

WATER PERMIT NO. 7974-3

Name of Applicant: Harvey or Lee Robinson

Address: 37368 290th St, Geddes SD 57342 Phone: 605 682-9966

Amount of Water Claimed: 0.89 cfs Total Acres: 44

Source of Water Supply: Missouri River

Water to be used for: irrigation County: Charles Mix

Type of Waste Disposal System:

Location: 4 miles south of Geddes

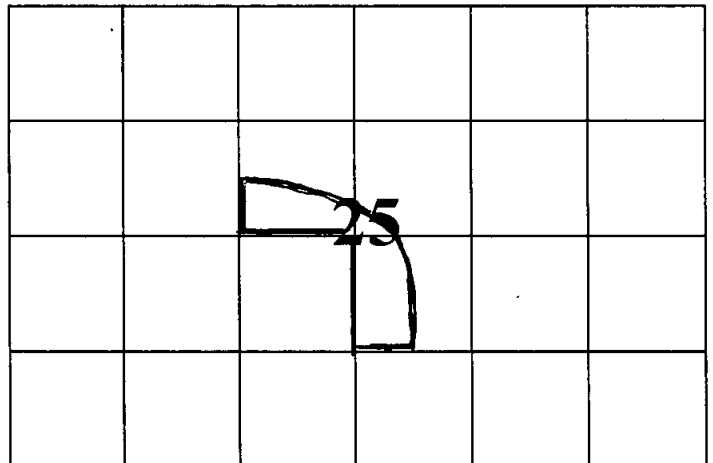
PRIORITY Date Received: 2-21-14 Application/License Fee: \$ 700

Corrected Application Received: Period of Annual Use: April 1 – September 30

Remarks: Additional acres and diversion rate to Water Right No. 1885-3

Diversion Point: SW 1/4 NW 1/4 Sec 1-T96N-
R67W

Land to be Irrigated: NW 1/4 SE 1/4, SW 1/4 NE
1/4, SE 1/4 NW 1/4 Sec 25-T97N-R67W



Depth of Well: NA

Well Driller:

Remarks:

Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 2-25-14

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

RECEIVED

FEB 21 2014

WATER RIGHTS
PROGRAM

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>7974-3</u>	(office use only) Hydrologic Unit <u>10140101</u>
	Basin <u>Missouri River</u>	<u>605-337-2571</u>
	Newspaper <u>Chas. Mix News Box 257 Geddes 57342</u>	<u>605-996-5514</u>
	<u>Daily Republic Box 1288 Mitchell 57301</u>	

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.)

1. Name to Appear on Irrigation Permit Harvey Robinson OR Lec Robinson
(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent _____
(name and complete address if different than above name)
- Mailing Address 37368 290th Street Geddes SD 57342
(Address) (City) (State) (Zip Code)
- Home Phone 337-3769 Cell 682-9966 Email h/robinson@midstatesd.net
2. Amount of water claimed 0.89*CFS or 400**GPM ***AF Total Acreage 44
(*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 River, Ft. Randall Reservoir
4. Location of point of diversion 2020'S and 250'E of the NW corner of
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
section 1, T96N, R67W (SW1/4 NW1/4) County Charles Mix
5. County or counties where water will be used Charles Mix
6. Annual period during which water is to be used April 1 through September 30
7. 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
NW 1/4 of SE 1/4	20		
SW 1/4 of NE 1/4	6		
SE 1/4 of NW 1/4	18		
all in Sec 25-T97N-R67W			

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

I, Harvey Robinson, the applicant, certify that I have read this application, have examined the attached map, and that the matters stated are true.

**SOUTH DAKOTA
WATER PERMIT NO. 7974-3**

Date of first receipt of application February 21, 2014.

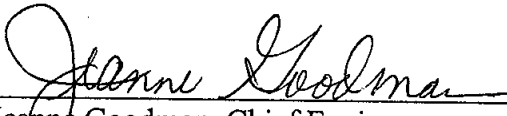
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7974-3 to Harvey or Lee Robinson, 37368 290th St, Geddes SD 57342 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 7974-3 appropriates an additional 0.89 cubic feet of water per second (cfs) and to irrigate 44 additional acres to what is currently authorized by Water Right No. 1885-3. Water Right No. 1885-3 authorizes 3.56 cfs from the Missouri River located in the SW 1/4 NW 1/4 Section 1-T96N-R67W to irrigate 307 acres in the W 1/2, SE 1/4 Section 25-T97N-R67W. This permit appropriates an additional 0.89 cfs from the existing Missouri River diversion point to irrigate 44 new acres located in the NW 1/4 SE 1/4, SW 1/4 NE 1/4, SE 1/4 NW 1/4 Section 25-T97N-R67W. This permit and Water Right No. 1885-3 will authorize a total diversion rate of 4.45 cfs for irrigation of 351 acres.
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 – September 30.
3. The date from which applicant may claim right is February 21, 2014.
4. The date of approval of Permit No. 7974-3 is May 5, 2014.
5. One-fifth of the construction is to be completed on or before November 5, 2016.
6. All construction is to be completed on or before May 5, 2019.
7. Water is to be put to beneficial use on or before May 5, 2023.
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.

