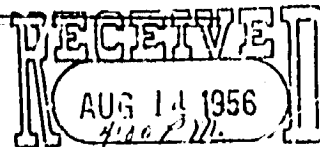


1. Considered Nov 13, 1956
2. Name of Applicant Wallis Laidich #1 429-2
3. Post Office Address Barre, Vt.
4. Amount of water claimed 2.23 CFS
5. Source of water supply Missouri River
6. Water to be used for irrigation
- Acres to be irrigated 267
7. Water to be diverted and used in Shorey County about
10 miles N of Barre, Vt.
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☒
Subject to _____
Not Approved ☐
Action deferred ☐

10. Remarks:

No. 429.2Water Division No. 2 White River District
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant Hollis Haisch, P.P.#2, Box 18
 Postoffice address Bonesteel, County Gregory, State South Dakota

I. If a corporation does not apply

- (a) Name of same _____
 (b) Date and place of incorporation _____
 (c) Amount of capital stock _____
 (d) Amount paid in _____
 (e) Names and addresses of directors _____

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

Employment of others and direct labor

- (b) Cash on hand, \$ 10,000 (c) Treasury stock, \$ _____
 (d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work None3. Amount of water claimed 1000 gpm cubic feet per second 2.234. Source of water supply Missouri River - Ft. Randall Reservoir5. Location of point of diversion See map for several points_____ on West bank Gregory County.6. Annual period or periods during which water is to be used March - December annually

7. To be used for:

I Irrigation or domestic use. Gravity, overhead sprinkling or combination system? overhead sprinkling(a) Number of acres to be irrigated 267 acres.

(b) Legal subdivisions to be irrigated parts of Section 16, 21, 22, 23, Township 97,
 (NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be
 appended as a part of this application. Same must also be shown on accompanying map.) Range 68 - see map

(c) Statement as to domestic use (giving location, etc.) None

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use None

Name any of the above uses claimed

(b) Amount of power to be generated _____ horse power.

Amount claimed for engine cooling _____

(c) Location of plant _____

(d) Method of developing power _____

(e) Point where water will be returned to stream _____

8. Estimated cost of work:

(a) Head Gates, \$ None

(b) Pumping plant, \$.3500.00.

(c) Furring, \$-----None

(d) Canal-earth, \$None

Rock, \$.....

(e) Other structures Pipe \$ 6200.00

Total, \$ 2700.00

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

Pumping plant

II. Dimensions of work:

(a) Dam: Height _____ feet; length at bottom _____ feet; length at top _____ feet; thickness at bottom _____ feet; thickness at top _____ feet; slope at front water face _____; slope at back face _____; material used in construction _____

(b) Reservoir: Capacity when filled -----acre feet. Surface area at highwater mark -----acres.

[illegible]

(c)* Head gate: Width _____ feet; height _____ feet;
Material _____

(d) Canal: Total length ----- miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
at _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work -----²-----years.

11. Time required for complete application of water to the proposed beneficial use -----²----- years.

12. Choice of newspaper for publication of notice of intention to appropriate Bonesteel Enterprise,
B onesteel, South Dakota

STATE OF SOUTH DAKOTA

County of Gregory

SS.

I. _____ Hollis Haisch

I, Hollis Hainch, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

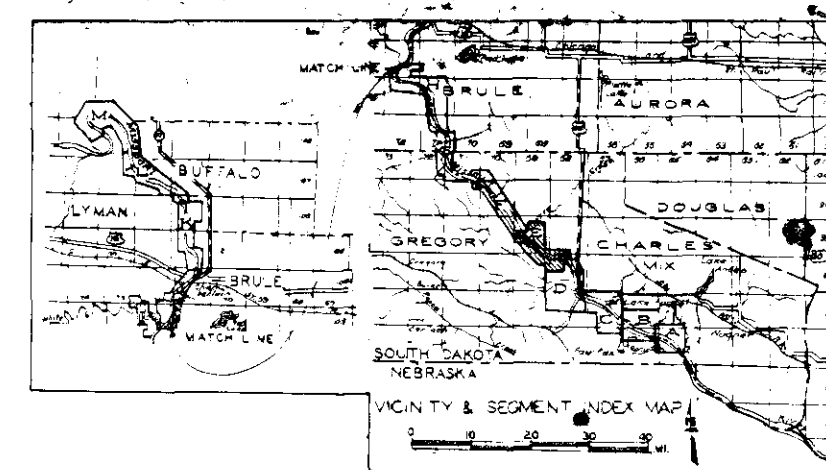
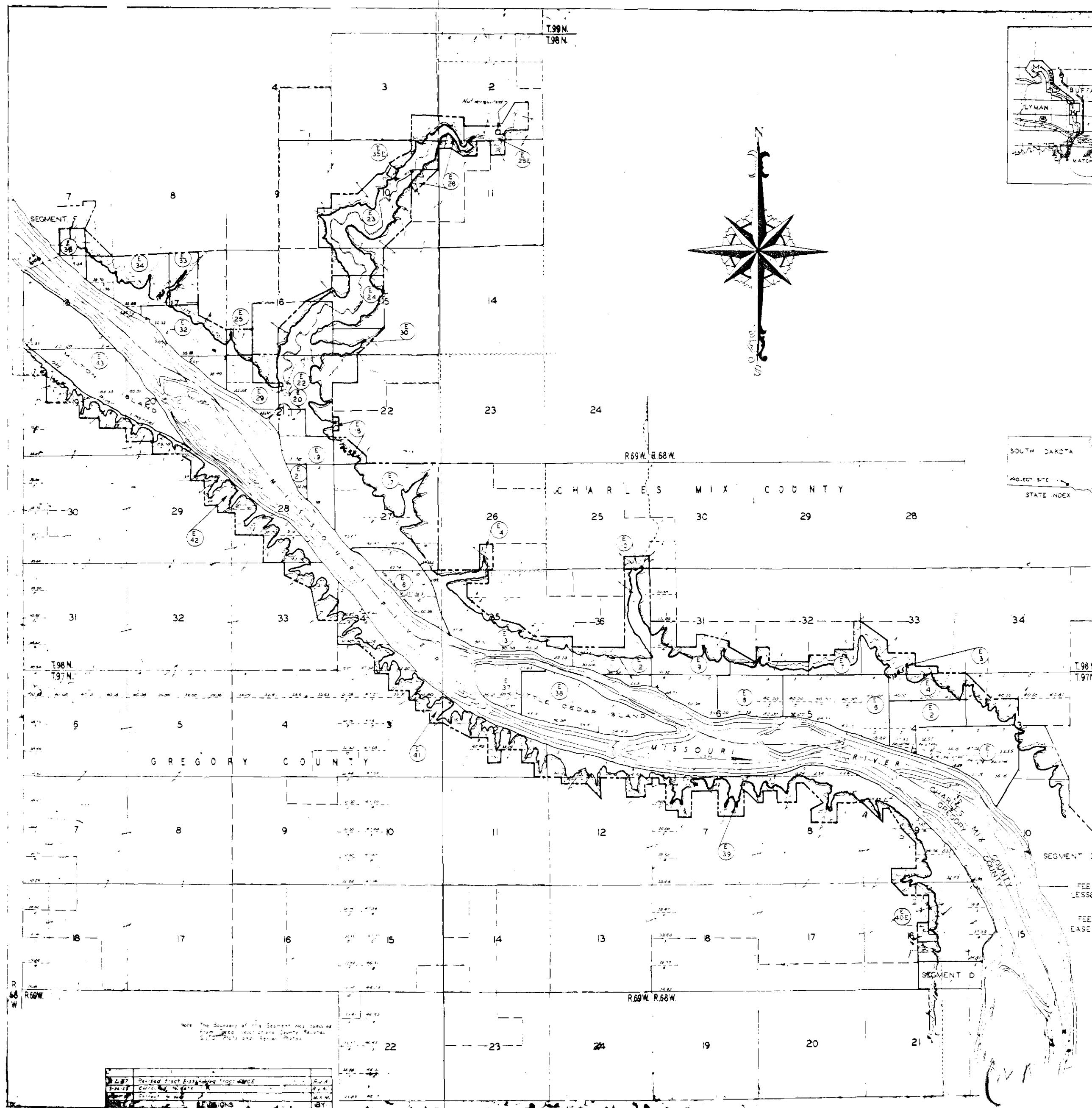
Signed

