

WATER PERMIT NO. 7337-3

Name of Applicant: **Dave Dvoracek**

Address: **42004 310 St, Springfield SD 57062** Phone: **605 589-3629**

Amount of Water Claimed: **2.28 cfs** Total Acres: **160**

Source of Water Supply: **Missouri River**

Water to be used for: **irrigation** County: **Bon Homme**

Type of Waste Disposal System:

Location: **5 miles northeast of Springfield**

PRIORITY Date Received: **3-21-12** Application/License Fee: **\$ 1050.00**

Corrected Application Received: Period of Annual Use: **May 1 – October 31**

Remarks:

Diversion Point: **NW ¼ SE ¼ Sec 13-T93N-R59W**

Land to be Irrigated: **NW ¼ Sec 12-T93N-R59W**

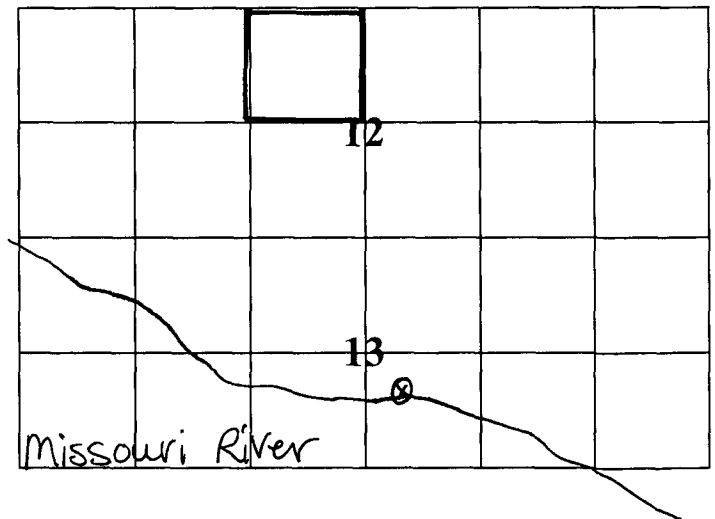
Depth of Well: **NA**

Well Driller:

Remarks:

Type of Map: **aerial**

Prepared by: **Mark Rohlbing, NRCS**



Reviewed and the Number Assigned on: **3-21-12**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

FORM 2: Application for irrigation in South Dakota

(type or print)

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>7337-3</u> (office use only) Hydrologic Unit <u>101 70101</u>
	Basin <u>Missouri River</u>
	Newspaper <u>Tyndall Tribune & Register</u>
	<u>605-589-3242</u> <u>PO Box 520 - 57066</u>

RECEIVED

MAR 21 2012

WATER RIGHTS
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.)

Cell 661-5866Phone 605-589-36291. Name of Applicant Dave Dvoracek(check one) ☒ Owner ☐ Tenant/lesseeMailing Address 42004 310 st Springfield SD 57062
(Address) (City) (State) (Zip Code)2. Amount of water claimed 2.28 *CFS or **GPM ***AF Total Acreage 160
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)3. Source of water supply Missouri River4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Bon Homme
permit #2430-3 & permit # 2369-3 - NE 1/4 SE 1/4 Sec 13 T93N R59W5. County or counties where water will be used Bon Homme6. Annual period during which water is to be used May to October 317. 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
NW1/4 section 12-93-59	160		

8. Give a description of the project. (Attach sheet if more space is needed)

Irrigate additional land from permits 2430-3 & 2369-3 using the existing pipelines and pumps at this time.

STATE OF SOUTH DAKOTA)

County of Bon Homme)

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

I, Dave Dvoracek, 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 Dave DvoracekSubscribed and sworn to before me this 12th day of March 20 12Notary Public signature [Signature] 4-31-2013

**SOUTH DAKOTA
WATER PERMIT NO. 7337-3**

Date of first receipt of application March 21, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7337-3 to Dave Dvoracek, 42004 310th St, Springfield SD 57062 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. 7337-3 appropriates 2.28 cubic feet of water per second from the Missouri River (utilizing existing diversion works authorized by Water Right Nos. 2430-3 and 2369-3) located in the NW ¼ SE ¼ Section 13 for irrigation of 160 acres located in the NW ¼ Section 12; all in T93N-R59W.
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: May 1 – October 31.
3. The date from which applicant may claim right is March 21, 2012.
4. The date of approval of Permit No. 7337-3 is May 29, 2012.
5. One-fifth of the construction is to be completed on or before November 29, 2014.
6. All construction is to be completed on or before May 29, 2017.
7. Water is to be put to beneficial use on or before May 29, 2021.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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

WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 28 2012

date





United States Department of Agriculture
Farm Service Agency



January 11, 2011

PLSS: 13_93N_59W
Farm: 3695

Bon Homme County, SD

1:7,627

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

Wetland Determination Identifiers

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation Compliance Provisions

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MAR 21 2012

WATER RIGHTS PROGRAM

Common Land Units

Non Cropland

2010 Ortho-Photography - Not to Scale

Maule Kahlbing
NRCS - District Conservationist



United States Department of Agriculture
Farm Service Agency

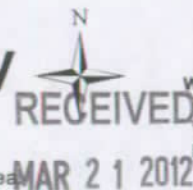
November 23, 2011

PLSS: 12_93N_59W

Farm: 5819

Bon Homme County

1:8,041



Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

WATER RIGHTS
PROGRAM

Common Land Units

Non Cropland

2010 Ortho-Photography - Not to Scale

Mark Rohlfing

NRCS - District Conservationist

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/22, 20 12

RECEIVED OF Dave Dvoracek 42004 310th St Springfield SD 57062

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

Fee for Application for Permit No. <u>7337-3</u> to Appropriate Water, to construct and to put water to beneficial use	850	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>7337-3</u>	200	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	1050 00

No. 05385

By *David Erskine*
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7337-3, Dave Dvoracek**

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. 7337-3, Dave Dvoracek, 42004 310th Street, Springfield SD 57062.

The Chief Engineer is recommending APPROVAL of Application No. 7337-3 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 qualification:

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

See report on application for additional information.

Garland Erbele, Chief Engineer
May 3, 2012

REPORT ON WATER PERMIT APPLICATION NO. 7337-3

Dave Dvoracek

April 23, 2012

Application No. 7337-3 proposes to appropriate 2.28 cubic feet of water per second from the Missouri River (utilizing existing diversion works authorized by Water Right Nos. 2430-3 and 2369-3) located in the NW ¼ SE ¼ Section 13 for irrigation of 160 acres located in the NW ¼ Section 12; all in T93N-R59W. The project is located approximately 7 miles east of Springfield SD in Bon Homme County.

Review of the Water Source

The water source for this application is the Missouri River impounded on Lewis and Clark Lake behind Gavins Point Dam. The U.S. Army Corps of Engineers (USACE) constructed Gavins Point Dam in the early 1950's as part of a six reservoir Pick-Sloan project for the Missouri River. The six project dams; Ft Peck, Garrison, Oahe, Big Bend, Ft Randall and Gavins Point; are operated as a system providing storage and water releases for the Congressionally authorized purposes of which irrigation is included. Specifically Lewis and Clark Reservoir impounds approximately 0.45 million acre-feet of water (MAF). Water availability is not a concern when using the natural flows of the Missouri River as a source.

Review of the Proposed Project and Existing Water Rights

The applicant is proposing to utilize an existing pump site currently authorized by Water Right Nos. 2430-3 and 2369-3. Irrigation authorized by these water rights has been continuously reported since those projects were developed.

There are 262 existing water rights/permits appropriating water from the natural flows of the Missouri River in South Dakota with a total authorized appropriation of 1270.46 cfs. Since water availability is not an issue, approval of this permit would not adversely affect these existing water rights.

Conclusions

1. This application proposes to appropriate 2.28 cfs for from an existing Missouri River diversion point for irrigation of 160 acres.
2. The water for the project would be from the natural flows of the Missouri River and water availability is not a concern.
3. The project would utilize an existing pump site currently authorized by Water Right Nos. 2430-3 and 2369-3.



Mark D. Rath

Natural Resources Engineer III

RECEIVED

Affidavit of Publication MAY 17 2012

WATER RIGHTS PROGRAM

State of South Dakota }
County of Bon Homme } SS

Rebecca Tycz.....Being first duly sworn
says that the **Tyndall Tribune & Register** is a legal
weekly newspaper for publication of legal and other offi-
cial notices as required by Chapter 298 of the Session
Laws of South Dakota, 1939; that it has bona fide paid
circulation of more than two hundred copies weekly;
that it is published in English language in the City of
Tyndall, Bon Homme County, South Dakota, and has
been admitted to the United States mail under second
class mailing privilege for more than one year prior to
the first publication of the notice herein mentioned, and
that it is printed in an office maintained at the place of
publication at Tyndall, South Dakota, and that dep-
onent is the publisher in charge of the advertising depart-
ment of said newspaper; that the advertisement headed

Notice of Application #7337-3
65 c 37.22807 X1

a printed copy of which is hereto attached, was printed
and published in said newspaper for two successive
weeks, upon the following dates:

May 9.....2012.....20.....
May 16.....2012.....20.....
.....20.....20.....
.....20.....20.....