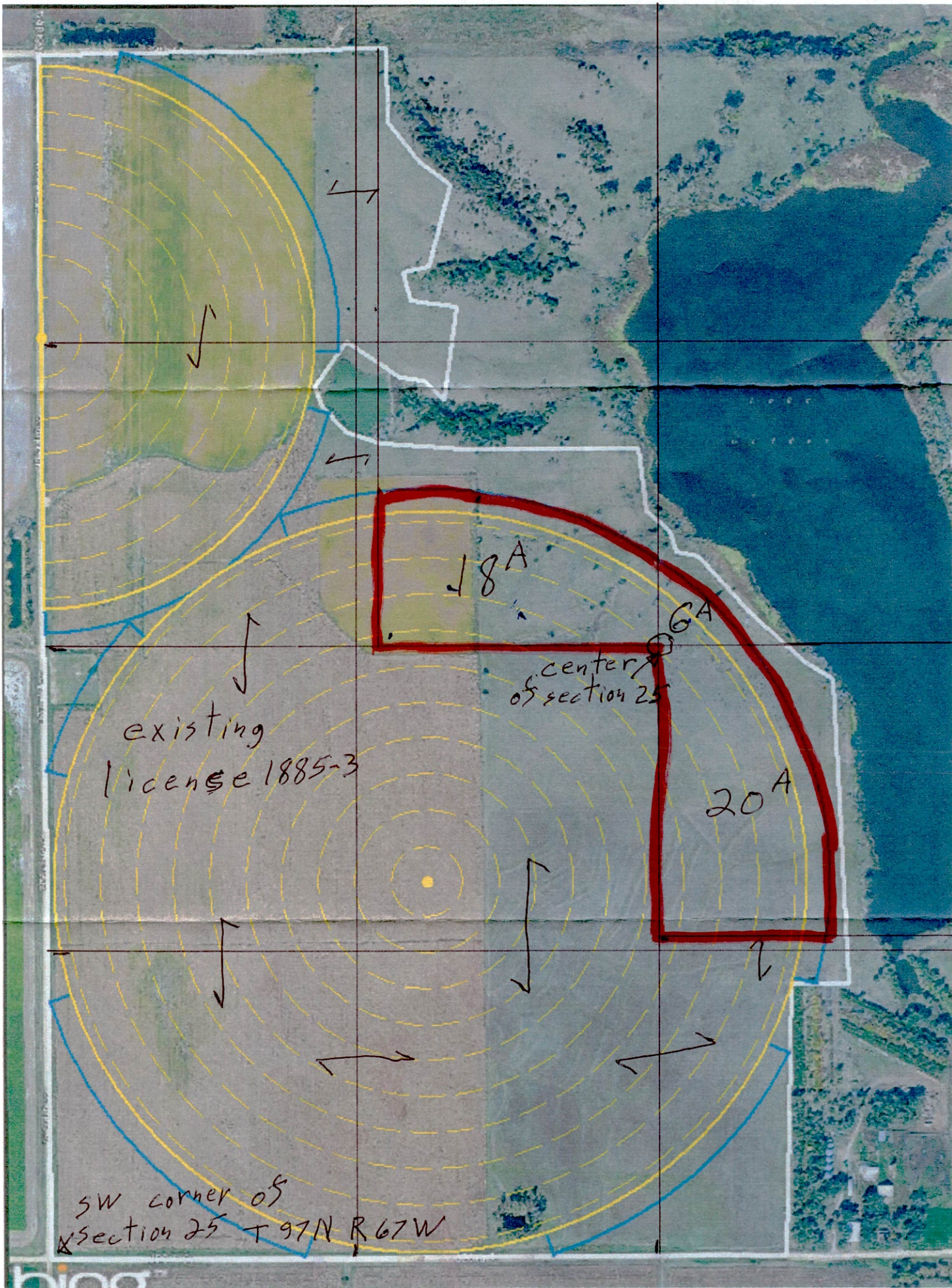
WATER MANAGEMENT BOARD

By: 
Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAY 22 2014

date





existing
license 1885-3

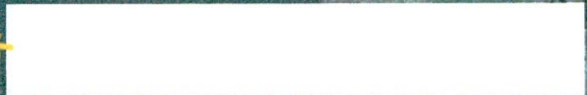
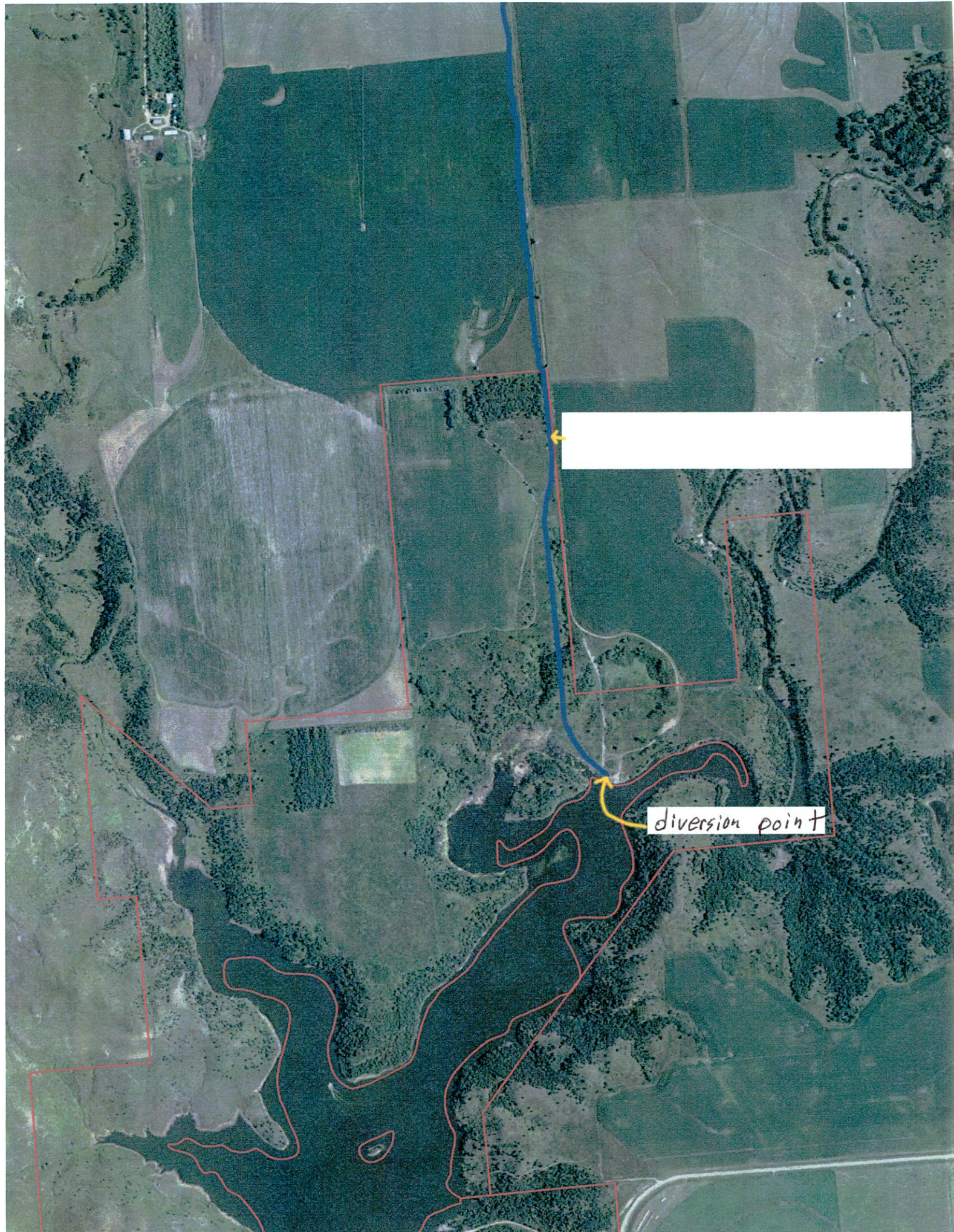
18A

