water per second (cfs). State Statutes limit diversions to 1 cfs for each 70 acres irrigated. This would mean that you are allowed approximately 1.24 cfs for the 87 acres to be irrigated. We understand that in order to accommodate certain methods of irrigation, a greater diversion rate is required. Please justify in writing your request for a diversion rate greater than the statutory limit.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

Water Rights Division - DENR

Conversation or File Documentation

Name of Person: Harvey Robinson (Renter)

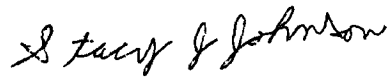
File No. 6473-3

Address: 37368 290th St Geddes SD 57342 **County:** Charles Mix

Date: March 10, 2004 **Telephone:** (605) 337-3769

RE: About Water Permit No. 6473-3

Comments: I told Harvey that the application map shows some acres in the NW ¼ of Section 35 T97N-R67W being irrigated. I asked him if he plans on irrigating the NW ¼, and NE ¼ of Section 35 or just the NE ¼ of Section 35. He told me that he will be irrigating in the NW ¼, and NE ¼ of Section 35 T97N-R67W. I told him that we will take care of this change to the application for him.



Stacy J. Johnson
Natural Resources Project Engineer

Water Rights Division - DENR

Conversation or File Documentation

Name of Person: Harvey Robinson (Renter)