That the full amount of the fee charged for the publica-
tion of said notice, \$43.52, inures to the benefit
of the publisher of said newspaper, that no agreement or
understanding for the division thereof has been made
with any other person, and that no part has been agreed
to be paid to any person whomsoever.

Rebecca Tycz
Subscribed and sworn to before me this
16th day of May 2012.
Legg Schelske
Notary Public, South Dakota

My commission expires: Oct 24, 2015

NOTICE OF APPLICATION

NO. 7337-3 to Appropriate Water

Notice is given that Dave Dvoracek,
42004 310th Street, Springfield, SD 57062
has filed an application for a water permit
to appropriate 2.28 cubic feet of water per
second from the Missouri River (utiliz-
ing existing diversion works authorized
by Water Right Nos. 2430-3 and 2369-3)
located in the NW1/4 SE1/4 Section 13
for irrigation of 160 acres in the NW1/4
Section 12; all in T93N-R59W.

Pursuant to SDCL 46-2A-2, the Chief
Engineer recommends APPROVAL of
Application No. 7337-3 because 1) unap-
propriated 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 this application, as recom-
mended, unless a petition is filed oppos-
ing the application or the applicant files
a petition contesting the Chief Engineer's
recommendation. If a petition opposing
the application or contesting the recom-
mendation is filed, then a hearing will be
scheduled and the Water Management
Board will consider this application. No-
tice of the hearing will be given to the ap-
plicant and any person filing a petition.

Any person interested in opposing or
supporting this application or recom-
mendation must file a written petition
with BOTH the applicant and Chief En-
gineer. The applicant must file a petition
if contesting the Chief Engineer's recom-
mendation. 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 ad-
dress is given above. A petition filed by
either an interested person or the appli-
cant must be filed by May 29, 2012.

The petition may be informal, but must
include a statement describing the peti-
tioner's interest in the application, the pe-
titioner's reasons for opposing or support-
ing 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

Published twice at an approximate
cost of \$43.52

(May 9 & 16)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 3, 2012

Tyndall Tribune & Register
PO Box 520
Tyndall SD 57066

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7337-3 to Appropriate Water to be published twice. Please publish the first notice on May 9, 2012 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 Dave Dvoracek, 42004 310th St., Springfield SD 57062 (Ph # 605-589-3629).

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. 7337-3

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

Date _____

We are in receipt of your letter of May 3, 2012 enclosing Notice to Appropriate Water by Application No. 7337-3 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
denr.sd.gov

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

May 3, 2012

Dave Dvoracek
42004 310th St
Springfield SD 57062

Dear Mr. Dvoracek:

Water Permit Application No. 7337-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Tyndall Tribune & Register printed at Tyndall SD (Ph # 605-589-3242). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications 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 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. 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 applications.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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 May 9, 2012 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 7337-3 to Appropriate Water

Notice is given that Dave Dvoracek, 42004 310th St, Springfield SD 57062 has filed an application for a water permit to appropriate 2.28 cubic feet of water per second from the Missouri River (utilizing existing diversion works authorized by Water Right Nos. 2430-3 and 2369-3) located in the NW ¼ SE ¼ Section 13 for irrigation of 160 acres located in the NW ¼ Section 12; all in T93N-R59W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7337-3 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 this 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 this 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 May 29, 2012

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.

Published twice at the total approximate cost of _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 28 2012

Dave Dvoracek
42004 310th St
Springfield S 57062

Dear Mr. Dvoracek:

Enclosed is Water Permit No. 7337-3 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

RECEIVED

SEP 27 2012

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 9/7/2012TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181FROM: Dave Dvoracek
(name)
42009 310 St
(address)
Springfield SD 57062 605-589-3629
(city, state, zip) (phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

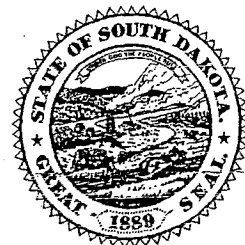
Water Permit No. 7337-3 states that the water use system is to be constructed by 5/29/2017, and water is to be put to beneficial use by 5/29/2021.
(date) (date)

The water use system was completed on 5/1/2012.
(date)

Applying the water to beneficial use was completed on 6/1/2012.
(date)

You may schedule an investigation so that the water license may be issued.