GA

center
of section 25

20A

SW corner of
section 25 T97N R67W

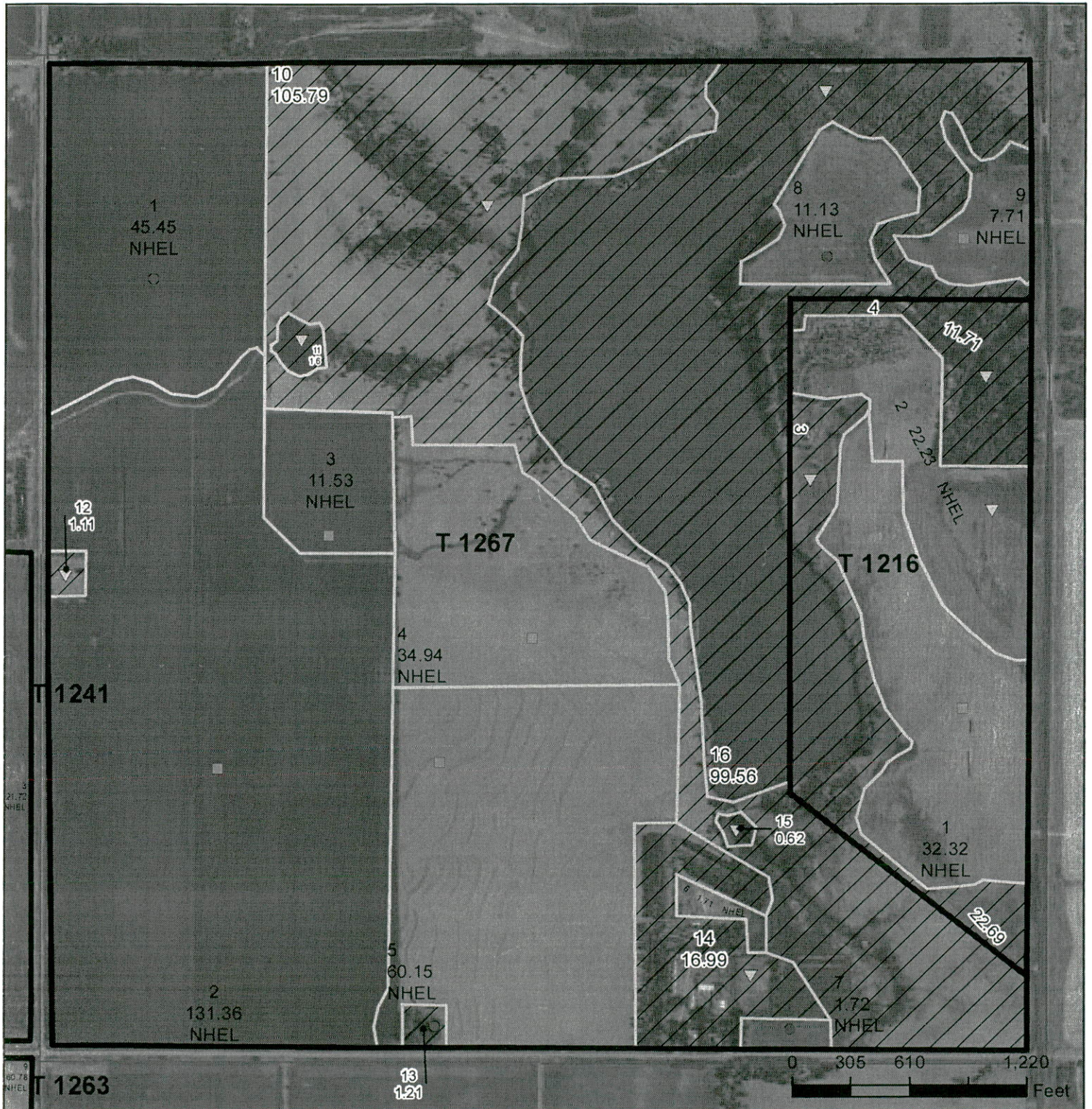


diversion point



United States
Department of
Agriculture

Charles Mix County, South Dakota



- Common Land Unit**
- Cropland
 - Non-cropland
- Wetland Determination Identifiers**
- Restricted Use
 - Limited Restrictions
 - Exempt from Conservation Compliance Provisions
- Tract Boundary** **Section Line**