File No. 6473-3

Address: 37368 290th St Geddes SD 57342 **County:** Charles Mix

Date: March 10, 2004 **Telephone:** (605) 337-3769

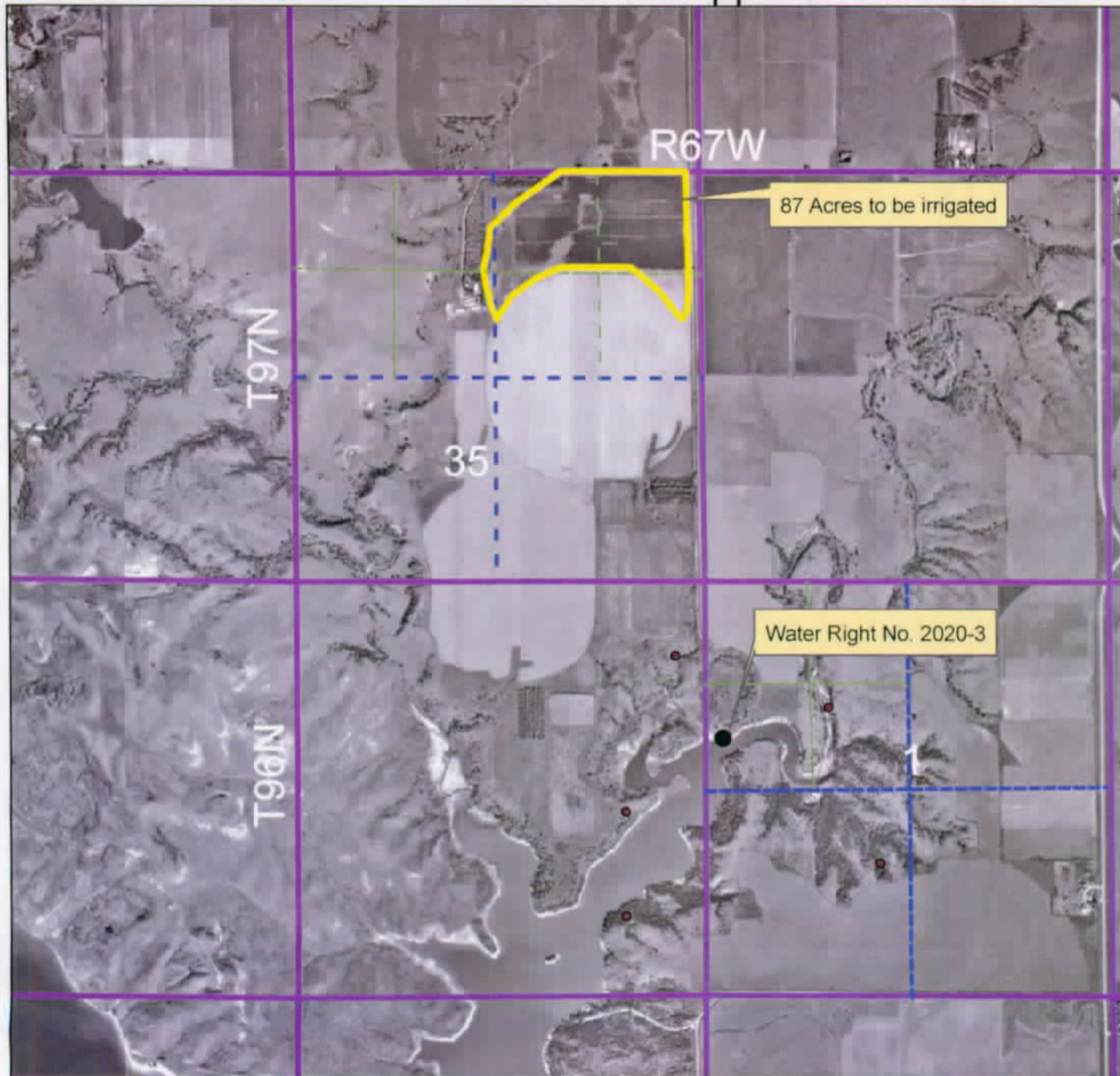
RE: About Water Permit No. 6473-3

Comments: I asked Harvey if Louis Mokrejs (Owner) plans on irrigating this permit and Water Right No. 2020-3 at the same time. He told me not at this time. I asked him if the map submitted with this map had the correct irrigated acres on it. The map shows irrigation where a row of trees exist. He told me that some the trees will be pulled before he starts to irrigate in this area.



Stacy J. Johnson
Natural Resources Project Engineer

Water Permit Application No. 6473-3



Legend

-  Charles Mix Sections
-  Water Permits/Rights

Stacy J. Johnson

Stacy J. Johnson
Natural Resources Project Engineer
SD DENR Water Right Program
Date 3-12-04

REPORT ON WATER PERMIT APPLICATION NO. 6473-3

Louis Mokrejs

March 17, 2004

Application No. 6473-3, proposes to appropriate 1.88 cubic feet of water per second (cfs) from an existing water right Missouri River diversion point (authorized by Water Right No. 2020-3) located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1 T96N-R67W. This water will be used to irrigate 87 acres located in the NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 35 T97N-R67W.

The proposed project is located approximately 6.5 miles southwest of Geddes in Charles Mix County.

Water Source – Missouri River

The source of water is the Missouri River. The Missouri River is known to have ample supplies of unappropriated water available. The applicant is requesting a diversion rate greater than 1 cfs per 70 acres. South Dakota Codified Law (SDCL) 46-5-6.1 allows water to be taken at a rate greater than 1 cfs per 70 acres specifically from the Missouri River for irrigation.

Louis Mokrejs is the owner of the land in this application. The land is leased by Harvey Robinson. Mr. Robinson sent the Water Rights program a letter stating a quarter mile center pivot seems to work best operating at 800 to 900 gallons per minute (gpm).

Review of Proposed Project and Existing Water Rights

Water will be diverted from the Missouri River by using an existing diversion point authorized by Water Right No. 2020-3. Most of the land will be irrigated using a quarter mile center pivot. Lands not covered by the center point in the northeast corner will be furrow irrigated. Existing pipe will be used to deliver the water.

The applicant holds Water Right No. 2020-3 which authorizes the diversion of 3.53 cfs from the Missouri River to irrigate 247 acres of lands.

There are five water rights/permits within a one mile radius of the project. These water rights/permits appropriate 12.69 cfs of water from the Missouri River for irrigation purposes. Because there is ample water in the Missouri River, Application No. 6473-3 is unlikely to cause adverse effects to downstream water rights/permits. There has been no water use complaints reported on the Missouri River.