Dave Dvoracek
(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

September 28, 2012

7337-3

Dave Dvoracek
42004 310th St
Springfield SD 57062

Dear Mr. Dvoracek:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with your irrigation system as authorized under Water Permit No. 7337-3.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. 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

**Report of Examination of Works and/or Application of Water to Beneficial Use
For Permit No. 7337-3**

I have this day, April 29, 2020, made a thorough examination of the water use system constructed by Dave Dvoracek, 42004 310 St, Springfield, SD 57062, holder of Permit No. 7337-3, bearing the priority of March 21, 2012 authorizing the diversion of 2.28 cu. ft. per second of the waters of surface water (Missouri River) for the irrigation of 160 acres located in Bon Homme County.

Inspection contact: Dave Dvoracek

A. Works used to divert the water:

Water Source Information:

The system utilizes the existing diversion works authorized by Water Right Nos. 2430-3 and 2369-3.

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

- 1) Type PVC 2) Size 8 inches 3) Length 1,430 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make: Valley
2) Overall length: 1,272 feet
3) Number of towers: 7
4) End gun: Yes
5) Capacity: 650 GPM

Chemigation Equipment:

- 1) Does chemigate: Yes
2) Main line check valve: Yes
3) Inspection port/air relief: Yes
4) Low pressure drain: Yes
5) Discharge is 20' from source: Needs Hose
6) Interlock type: Electrical
7) Injection pump: Positive Displacement
8) Injection check valve: Yes

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes
2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes
3) Exceptions to compliance are: None

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows:
The Missouri River intake location is 3,940 feet south and 1,530 feet west from the northeast corner of Section 13-T93N-R59W (Latitude 42.868506, Longitude -97.759122, NW1/4 of the SE1/4).

2. The works are capable of diverting and conveying to the place of use 1.45 cu. ft. per second of water which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as
3. follows: All in Section 12-T93N-R59W:

<u>NW1/4NW1/4</u>	<u>32 acres</u>
<u>NE1/4NW1/4</u>	<u>31 acres</u>
<u>SW1/4NW1/4</u>	<u>33 acres</u>
<u>SE1/4NW1/4</u>	<u>32 acres</u>

comprising a total of 128 acres of land and the license should be issued for 1.45 cfs.