2012 Ortho-Photography - not to scale

2014 Program Year
RECEIVED Map Created February 19, 2014

FEB 21 2014

**WATER RIGHTS
PROGRAM**

Farm **8091**

97N67W25

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. 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 boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/26, 20 14

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. <u>7974-3</u> to Appropriate Water, to construct and to put water to beneficial use	500	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>7974-3</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	700 00

No. **06758**

By *James Robinson Jr*
Chief Engineer

This project involves converting furrow irrigated land to center pivots. In order for the south pivot to make a complete round about 44 new acres need to be added. Most of these acres used to be farmground and are still considered as such by the FSA. Maybe 12 acres at the north end is pasture. The diversion point and pipeline are the same as permit #1885-3. I am asking for 400 gpm of water in order for there to be a total of 2000 gpm between the old and new permits. This will allow for 800 gpm through the north standard size pivot and 1200 gpm through the much larger south pivot.

RECEIVED

FEB 21 2014

**WATER RIGHTS
PROGRAM**



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



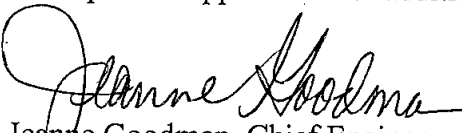
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7974-3, Harvey or Lee Robinson**

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. 7974-3, Harvey or Lee Robinson, 37368 290th Street, Geddes SD 57342.

The Chief Engineer is recommending APPROVAL of Application No. 7974-3 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:

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

See report on application for additional information.


Jeanne Goodman, Chief Engineer

April 16, 2014

REPORT ON WATER PERMIT APPLICATION NO. 7974-3

Harvey or Lee Robinson

March 12, 2014

Application No. 7974-3 proposes to appropriate an additional 0.89 cubic feet of water per second (cfs) and to irrigate 44 additional acres to what is currently authorized by Water Right No. 1885-3. Water Right No. 1885-3 authorizes 3.56 cfs from the Missouri River located in the SW 1/4 NW 1/4 Section 1-T96N-R67W to irrigate the W 1/2, SE 1/4 Section 25-T97N-R67W. This application proposes to appropriate an additional 0.89 cfs from the existing Missouri River diversion point to irrigate 44 new acres located in the NW 1/4 SE 1/4, SW 1/4 NE 1/4, SE 1/4 NW 1/4 Section 25-T97N-R67W. This application, if approved and Water Right No. 1885-3 will authorize a total diversion rate of 4.45 cfs for irrigation of 351 acres. The proposed project is located approximately 4 miles south of the town of Geddes in Charles Mix County.

Review of the Water Source

The water source for this application is from the natural flow of the Missouri River in the Lake Francis Case reach impounded behind Gavins Point Dam along the southwestern border of Charles Mix County. The natural flow of the Missouri River at the location of the proposed diversion point means surface waters that would otherwise flow unimpeded downstream absent any dams and reservoirs owned and operated by the U.S. Army Corps of Engineers. The U.S. Army Corps of Engineers (USACE) constructed Ft. Randall dam in the early 1950's as part of a six reservoir Pick-Sloan project for the Missouri River. The six project dams of 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.

Ft Randall Dam has impounded the Missouri River in this river reach since the early 1950's. An estimation of the Missouri River natural flows at a location approximately 80 miles downstream of this project (Figure 1) can be derived from research study the USGS completed in 2001 (Jacobson et. al.).