Subscribed and sworn to before me this 3rd day of August 1956

Notary Public (or other qualified person.)

*Each diversion must have a headgate or measuring device.

My commission expires



ACQUISITION TRACT REGISTER		
TRACT NO.	LAND OWNER	ACREAGE
		EASEMENT FEE
E-1	Wm. H. Hargrave	2.07
E-2	Wm. Hargrave	5.0
E-3	John Deagan	2.25
E-4	S. A. Gentry	2.5
E-5		
E-6	Norma Hargrave & Hargrave & Brough	1.0
E-7	R. J. Morse	2.0
E-8	Storano Woods	1.83
E-9	William J. Jones et al	1.2
E-10	Thomas & E. Hargrave	1.0
E-11	William J. Jones	2.3
E-12	State of South Dakota	2.08
E-13	Wm. Hargrave	2.25
E-14	Sam T. Hargrave	2.5
E-15		
E-16	Casper Anderson	2.0
E-17	Orpha Chamberlain et al	2.03
E-18	Ray Tucker	4.3
E-19	Eva M. Pearson et al	2.5
E-20	Hammerton School Township	
E-21	M. E. Morrison	2.0
E-22	R. J. Morse	2.0
E-23	Paradise & Morse	2.14
E-24	John H. Morse	1.0
E-25	Corlene S. Morse	4.0
E-26	Archie Morse	2.0
E-27	Deceased	
E-28	Lucian E. Gray	2.00
E-29	George A. Tucker	1.0
E-30	Corlene S. Morse	2.0
E-31	Deceased	
E-32	Paradise & Morse	2.0
E-33	Anna Pearson et al	2.0
E-34	Mary, Olga, Roberts et al	3
E-35	Corlene S. Morse	2.0
E-36	James Pearson	2.3
E-37	Casper Anderson	2.0
E-38	Mattie Waters	1.0
E-39	Osborn, Benjamin & Matt's Watson	1.02
E-40	Osborn, Benjamin & Matt's Watson	2.50
E-41	David & Eva Morse	2.00
E-42	W. J. Pearson et al	2.75
E-43	Maurice & Victor Mitchell	2.0

(TYPE) PRELIMINARY PROJECT MAP

AGENCY - DEPT OF THE ARMY
STATE SOUTH DAKOTA
COUNTY CHARLES MIX & GREGORY
DIVISION MISSOURI RIVER
DISTRICT OMAHA
FIFTH ARMY AREA

LOCATION OF PROJECT

1 MILE S.W. OF PLATTE, S.D.
22 MILES E. OF GREGORY, S.D.

TRANSPORTATION FACILITIES

RAILROADS	NONE
STATE ROADS	NONE
FEDERAL ROADS	28
BRIDGES	

ACQUISITION

TOTAL ACRES ACQUIRED	
ACRES FEE	
ACRES TRANSFERRED TO WAR DEPT	
ACRES LEASED TO WAR DEPT	
ACRES LESSER INTERESTS	

DISPOSAL ---

TOTAL ACRES DISPOSED OF

ACRES SOLD BY WAR DEPT

ACRES TRANSF'D BY WAR DEPT

ACRES RETRANSFERRED TO GOV'T AGENCY

ACRES LEASES TERMINATED

ACRES LESSOR NOTS TERM

LEGEND ---

NOTE: USE SYMBOLS FROM FM-21-30 (WAR
EPT BASIC FIELD MANUAL) PAGES 21 TO 27 INC

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

EXCEPT

RESERVATION LINE -----

100

100

REGISTRATION LINE 11.3.47

1. *Journal of the American Medical Association*, 1997; 278: 1039-1044.