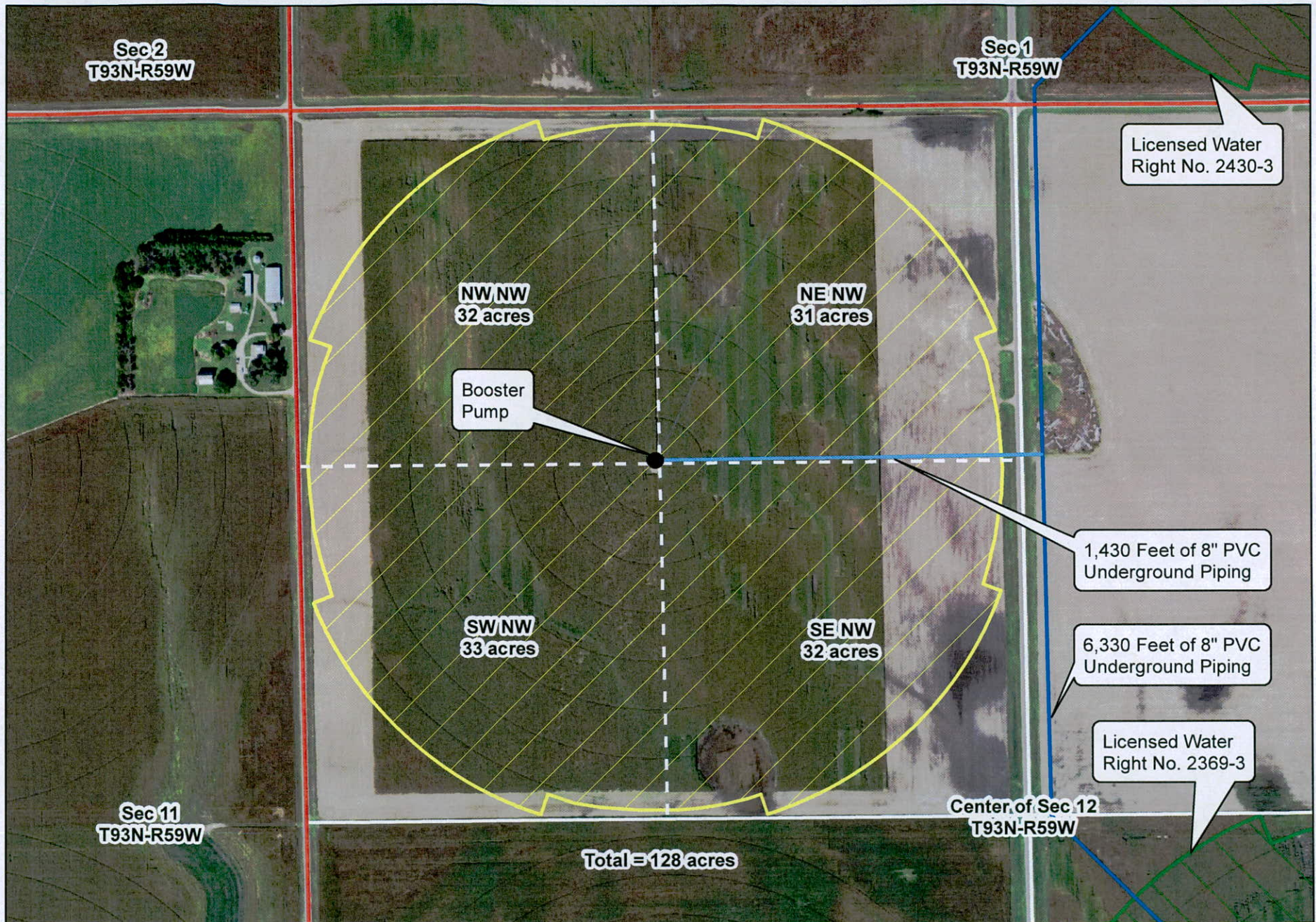
4. All structures, wells and lands on map Yes

F. Comments or other permit(s) associated with the project: This water right utilizes existing diversion works authorized by Water Right Nos. 2430-3 and 2369-3. These water rights are each licensed for 1.89 cfs. The new pipeline associated with Water Right No. 7337-3 connects to the existing piping from the other two licensed water rights with 1,430 feet of 8 inch PVC underground pipe and a ten horsepower booster pump. All three pivots associated with these three water permits can be operated simultaneously.