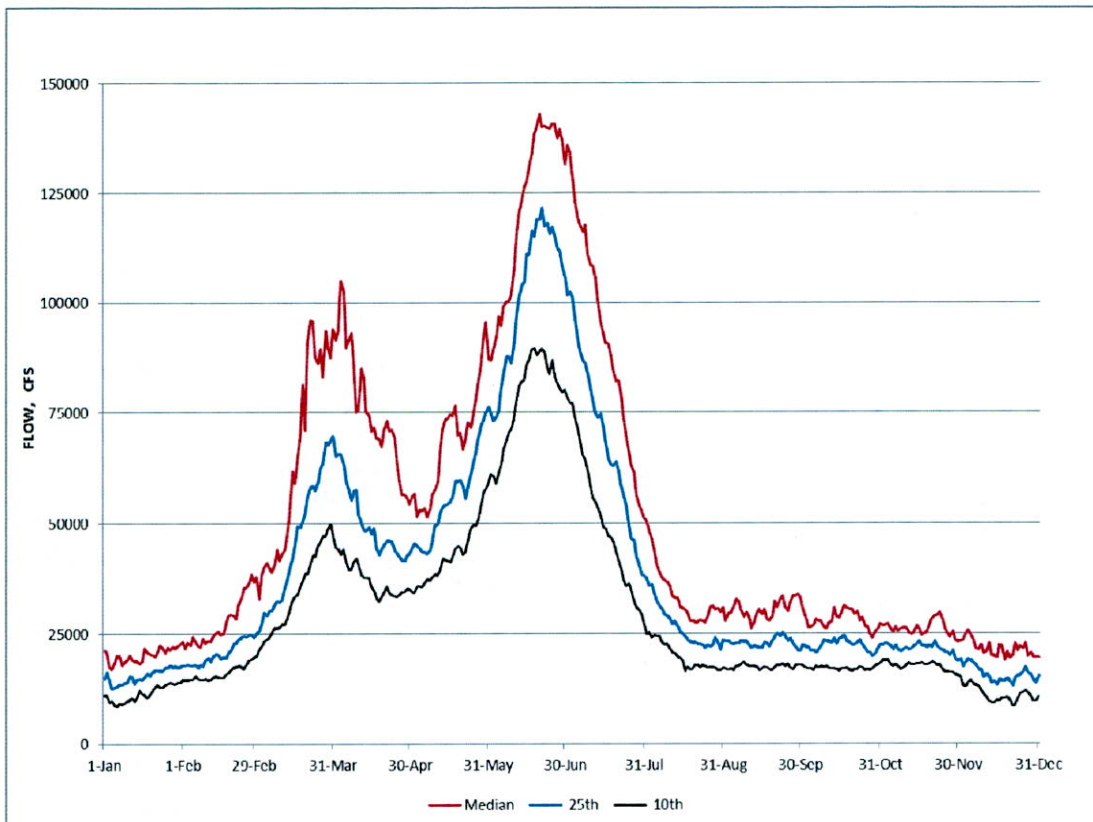


Figure 1. Natural Flow Hydrograph for the Missouri River at Gavins Point Dam; Robert B. Jacobson and Jeanne Heuser, U.S. Geological Survey, Columbia, MO. 2001.

Even at the 10th percentile flow level, this hydrograph demonstrates there is ample natural flow available if this project is approved. 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

There are 267 existing water rights/permits appropriating water from the natural flows of the Missouri River in South Dakota with a total authorized appropriation of 1282.14 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 0.89 cubic feet of water per second from the Missouri River to irrigate 44 additional acres for irrigation authorized by Water Right No. 1885-3.
2. This application, if approved and Water Right No. 1885-3 combined will authorize a total diversion rate of 4.45 cfs for irrigation of 351 acres.

3. The water source for this project is from the natural flow of the Missouri River in the reservoir reach of Lake Francis Case immediately upstream of Ft Randall Dam.
4. Water availability for this project will not be a problem.



Mark D. Rath
Natural Resources Engineering III

References:

Jacobson R.B. and Heuser J. 2001. Visualization of Flow Alternatives, Lower Missouri River
U.S. Geological Survey Open-file Report OF02-122. U.S. Geological Survey.

Water Rights. 2014. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg.,
Pierre, SD.

PROOF OF PUBLICATIONSTATE OF SOUTH DAKOTA)
) SS
County of Charles Mix)I, Rhonda L. Blaircertify that the attached printed Notice was
takenfrom the Charles Mix County Newsprinted and published in Geddes, SDCounty of Charles Mix andstate of South Dakota. The notice was
published

in the newspaper on the following date:

April 24, 2014Cost of Printing \$ 25.67Rhonda L. Blair
(Signature)Dwaine
(Title)April 24-14
(Date Signed)**PUBLIC NOTICE****NOTICE OF APPLICATION NO.
7974-3 to Appropriate Water**

Notice is given that Harvey or Lee Robinson, 37368 290th St, Geddes SD 57342 has filed an application for a water permit to appropriate an additional 0.89 cubic feet of water per second (cfs) and to irrigate 44 additional acres to what is currently authorized by Water Right No. 1885-3. Water Right No. 1885-3 authorizes 3.56 cfs from the Missouri River located in the SW 1/4 NW 1/4 Section 1-T96N-R67W to irrigate the W 1/2, SE 1/4 Section 25-T97N-R67W. This application proposes to appropriate an additional 0.89 cfs from the existing Missouri River diversion point to irrigate 44 new acres located in the NW 1/4 SE 1/4, SW 1/4 NE 1/4, SE 1/4 NW 1/4 Section 25-T97N-R67W. This application, if approved and Water Right No. 1885-3 will authorize a total diversion rate of 4.45 cfs for irrigation of 351 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7974-3 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 5, 2014.

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 once at the total approximate cost of \$25.67.

RECEIVED
APR 25 2014
WATER RIGHTS
PROGRAM

RECEIVED
APR 29 2014
WATER RIGHTS
PROGRAM

NOTICE OF
APPLICATION
NO. 7974-3
to Appropriate Water

Notice is given that Harvey or Lee Robinson, 37368 290th St, Geddes SD 57342 has filed an application for a water permit to appropriate an additional 0.89 cubic feet of water per second (cfs) and to irrigate 44 additional acres to what is currently authorized by Water Right No. 1885-3. Water Right No. 1885-3 authorizes 3.56 cfs from the Missouri River located in the SW 1/4 NW 1/4 Section 1-T96N-R67W to irrigate the W 1/2, SE 1/4 Section 25-T97N-R67W. This application proposes to appropriate an additional 0.89 cfs from the existing Missouri River diversion point to irrigate 44 new acres located in the NW 1/4 SE 1/4, SW 1/4 NE 1/4, SE 1/4 NW 1/4 Section 25-T97N-R67W. This application, if approved and Water Right No. 1885-3 will authorize a total diversion rate of 4.45 cfs for irrigation of 351 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7974-3 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 5, 2014.

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 once at the total approximate cost of \$66.82

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF DAVISON)

Penny Hohbach of said county, being, first duly sworn, on oath, says; that he/she is the publisher or an employee of the publisher of The Daily Republic, a daily newspaper, published in the City of Mitchell, in said County of Davison, and State of South Dakota; that he/she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive; that said newspaper has been published within the said County of Davison and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the notice, order or advertisement, a printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for 1 issues(s), to wit:

Thursday, April 24, 2014

That the full amount of the fee charged for the publication of the attached public notice insures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever, that the fees charged for the publication thereof are: \$66.82

Signed: Penny Hohbach

Subscribed and sworn to before me this 25th day of April, 2014.