104M SITE

REF ID: A66486

1

COPIES 155 155

CONFIDENTIAL

(continued)

AVIGATION EASEMENTS -- - 121 6

1

NUMBER - - - - - 99

8

boundary & acreage of T-act 42.

23 Deleted Trace 613, Added Trace F-255 F-125 F-166 9

DEPARTMENT OF THE ARMY

OF THE SENIOR ENGINEER

_____ JURI RIVER DIVISION _____

REAL ESTATE

D USE & MANAGEMENT PLAN

FORT RANDALL RESERVOIR

SEGMENT E

[illegible]

DATE: 6/15/54

WASHINGTON D C



SHEET 15 OF 15 DRAW

ribed lands was made by me. The plat was drawn from
old surveys. The locations as shown below are true and
of my knowledge. The ties for the points of diversion
on the map.

Vincent E. Ziegler

State of South Dakota ss.
County of Gregory

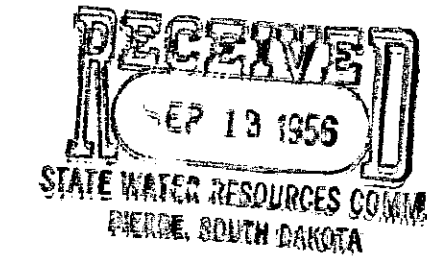
On this 23rd day of August, 1956, before me *Bonesteel, S.D.*
a *Notary Public* in and for the County and State
aforesaid, personally appeared *Vincent E. Ziegler* to me personally
known to be the person who executed the foregoing instrument and acknowledged
that he executed the same for the purposes therein set forth.

Witness my hand and official seal the day and date above written.