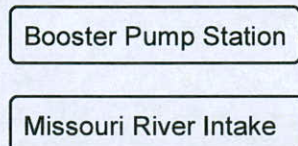
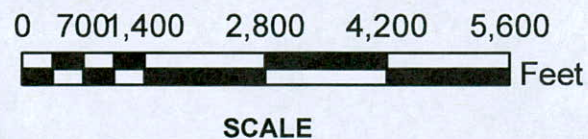
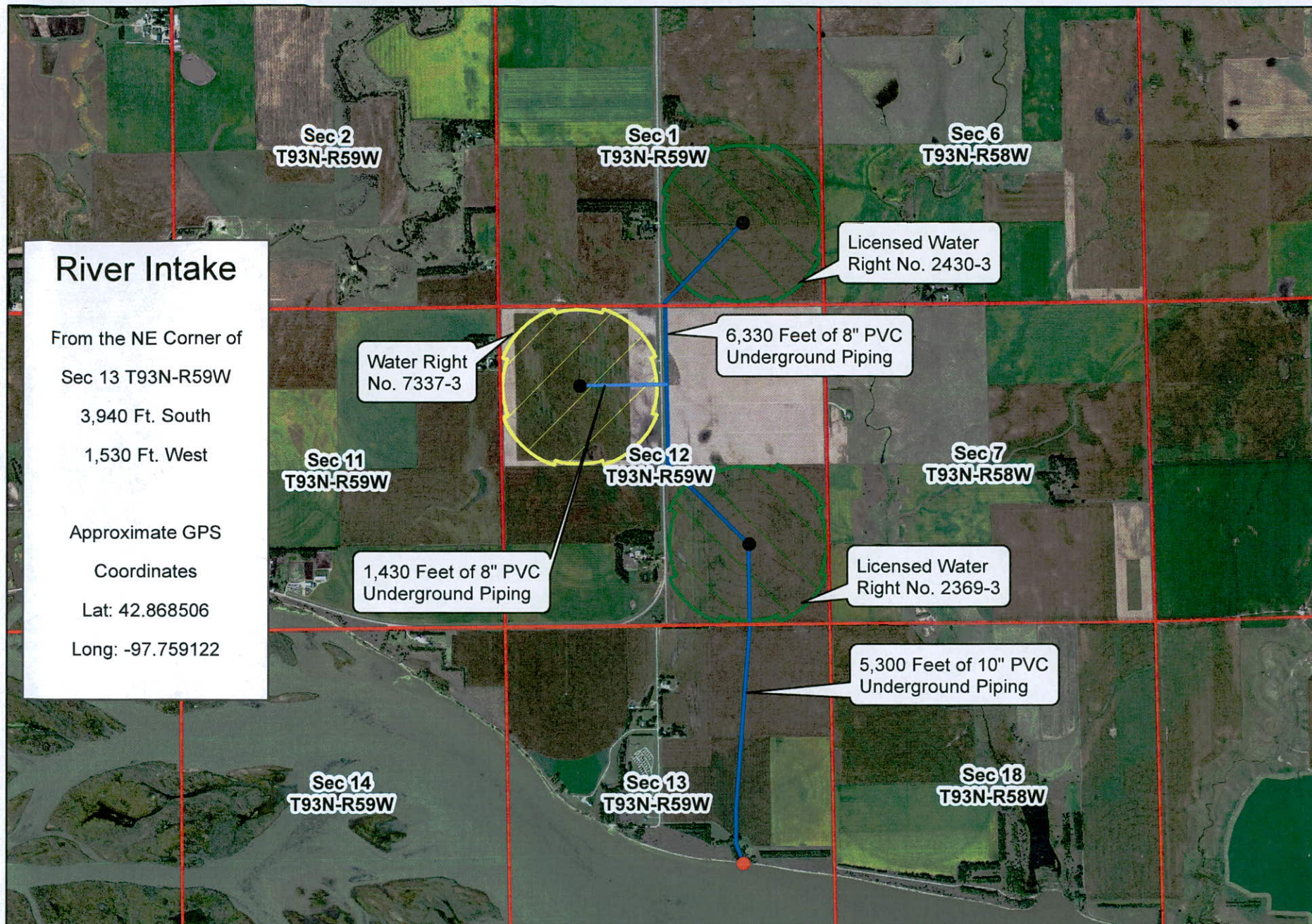
Keith DeJong

Keith DeJong
Water Rights Inspector
DENR, Water Rights Program

Date report completed: April 30, 2020



Keith DeJong
Keith DeJong, PE
Staff Engineer
April 30, 2020



Keith DeJong

Keith DeJong, PE
Staff Engineer
April 30, 2020



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 15 2020

7337-3

Dave Dvoracek
42004 310th St
Springfield SD 57062

Dear Mr. Dvoracek:

Enclosed is Water License No. 7337-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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.

Sincerely,


Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7337-3**

(1) Dave Dvoracek, 42004 310th St., Springfield SD 57062 made Application No. 7337-3, March 21, 2012 for a water permit to divert 2.28 cubic feet of water per second from the Missouri River, Bon Homme County, South Dakota for irrigation purposes. Permit No. 7337-3, with a priority date of March 21, 2012 was approved May 29, 2012 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 29, 2017 and for the application to beneficial use of water on or before May 29, 2021.¹

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 1.45 cubic feet of water per second for beneficial use. The diversion point is located as follows:

- 3,940'S and 1,530'W of the NE corner of Section 13, T93N, R59W (NW ¼ SE ¼)
Latitude 42.868506, Longitude -97.759122

The above Missouri River diversion point is also used to pump water to irrigation systems authorized under Water Right Nos. 2430-3 and 2369-3. The three pivots associated with these water rights can be operated simultaneously.

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

T93N, R59W Section 12	NW ¼ NW ¼	32 acres
	NE ¼ NW ¼	31 acres
	SW ¼ NW ¼	33 acres
	SE ¼ NW ¼	32 acres
Total		128 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Dave Dvoracek, 42004 310th St., Springfield SD 57062 the holder and/or owner of Water Right No. 7337-3 is issued a license to appropriate water, the right to use 1.45 cubic feet of water per second from the Missouri River with a priority date of March 21, 2012 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7337-3 and subject to the following qualification:

- This water right is subject to the irrigation water use questionnaire being submitted each year.

Eric Gronlund

Eric Gronlund, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 15 2020

date