Deb Townsend

Notary Public
County of Davison

My Commission Expires: 9-21-18

Prepared by: The Daily Republic, P.O. Box 1288, Mitchell S.D. 57301 605-996-5515

DEB TOWNSEND
Notary Public
SEAL
South Dakota



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



April 16, 2014

Charles Mix County News
PO Box 257
Geddes SD 57342

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7974-3 to Appropriate Water. Please publish the notice once on April 24, 2014. 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 and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Harvey or Lee Robinson, 37368 290th St, Geddes SD 57342 (Ph # 605-337-3769).

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

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



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



April 16, 2014

Daily Republic
PO Box 1288
Mitchell SD 57301

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7974-3 to Appropriate Water. Please publish the notice once on April 24, 2014. 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 and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Harvey or Lee Robinson, 37368 290th St, Geddes SD 57342 (Ph # 605-337-3769).

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

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



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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(S) RIGHT AWAY.**

April 16, 2014

Harvey or Lee Robinson
37368 290th St
Geddes SD 57342

Dear Sirs:

Water Permit Application No. 7974-3 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 Charles Mix County News printed at Geddes SD (Ph # 605-337-2571) and the Daily Republic printed at Mitchell SD (Ph # 605-996-5514). You will need to contact the newspaper(s) and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and 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(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. 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

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 the Notice on April 24, 2014. 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. 7974-3 to Appropriate Water

Notice is given that Harvey or Lee Robinson, 37368 290th St, Geddes SD 57342 has filed an application for a water permit to appropriate an additional 0.89 cubic feet of water per second (cfs) and to irrigate 44 additional acres to what is currently authorized by Water Right No. 1885-3. Water Right No. 1885-3 authorizes 3.56 cfs from the Missouri River located in the SW 1/4 NW 1/4 Section 1-T96N-R67W to irrigate the W 1/2, SE 1/4 Section 25-T97N-R67W. This application proposes to appropriate an additional 0.89 cfs from the existing Missouri River diversion point to irrigate 44 new acres located in the NW 1/4 SE 1/4, SW 1/4 NE 1/4, SE 1/4 NW 1/4 Section 25-T97N-R67W. This application, if approved and Water Right No. 1885-3 will authorizes a total diversion rate of 4.45 cfs for irrigation of 351 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7974-3 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 5, 2014.

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 once at the total approximate cost of _____.



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



MAY 22 2014

Harvey or Lee Robinson
37368 290th St
Geddes SD 57342

Dear Sirs:

Enclosed is Water Permit No. 7974-3 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,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures



REPLY TO
ATTENTION OF

7974-3

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
SOUTH DAKOTA REGULATORY OFFICE
28563 POWERHOUSE ROAD, ROOM 118
PIERRE, SOUTH DAKOTA 57501-6174

October 2, 2014

South Dakota Regulatory Office
28563 Powerhouse Road, Room 118
Pierre, South Dakota 57501

Harvey Robinson
37368 290th Street
Geddes, South Dakota 57342

Dear Mr. Robinson:

Reference is made to your application for a Department of the Army permit to construct a permanent irrigation intake (wet well) structure in the Missouri River/Lake Francis Case (Pease Creek) at mile 982.0, in the Northwest Quarter of Section 1, Township 96 North, Range 67 West, Charles Mix County, South Dakota.

Based on the information submitted, the proposed intake structure placement, as described on the enclosed drawings, meets the criteria established for General Permit 90-04 and has been assigned application number NWO-2014-2162-PIE.

Accordingly, for the purposes of Section 10 of the Rivers and Harbor Act (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344), and in accordance with 33 CFR Part 325.5(c)(1), the construction of the intake structure is authorized without further processing provided the stipulations, conditions and criteria of General Permit 90-04 (copy enclosed) are strictly adhered to.

Any changes to the size, location or withdrawal rate of this structure from that identified herein may require additional Department of the Army Authorization. **The attached Compliance Certification form must be signed and returned to this office upon completion of the authorized work and any required mitigation.**

NOTE: The above determination does not obviate the requirement to obtain state, tribal or local assent as required by law.

RECEIVED

OCT - 6 2014

SURFACE WATER PROGRAM

You can obtain additional information about the Regulatory Program from our website:

<http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/SouthDakota.aspx>

The Omaha District, Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete our Customer Service Survey found on our website at http://corpsmap.usace.army.mil/cm_apex/f?p=regulatory_survey. If you do not have Internet access, you may call and request a paper copy of the survey that you can complete and return to us by mail or fax.

If you have any questions regarding the above, please feel free to contact this office at the above Regulatory Office address, or telephone Thomas A Lowin of my staff, or myself, at (605) 224-8531.

Sincerely,

Steven E. Naylor
Regulatory Program Manager,
South Dakota

Enclosures

cf: Gober; US Fish and Wildlife Service, Pierre
Miller; SD Dept. Environment and Natrl Rsrcs, Pierre
Murphy; SD Dept. Game, Fish & Parks, Pierre
Wilson; Corps of Engineers (CENWO-OD-FR), Pickstown