Bonesteel, S.D.
Name

Notary Public
Title

SEAL

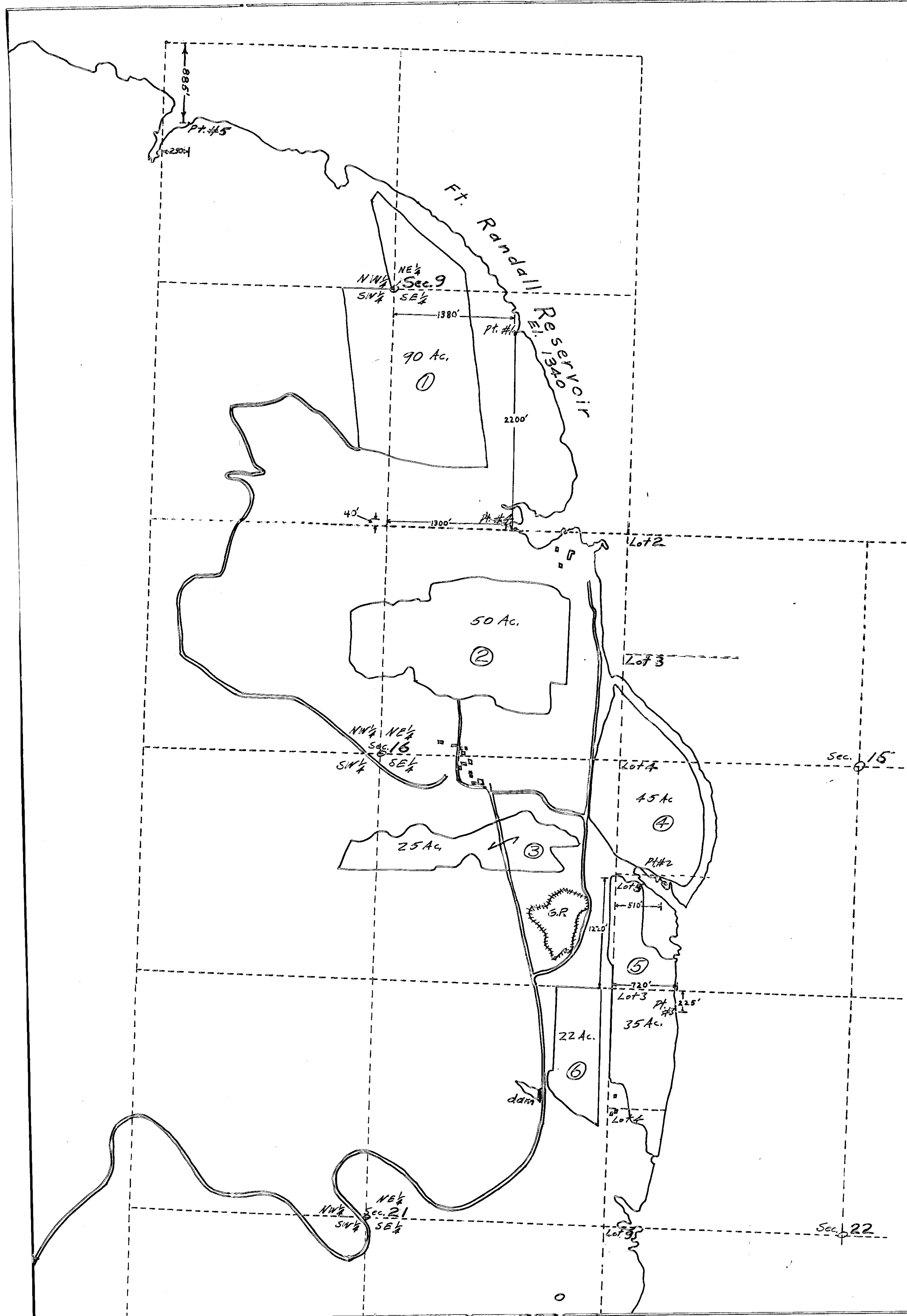


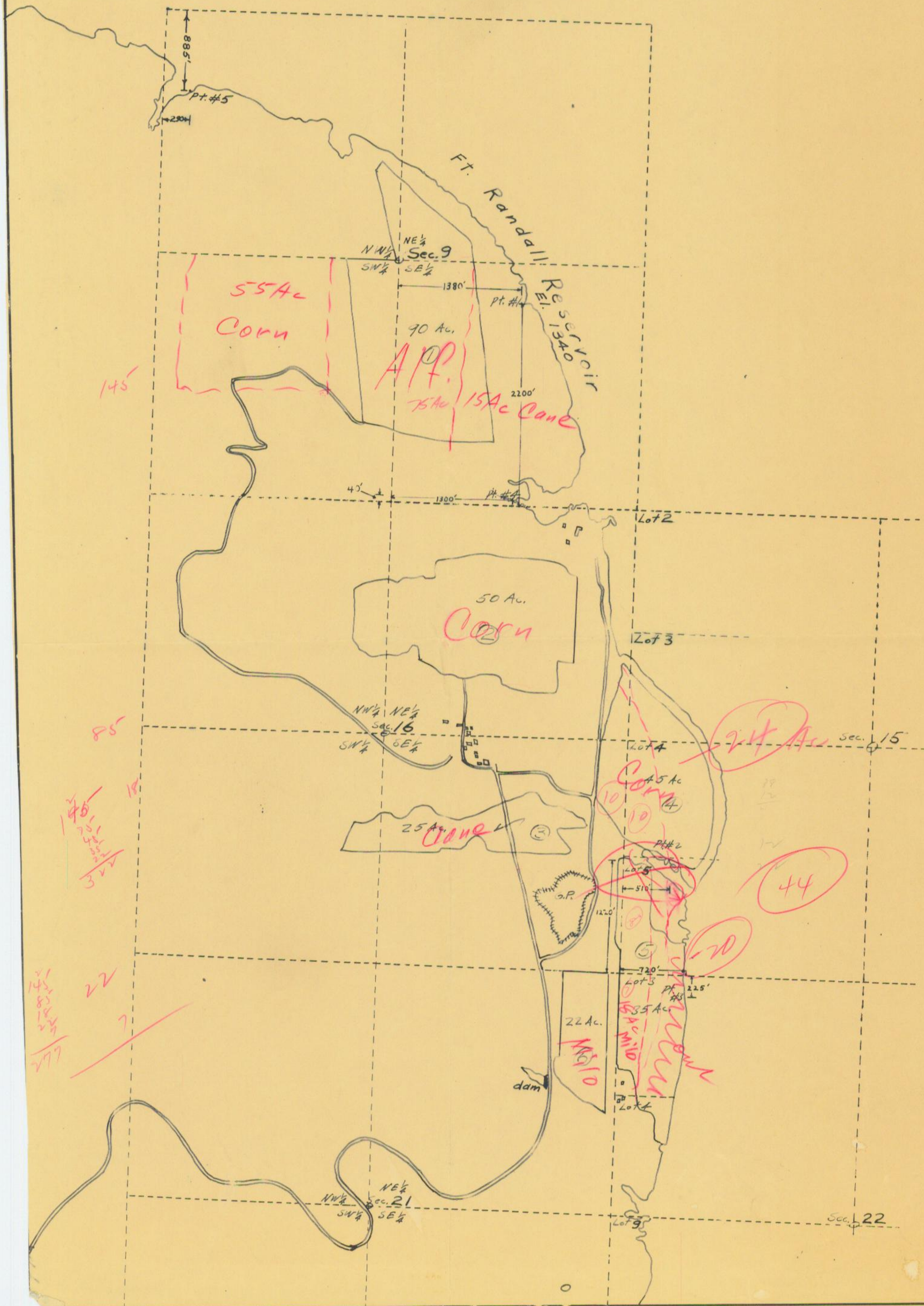
Map No. 451-2
(Appl. No. 429-2)

1 Mile

Name: Hollis Haisch
Address: Bonesteel, S.Dak.
Map by: SCS, USDA
Scale: 8 in. = 1 mile

Legend:
• Center of Section
① No. of field irrigated
50 Ac. Field Acreage
O Artesian Well
Gravel Pit
Road or trail
Bldgs.
#3 Point of diversion





The survey of the described lands was made by me. The plat was drawn from aerial photos and field surveys. The locations as shown below are true and correct to the best of my knowledge. The time for the points of diversion are shown herewith on the map.

State of South Dakota ss.
County of Gregory

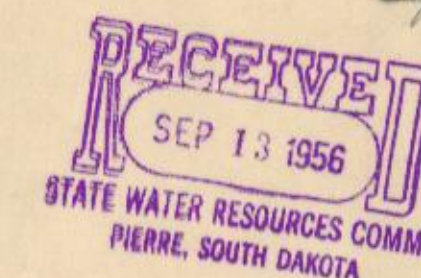
On this 23rd day of August, 1956, before me, Bonesteel, S.D., a Notary Public in and for the County and State aforesaid, personally appeared Hollis Haisch to me personally known to be the person who executed the foregoing instrument and acknowledged that he executed the same for the purposes therein set forth.

Witness my hand and official seal the day and date above written.

Bonesteel, S.D.
Notary Public

County of Gregory
Title

SEAL



Map No. 451-2
(Appl. No. 429-2)

1 Mile

Name: Hollis Haisch
Address: Bonesteel, S.Dak.
Map by: SCS, USDA
Scale: 8 in. = 1 mile

- Legend:
- ⊙ Center of Section
 - ① No. of field irrigated
 - 50 Ac. Field Acreage
 - Artesian Well
 - ⊙ Gravel Pit
 - Road or trail
 - Bldgs.
 - #3 Point of diversion

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, August 16, 1956

This is to certify that the foregoing application was received by the Commission at 4:00 o'clock P.m. upon the 14 day of August, 1956

State Water Resources Commission

By:

J. D. Ruess
Chief Engineer, Executive Officer

Number of permit 429-2

Date of first receipt of application August 14, 1956

Date of return to applicant for correction, amendments or changes required as follows: September 13, 1956

Date of receipt of corrected application November 13, 1956

Date from which applicant may claim right August 14, 1956

Approved November 13, 1956 Recorded in Book 3, Section 2 Page 17

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before

November 13, 1957

2nd. The whole of said work is to be completed on or before November 13, 1958

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

November 13, 1960

4th. The water appropriated shall be used for the purpose of irrigation

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 2.23 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before November 13, 1960, said water to be used during the following described annual period:

March to November inclusive

Witness my hand this 29 day of December, 1956

State Water Resources Commission

By:

J. D. Ruess
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

STATE OF SOUTH DAKOTA

WATER LICENSE No. 429-2.