Conclusions

1. Application No. 6473-3, proposes to divert 1.88 cfs from the Missouri River to be used to irrigate 87 acres.
2. The source of water is the Missouri River. Because there is ample water in the Missouri River, Application No. 6473-3 is unlikely to cause adverse effects to downstream water rights/permits.

3. The applicant is requesting a diversion rate greater than 1 cfs per 70 acres. South Dakota Codified Law 46-5-6.1 allows water to be taken at a rate greater than 1 cfs per 70 acres specifically from the Missouri River for irrigation.



Stacy J. Johnson

Natural Resources Project Engineer

Reviewed by:



Lynn Beck

Natural Resources Engineering Specialist

Reference

Water Rights Program files 2004, DENR-Water Rights Program, Joe Foss Building, 523 East Capitol, Pierre, SD 57501.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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www.state.sd.us/denr

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6473-3, Louis Mokrejs**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6473-3, Louis Mokrejs, 37249 290th Street, Geddes SD 57342.

The Chief Engineer is recommending APPROVAL of Application No. 6473-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.
2. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 6473-3 authorizes a maximum diversion rate of 1.88 cfs for the irrigation of 90 acres with an annual volume not to exceed 2 acre feet of water per acre per year.

See report on application for additional information.

Garland Erbele, Chief Engineer
March 25, 2004



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 25, 2004

Platte Enterprise
PO Box 546
Platte SD 57369-0546

ATTENTION: Legal Public Notice

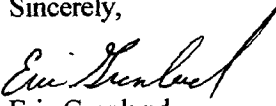
Enclosed is a Notice of Hearing on Application No. 6473-3 to Appropriate Water to be published twice. Please publish the first notice on April 1, 2004 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Louis Mokrejs, 37249 290th St., Geddes SD (Ph # 605-337-2227).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

No. 6473-3

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of March 25, 2004 enclosing Notice of Hearing to Appropriate Water by Application No. 6473-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

www.state.sd.us/denr

**NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.**

March 25, 2004

Louis Mokrejs
37249 290th St
Geddes SD 57342

Dear Mr. Mokrejs:

Water Permit Application No. 6473-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Platte Enterprise printed at Platte, SD (Ph # 605-337-3101). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

c: Harvey Robinson, Renter, 37368 290th St., Geddes SD

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

Instruction to Newspaper - Publish first Notice on April 1, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6473-3 to Appropriate Water

Notice is given that Louis Mokrejs, 37249 290th St, Geddes SD 57342 has filed an application for a water permit to appropriate 1.88 cubic feet of water per second from an existing Missouri River diversion point authorized by Water Right No. 2020-3 located in the SW ¼ NW ¼ Section 2-T96N-R67W to irrigate 90 acres located in the NE ¼ and E ½ NW ¼ of Section 35-T97N-R67W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6473-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April 19, 2004.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Charles Mix) SS

I, Sharon Huizinga

certify that the attached printed Notice was taken

from the The Platte
Enterprise

printed and published in Platte

County of Charles Mix and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

April 1, 2004

April 8, 2004

Cost of Printing \$ 36.11

Sharon Huizinga
 (Signature)

Owner/Publisher
 (Title)

4-14-04
 (Date Signed)

**The Platte Enterprise, Platte, C.
 Page Four**

NOTICE OF APPLICATION

NO. 6473-3 to Appropriate Water

Notice is given that Louis Mokrejs, 37249 290th St., Geddes, SD 57342 has filed an application for a water permit to appropriate 1.88 cubic feet of water per second from an existing Missouri River diversion point authorized by Water Right No. 2020-3 located in the SW1/4 NW1/4 Section 2-T96N-R67W to irrigate 90 acres located in the NE1/4 and E1/2NW1/4 of Section 35-T97N-R67W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6473-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April 19, 2004.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application.