Proposed Robinson Wet-Well

Merkwan Wet-Well

Varilek/Johnson Wet-Well

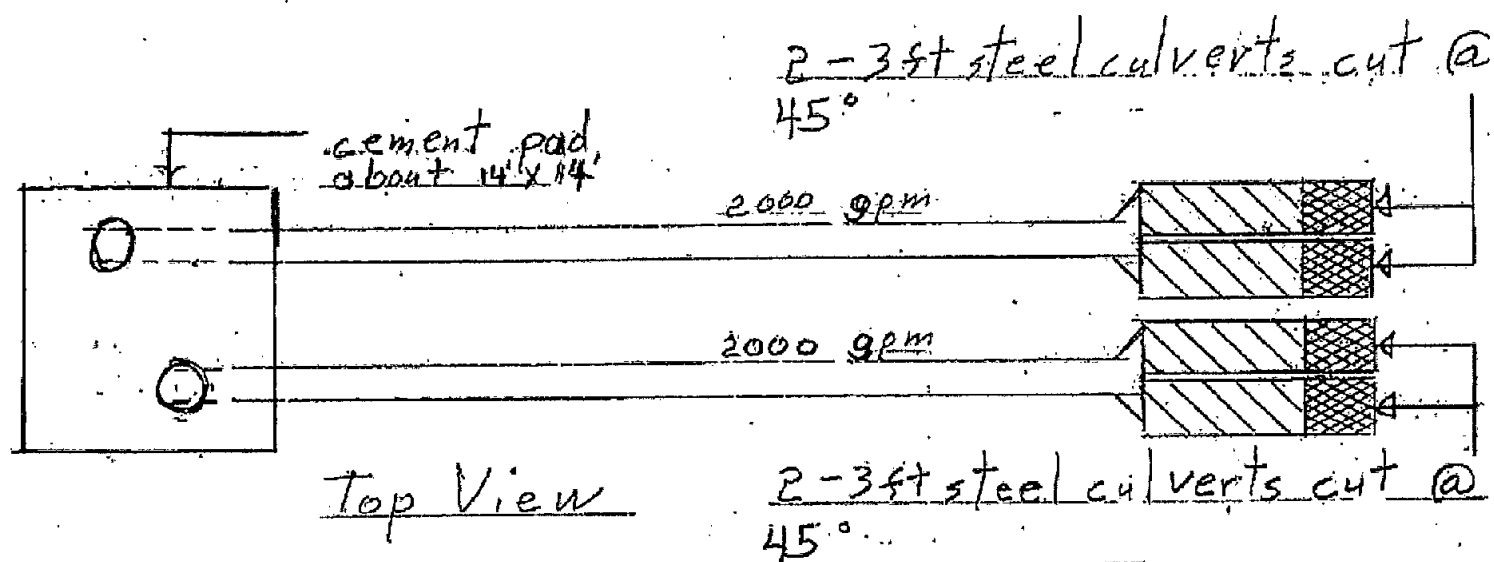
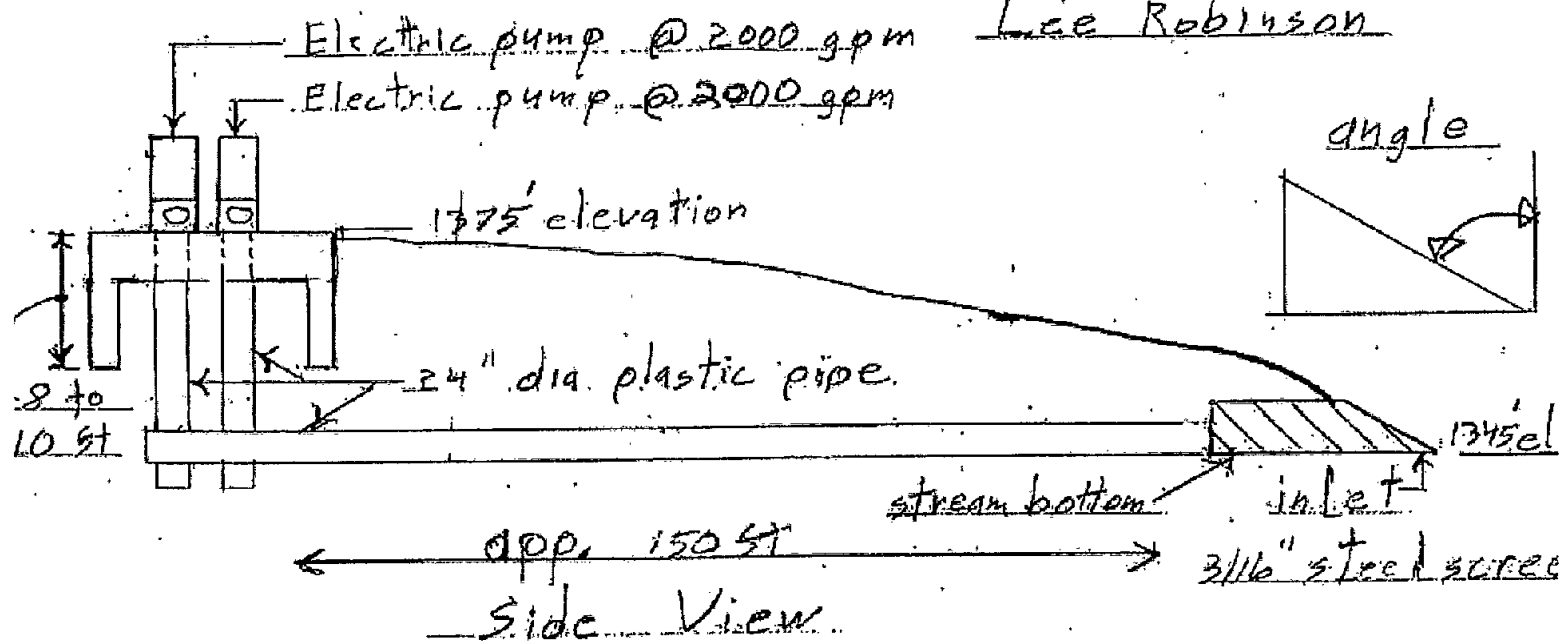
Existing Robinson Portable Locations