WHEREAS, On the 14th day of August A. D. 1956

of Bonesteel County of Gregory and State of South Dakota duly made application (No. 429-2) to us for a permit to use 2.23 cubic feet per second of the waters of The Missouri River County of Gregory State of South Dakota, for irrigation purposes; and

WHEREAS, On the 29th day of December A. D. 1956 Permit No. 429-2 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 13th day of November A. D. 58 and for the application to beneficial use of said water on or before the 13th day of November A. D. 1960 and,

WHEREAS, On the 3rd day of August A. D. 1957 the holder of said permit duly made proof of the completion of adequate works for the diversion of 3.80 cubic feet per second of said waters, as evidenced by our Certificate No. 429-2 dated September 21, 1957 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.80 cubic feet per second of water, with date of priority of August 14, 1956 and,

WHEREAS, On the 3rd day of August A. D. 1957 proof was duly made of the application to beneficial use of 3.80 cubic feet per second of said water; on 277 acres located in the NE 1/4 Sec. 21; NW 1/4 Sec 22; W 1/2 Sec. 15; Sec 16; and Sec 9 & 11 in T 97 N, R 68 W

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to Hollis Halsch
of Bonesteel, South Dakota the holder and owner of said permit No. 429-2
a water right, dating from August 14, 1956 to the use of 2.23
cubic feet per second of the waters of the Missouri River
In the County of Gregory and State of South Dakota, or so much thereof as may be
necessary for the purposes herein below mentioned, to be diverted at between a point 225 feet south
and 720 feet East of the SW Cor., Sec. 15 and a point 290 feet east and 885
feet south of the NW Cor., Sec. 9 all in T. 97 N., R. 68 W.
and conducted to and upon The NE 1/4 Sec. 21; NW 1/4 Sec. 22; W 1/4 Sec. 15; Sec. 16;
and Sec. 9 all in T 97 N, R 68 W

for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 26th day of September A. D. Nineteen
Hundred and Fifty-seven

State Water Resources Commission
By:

J. W. GRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Acreage c. f. s. _____

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

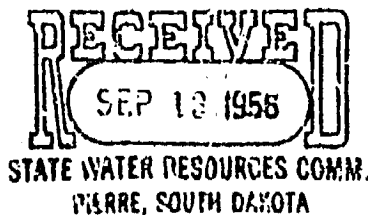
In Book _____ of _____ Page _____

UNITED STATES
DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Burke, South Dakota
September 12, 1956

Water Resources Commission

Pierre, S. Dak.

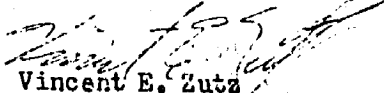


Dear Sirs:

Enclosed are maps and water right applications for Mr. Hollis
Haisch of Boresteel, S. Dak.

I certify that the points of diversion are as follows:

- #1 From the SW corner of SE $\frac{1}{4}$ of Sec. 9-97-68 approximately 1360 feet East and 2200 feet North.
- #2 From the SE corner of Sec. 16-97-68 approximately 1220 feet North and 510 feet East.
- ✓ #3 From the SW corner of Sec. 15-97-68 approximately 225 feet South and 720 feet East.
- #4 From the SW corner of SE $\frac{1}{4}$ Sec. 9-97-68 approximately 1300 feet East and 40 feet North.
- ✓ #5 From the NW corner of Sec. 9-97-68 approximately 290 feet East and 885 feet South.


Vincent E. Zutz
Agricultural Engineer
Soil Conservation Service
USDA
Burke, S. Dak.

State of South Dakota
County of Gregory

SS.

On this 12th day of September, 1956, before me Beverly Drey,
a Notary Public in and for the County and State
aforesaid, personally appeared Vincent E. Zutz to me personally
known to be the person who executed the foregoing instrument and acknowl-
edged that he executed the same for the purposes therein set forth.

Witness my hand and official seal the day and date above written.

SEAL


Name
Deputy County Auditor
Title

Permit No. 429-2White RiverWater Division No. 2 Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Hollis Haischof Bonesteel, County of Gregory, and State ofSouth Dakota, the holder of Permit No. 429-2, issued upon ApplicationNo. 429-2, bearing date of priority of August 14, 1956, authorizing the diversion of2.23 cu. ft. per second of the waters of the Missouri RiverCounty of Gregory, State of South Dakota, at between a point 225 feetsouth and 720 feet east of the SW Cor., Sec. 15 and a point 290 feet
east and 385 feet south of the NW Cor., Sec. 9, all in T 97 N, R 68 W
for irrigation

purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of

completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory

condition for diverting and conveying to the place of intended use 3.80 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,

to-wit: N 1/4, Sec. 21, T 97 N, R 68 W --- 22 acresN 1/4, Sec. 22, T 97 N, R 68 W 7 acresW 1/4, Sec. 15, T 97 N, R 68 W 18 acresSec. 16, T 97 N, R 68 W 85 acresSec. 9, T 97 N, R 68 W 145 acresTotal 277 acresWitness my hand this 27th day of September A. D. 1957

State Water Resources Commission

By:

J. W. Grimes, Chief Engineer, Executive Officer

UNITED STATES
DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

System Specifications:

Power furnished by International TD-14, 65 hp. crawler tractor
Pump Pacific 4C-D, capacity 1000 gpm.

Pipe 7 in. mainline 300'
6 in. mainline 1730'

Laterals 4 in., 2600'

Sprinklers 7.2 gpm, pressure 30 to 40 psi., Number 86

Six fields 22

35

90

25

50

45

267 Total Acreage

PROOF OF PUBLICATION

DEFERRED
OCT 8 1956
STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

STATE OF SOUTH DAKOTA }
County Gregory } ss.