Steven M. Pimer,
 Secretary, Department of
 Environment and Natural Resources
 (April 1, 8)

RECEIVED

APR 15 2004

WATER RIGHTS
 PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

APR 22 2004

Louis Mokrejs
37249 290th St
Geddes SD 57342

Dear Mr. Mokrejs:

Enclosed is Water Permit No. 6473-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

cc: Harvey Robinson



6473-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2006

NOTICE

TO: LOUIS MOKREJS, 37249 290TH ST, GEDDES, SD 57342

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaires

Our records indicate that the 2005 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 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) 2020-3 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) 6473-3 qualification:

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

The hearing will be held at 10:30 am, March 2, 2006 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) 6473-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2020-3 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 on/or before **February 24, 2006**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 27, 2006

2020-3
6473-3

Louis Mokrejs
37249 290th St
Geddes SD 57342

Dear Mr. Mokrejs:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right No. 2020-3 and Water Permit No. 6473-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

6473-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 7, 2012

2020-3
6473-3

Harvey Robinson
37368 290th St
Geddes SD 57342 6645

Dear Mr. Robinson:

I am writing in follow-up to our December 6th phone conversation.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing ownership changes with Water Right No. 2020-3 and 6473-3. Upon completion, please sign and return the forms to our office with a required filing fee of \$50.00 each (total of \$100). The check or money order for the fee can be made payable to the Water Rights Program.

You had also inquired about getting authorization to irrigate some additional acreage. I have enclosed water permit application forms to be used for that purpose. I included a copy of your Water Right No. 1885-3 to give you an idea of what is already covered.

During our discussion you mentioned approximately 10 acres of the land you would like to put a pivot on would receive water during the pivot rotation but are not actually irrigable acres. Although a crop would not be harvested from those acres, they would need to be included on the application. The fee structure for new applications is such that acres from 121-180 would be the same cost.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

RECEIVED

DEC 19 2012

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 6473-3

Date: 12-18-2012

I/We request that Water Permit No. 6473-3

formerly owned by: Louis Mokrejs

be transferred to: (name & address) Harvey Robinson + Lee Robinson,
37368 290th Street, Geddes, S.D. 57342

Telephone No. 605-337-3769

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

90 acres – NE ¼ and E ½ NW ¼ Section 35, T97N, R67W

I/We understand that the validity of Water Permit No. 6473-3 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 Lee Robinson
Harvey Robinson, the new owner, certify that the above information is true and correct.

Lee Robinson
Harvey Robinson
(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 12/19, 20 12

RECEIVED OF Harvey Robinson 37368 290th St Geddes SD 57342

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>6473-3</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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **05785**

By


Chief Engineer

6473-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 20, 2012

2020-3
6473-3

Harvey Robinson
37368 290th St
Geddes SD 57342 6645

Dear Mr. Robinson:

I am writing to acknowledge receipt of the ownership changes filed for Water Right No. 2020-3 and Water Permit No. 6473-3.

The ownership changes have been completed. Nos. 2020-3 and 6473-3 formerly held by Louis Mokrejs are now listed in the names of "Harvey Robinson and Lee Robinson".

Enclosed for your records are your Receipt Nos. 05784 and 05785 in the amount of \$50.00 each. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath".

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

enclosures



1885-3
2020-3
6473-3
7974-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2026

NOTICE

TO: HARVEY & LEE ROBINSON, 37368 290TH ST, GEDDES, SD 57342 6645

FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaires

Our records indicate your 2025 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 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) 1885-3 & 2020-3 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) 6473-3 & 7974-3 qualification:

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

The hearing will be held on **Wednesday, March 4, 2026 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) 6473-3 & 7974-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1885-3 & 2020-3 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 4, 2026** 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 Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: SWTBHW**

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

February 9, 2026

Harvey & Lee Robinson
37368 290th St
Geddes, SD 57342

7974-3
6473-3
2020-3
1885-3

To whom it may concern,

I am writing to acknowledge receipt of your 2025 irrigation questionnaire(s).

You may disregard the January 20, 2026, "Notice" concerning irrigation reporting requirements for your water permit/right(s). The information was received in our office prior to the Water Management Board meeting, and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Shannon Konst
Water Rights Program
605 773-8204
Shannon.konst@state.sd.us