PEASE CREEK
EMBAYMENT

Robinson Pease Creek Irrigation Project, wet well

Harvey Robinson

Lee Robinson

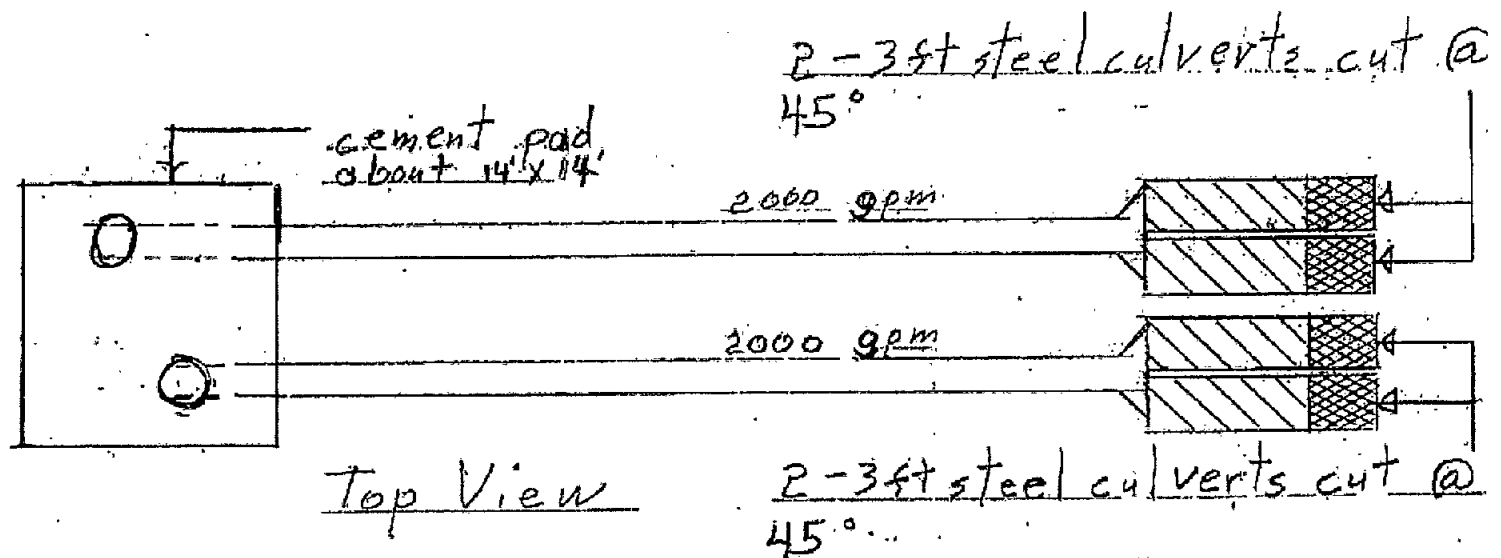
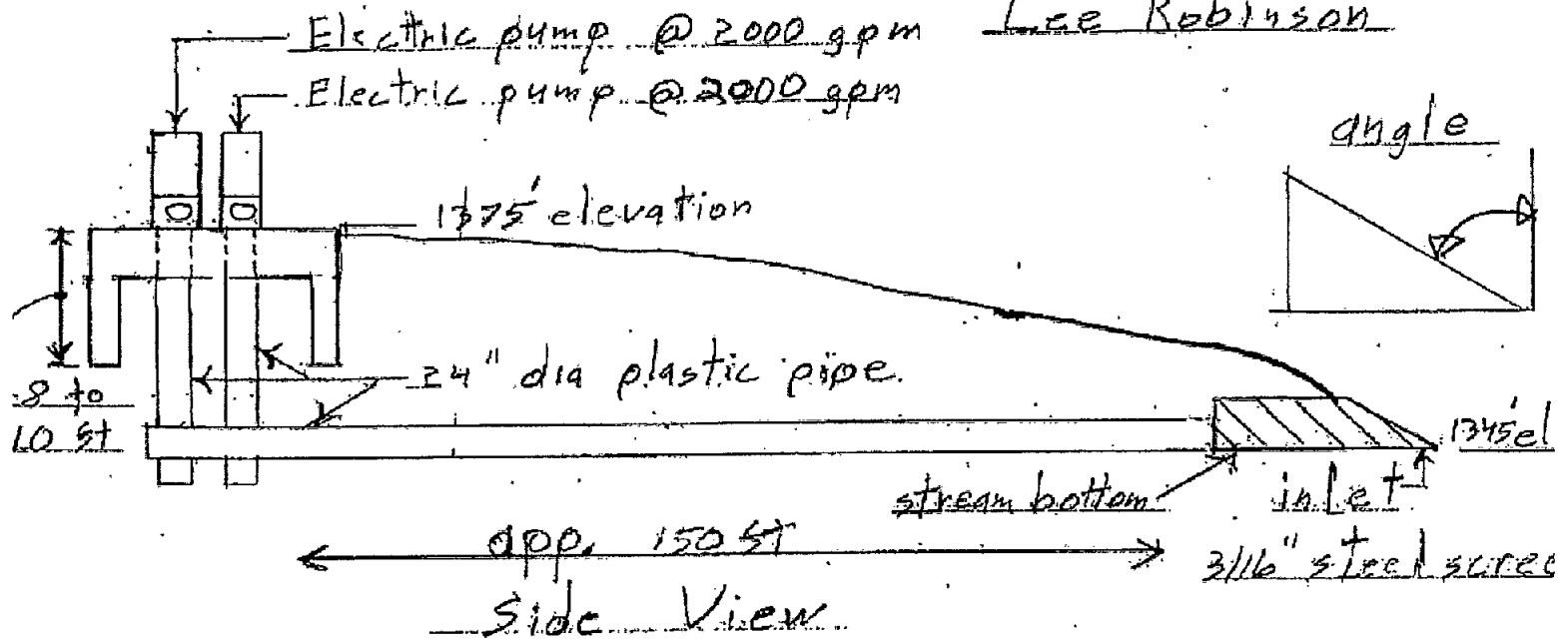


Excavated material will be replaced
& packed to reestablish the stream bank.

Robinson Lease Creek Irrigation Project, wet well

Harvey Robinson

Lee Robinson



Excavated material will be replaced
& packed to reestablish the stream bank.



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