_____ being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____ Bonesteel Enterprise a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the _____ of _____ County of Gregory and State of South Dakota; that the said notice was published in said newspaper on the following dates:

September 20, 1956
" 27, 1956
October 4, 1956
" 11, 1956

in each and every issue of the full number thereof, the first publication being made on the 20th day of Sept 1956 and the last publication on the 11th day of October 1956, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was _____ the printer and publisher of the said newspaper.

J. E. Dvorak

Subscribed and sworn to before me this 24th day of October A. D. 1956

W. M. Williams
Notary Public Gregory County, S. D.

NOTICE OF INTENTION
TO APPROPRIATE WATER
No. 429-2 appropriation of water
Office of State Water Resources Commission, Pierre, S. Dak., September 12, 1956.

Notice is hereby given that Hollis Haisch whose postoffice address is Bonesteel, S. Dak., has made application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.23 cubic feet of water per second of time from the Missouri River through the sprinkler system, the point of diversion of which is to be located on the westerly and northerly bank of said stream between a point in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 9 and a point in Lot 3, Sec. 22, Twp. 97N, Range 68W. Said water to be used for the purpose of providing irrigation on the following described land: Sec's. 9, 15, 16, 21, and 22, T97N, R38W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 13th day of November, 1956, at 2:00 P. M. All interested persons may appear and be heard. Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission,
By: J. W. Grimes,
Chief Engineer,
Oil & Executive Officer.

(First Publication before October 12, 1956.)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., September 23, 1956

Notice is hereby given that Mollin Knisch whose postoffice address is Bonssteel S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.23 cubic feet of water per second of time from the Missouri River through the sprinkler system between a point on the bank of said stream in the 1/4 of the 1/4 NE Section 9 and a point in lot 3, Sec 28 Twp. 97N Range 66W. Said water to be used for the purpose of providing irrigation on the following described land:

Sec's 9, 15, 16, 21 and 32, T97N., R66W.~~and for~~~~and for~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 13th day of November, 1956, at 2:00 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

cc: Vincent M. Zutz, Agricultural Engineer, State Water Resources Commission
Soil Conservation Service
Burke, South Dakota

By:
J. V. Grimes, Chief Engineer, Executive Officer

cc: Mr. Joseph F. Everett, Publisher
The Bonssteel Enterprise
Bonssteel, South Dakota

~~Flow of water from the Missouri River to the Missouri River and use thereof~~
~~for irrigation~~

Permit No. 429-2Water Division No. 2 White River Water District**Notice of Application of Water to Beneficial Use**

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

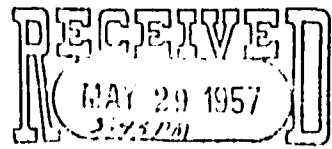
(P. O.) Bonesteel, South Dakota(Date) May 5, 1957

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the 9th day of July, 1957, at Bonesteel County of Gregory State of South Dakota, before Examining Engineer proof will be submitted of the application to beneficial use of 2.23 cubic feet per second of the waters of Missouri River-Pt. Randall Reservoir in accordance with the terms and conditions of Permit No. 429-2 heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are Hellis Hirsch, Bonesteel, South Dakota
2. The use to which said water has been applied is overhead sprinkler irrigation
3. The amount applied to beneficial use is 2.23 cfs
4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) Parts of Sections 9, 15, 16, 21, 22, Township 27, Range 6B, Gregory Co.
(see map no. 451- for actual plat)
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is None
6. The right to take the water from such works is based upon permit No. 429-2
7. The source of supply from which such water is diverted is Missouri River-Pt. Randall Reservoir
8. The date of priority which said user is prepared to establish is August 14, 1906

(Sign) Hellis Hirsch

Permit No. 429-2

STATE WATER RESOURCES COMM

Water Division No. 2 White River Water District PIERRE, SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) Bonesteel, South Dakota(Date) May 9, 1957

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of _____

2.25 cu. ft. per second of the waters of the state from Ft. Randall Res.
through the (no canal)
for irrigation purposes

_____ in accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is Hollis Haisch
2. The postoffice address of such person or the place of business of such corporation is Bonesteel
County of Gregory State of South Dakota
3. The number of such permit is 429-2 and the date set for the completion of such work is July 9, 1957
4. Said water to be used for irrigation purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 2.23 cubic feet per second.
6. The amount of land for which said water is available is 267 acres,
particularly described as follows: Parts of Sections 9, 15, 16, 21, 22, Township 97 Range 68
Gregory County (see plat map no. 451-2)

I hereby certify that the facts set forth in the above notice are true.

Hollis Haisch

(Signature of Owners)

Permit No. 429-2Water Division No. 2 White River Water District**Certificate of Examination of Works****Report of Examining Engineer**

To the State Water Resource, Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your ~~XXXX~~ of authorization ~~XXXX~~ on August 3, 1957~~XXXX~~ I have ~~XXXX~~ made a thorough examination of the diversion works constructed byHollis Haisch of BonesteelGregory County, South Dakota, holder of Permit No. 4 29-2, issuedupon Application No. 429-2, bearing date of priority of August 14, 1956, authorizing thediversion of 2.23 cu. ft. per second of the waters of the Missouri River for irrigation

purposes. I have to report on the condition of the same as follows:

The diversion works comprise: Chrysler Industrial Engine Model 56A; MarlowPump Model #636S, Spec. #1827 Serial # D8947; 2600 feet of 4 inch
Sprinkler, 1260 feet of 6 inch main, 400 feet of 7 inch main and 400
feet of 6 inch gated, all aluminium pipe; 86 Model 30 Rainbird 13/64
nozzles, and 117 gates in the pipe. A pressure gauge was installed on
the pump.and the system is in the following condition: excellentThe point of diversion is located between a point 225 feet south and 720 feet east
of the SW Cor., Sec. 15 and a point 290 feet east and 885 feet south of
the NW Cor., Sec. 9 all in T 97 N, R 68 W.The works are capable of diverging and conveying to the place of use 3.80 cu. ft. per second of water,
which is to be used for irrigationThe legal sub-divisions to be irrigated are: parts of the NE 1/4, Sec. 21; NW 1/4 Sec. 22;
W 1/4 Sec. 15; Sec. 16; and Sec. 9 all in T 97 N, R 68 W.comprising a total of 277 acres of land.

The domestic use intended comprises

The utilization for power, mining, or other beneficial uses comprises:

Witness my hand, this 6th day of September, A. D. 1957

—SEAL—

Les Wyborny,

Examining Engineer.

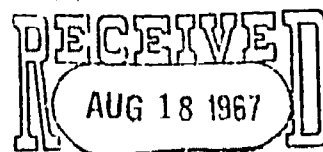
429-2

FROM

15 August 1967

Mr. Hollis Haisch

Bonesteel, South Dakota



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Dear Mr. Haisch:

Inclosed for your information and files is a fully executed copy of Easement No. DACW45-2-68-5011 granting right of way for the installation, operation and maintenance of portable irrigation water pipelines and portable pump units over, across, in and upon Government-owned lands of the Fort Randall Dam and Lake Francis Case Project, South Dakota.

It is requested that you forward to this office your remittance in the amount of \$200, as evidenced by the inclosed Bill for Collection.

Sincerely yours,

2 Incls

1. Esmt #68-5011
2. Bill for Collection

cc: SD St Wtr Res Comm
Reg Dir, Bur Rec
(ca w/cy incl 1)

DALE KENT
Chief, Real Estate Division

DEPARTMENT OF THE ARMY
EASEMENT FOR RIGHT OF WAY
(PIPELINE)

ON FORT RANDALL DAM AND LAKE FRANCIS CASE, PROJECT, SOUTH DAKOTA

No. DACW45-2-68-5611

THE SECRETARY OF THE ARMY, under and by virtue of the authority vested in him by Title 10, United States Code, Section 2669, hereby grants to

Hollis Haisch

Bonesteel, South Dakota

coextensive with State Water

hereinafter designated as the grantee, for a period ~~perpetuity~~ / Permits Nos. 429-2 & 459-2 ~~perpetuity~~, an easement for a right of way for the installation, operation and maintenance of portable irrigation water pipelines and portable pump units

over, across, in, and upon land under the control of the Secretary of the Army at the location shown in red on Exhibit A, entitled Fort Randall Reservoir, Segment "E" attached hereto and made a part hereof, and described ~~on attached Exhibit "B"~~ on attached Exhibit "B"

THIS EASEMENT is granted subject to the following conditions:

1. The grantee shall pay to the United States compensation in the amount of

Two Hundred and no/100 Dollars (\$ 200.00)
payable in advance.

Compensation shall be made payable to the Treasurer of the United States and forwarded by the grantee to the District Engineer, Omaha District, Corps of Engineers, 6012 U. S. Post Office and Courthouse, Omaha, Nebraska 68102

2. The installation and/or operation and maintenance of said line shall be accomplished without cost or expense to the United States under the general supervision and subject to the approval of the officer having immediate jurisdiction over the property, hereinafter designated as "said officer", and in such manner as not to endanger personnel or property of the United States on the said United States land or obstruct travel on any road thereon. The grantee shall have the right of ingress and egress for such purposes.

3. The use and occupation of said land incident to the exercise of the privileges hereby granted shall be subject to such rules and regulations as the said officer may from time to time prescribe.

4. The grantee shall supervise the said line and cause it to be inspected at reasonable intervals, and shall immediately repair any breaks found therein as a result of such inspection, or when requested by said officer to repair any defects. Upon completion of the installation of said line and the making of any repairs thereto, the premises shall be restored immediately by the grantee, at the grantee's own expense, to the same condition as that in which they existed prior to the commencement of such work, to the satisfaction of the said officer.

5. Any property of the United States damaged or destroyed by the grantee incident to the use and occupation of the said premises, shall be promptly repaired or replaced by the grantee to the satisfaction of the said officer or in lieu of such repair or replacement the grantee shall, if so required by the said officer, pay to the United States money in an amount sufficient to compensate for the loss sustained by the United States by reason of damages to or destruction of Government property.

6. The United States reserves to itself the right to construct, use, and maintain across, over, and/or under the right of way hereby granted, electric transmission, telephone, telegraph, water, gas, gasoline, oil and sewer lines, and other facilities, in such manner as not to create any unreasonable interference with the use of the right of way herein granted.

7. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the use and occupation of the said premises, nor for damages to the property of the grantee, or for injuries to the person of the grantee (if an individual), nor for damages to the property or injuries to the person of the grantee's officers, agents, servants, or employees, or others who may be on said premises at their invitation or the invitation of any one of them, arising from or incident to government activities, and the grantee shall hold the United States harmless from any and all such claims.

8. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the construction, maintenance, and use of said line.

9. That the grantee shall furnish through said line such service as may be required from time to time for governmental purposes on said land, provided that payment for such service will be made by the United States at rates which shall be mutually agreeable but which shall never exceed the most favorable rates granted by the grantee for similar service.

10. In the event all or any portion of said land occupied by said line shall be needed by the United States, or in the event the existence of said line shall be considered detrimental to governmental activities, the grantee shall, from time to time, upon notice so to do, and as often as so notified, remove said line and related facilities to such other location or locations on said land as may be designated by said officer, and, in the event said line shall not be removed or relocated within ninety (90) days after any aforesaid notice, the United States may cause the same to be done at the expense of the grantee.

11. This easement may be terminated by the Secretary of the Army upon a reasonable notice to the grantee if the Secretary of the Army shall determine that the right of way hereby granted interferes with the use or disposal of said land or any part thereof by the United States, or it may be terminated by the Secretary of the Army for failure, neglect, or refusal by the grantee fully and promptly to comply with any and all of the conditions of this grant, or for nonuse, or for abandonment.

12. Upon the expiration or termination of this grant, the grantee shall, without expense to the United States, and within such time as the Secretary of the Army may indicate, remove the said line from said land and restore the premises hereby authorized to be used and occupied to a condition satisfactory to the said officer. In the event the grantee shall fail, neglect, or refuse to remove the said line and so restore the premises, the United States shall have the option either to take over the said line as the property of the United States, without compensation therefor, or to remove the said line and perform the restoration work as aforesaid at the expense of the grantee, and in no event shall the grantee have any claim for damages against the United States or its officers or agents, on account of the taking over of said line or on account of its removal.

13. The conditions of this instrument shall extend to and be binding upon and shall inure to the benefit of the heirs, representatives, successors, and assigns of the grantee.

14. That it is understood that this instrument is effective only insofar as the rights of the United States in the said property are concerned; and that the grantee shall obtain such permission as may be necessary on account of any other existing rights.

15. That this easement and right of way is granted for the exercise of of established water rights. It is understood and agreed that no right to use water from the reservoir is created by this grant.

16. That the grantee shall not discharge waste or effluent from the granted property in such manner that such discharge will contaminate streams or other bodies of water or otherwise become a public nuisance.

17. That the grantee shall not utilize the said strips of land for the installation of more than two (2) pipelines and/or pump units at any one time.

That Conditions Nos. 15, 16 and 17 were added prior to execution of this easement.

This easement is not subject to Title 10, United States Code, Section 2662.

IN WITNESS WHEREOF I have hereunto set my hand this 6th
day of August, 1961

/s/ Dale Fene

DALE FENE

Chief, Real Estate Division

Omaha District, Corps of Engineers

(cont'd from page 1)

Strip No. 1 - A parcel of land 33' wide in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 16, T97N, R68W, Gregory County, South Dakota, lying 16 $\frac{1}{2}$ ' on either side of the following described line; beginning at the NW corner of the S $\frac{1}{2}$ of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, thence East parallel to the North line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ to the shoreline of Lake Francis Case, containing 0.25 acre, more or less.

Strip No. 2 - A parcel of land 33' wide in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, T97N, R68W, Gregory County, South Dakota, lying 16 $\frac{1}{2}$ ' on either side of the following described line; beginning at the SE corner of the NE $\frac{1}{4}$ of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, thence North parallel to the West line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ to the shoreline of Lake Francis Case, containing 0.25 acre, more or less.

Strip No. 3 - A parcel of land 33' wide in the S $\frac{1}{2}$ of Section 9, T97N, R68W, Gregory County, South Dakota, lying 16 $\frac{1}{2}$ ' on either side of the following described line; beginning at the NE corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 9, thence East parallel to the North line of said S $\frac{1}{2}$ to the shoreline of Lake Francis Case, containing 0.25 acre, more or less.

Strip No. 4 - A parcel of land 33' wide in the N $\frac{1}{2}$ of Section 9, T97N, R68W, Gregory County, South Dakota, lying 16 $\frac{1}{2}$ ' on either side of the following described line; beginning at the SE corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 9, thence N45° 00'E to the shoreline of Lake Francis Case, containing 0.25 acre, more or less.

EXHIBIT B ATTACHED TO AND MADE

A PART OF DACW45-2-68-5011

Observations during the Field Inspection on August 3, 1957
of the Hollis Haisch Project relative to Application #429-2.

Mr. Haisch and Mr. DeHaan accompanied me on this inspection and were very helpful and cooperative in assisting me so that I could complete my work.

This project consisted of 267 acres + located in the NE Cor. NE $\frac{1}{4}$ Sec 21, NW Cor NW $\frac{1}{4}$ Sec 22, SW $\frac{1}{4}$ Sec 15, Sec 16, and Sec 9 all in T.97N, R.168W. This area was divided into 15-75 acre fields of milo, cane, corn, and alfalfa. The pump was located on Randall Reservoir (Missouri River) about 50 rods N. and 40 rods E. of the Cor. $\frac{16}{15}$. The area to be irrigated (except for a small area in Sec $\frac{21}{22}$ 15 & 22 which was taken out and an area in SW $\frac{1}{4}$ Sec 9 which was added still maintaining the total acreage) and the locations of the diversion points corresponded to those shown on Map #451-2.

The system was operating at the time of the inspection in a milo field at the South end of the project. The lift was an estimated 6 ft. from the water to the pump and 0-100 ft. from the pump to the field.

Equipment consisted of a Chrysler Industrial Engine, on propane, rated @ 180 Hp and 120 continuous (estimated). He also has a Karlow Pump, Model #6E6S, Spec #1827, Serial #D8947, w/ a 6 inch inlet and outlet, and has an estimated capacity varying from 600-1800 gpm under the power and field conditions in this case. This range would be encountered in irrigating over the entire area in this project. Additional equipment includes 2600 feet of 4 inch Sprinkler Line, 1260 feet of 6 inch Main Line, 400 feet of 7 inch Main Line, and 400 feet of 6 inch Gated Pipe, and 86 Model-35 Rainbird 13/64 nozzles. There was a pressure gauge on the pump and the operator stated that he pumps @ 50-135# pressure at the pump. I donot think that we should assume over an 85# nozzles pressure as the breakup is too great beyond this for feasible operation.

A reasonable estimate would be a maximum capacity on the nozzles of 868.6 gpm total and on the gates (estimate 117 gates @ 15 gpm, partially open) or a total of an estimated 1755 gpm.

All of the equipment was new and in excellent condition.

The area to be irrigated and the capacity of the works or equipment to convey water to the place of use corresponded to the conditions as set forth in the Application and Permit.

September 6, 1957

Les Wyborny
Les Wyborny
Water Rights Engineer

Thats all

SOUTH DAKOTA
Department of
Water & Natural Resources

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

January 29, 1988

HOLLIS HAISCH
RT 2 BOX 18
BONESTEEL, SD 57317

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation Questionnaire

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 429-2, 459-2. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 429-2, 459-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.

John Hatch

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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

February 9, 1988

429-2
459-2

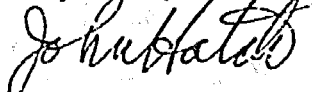
Hollis Haisch
Rt. 2, Box 18
Bonesteel SD 57317

Dear Mr. Haisch:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 429-2 & 459-2 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



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



429-2
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 22, 1999

NOTICE

TO: HOLLIS HAISCH, RT 2 BOX 18, BONESTEEL, SD 57317 9521

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire has not been submitted for Permit No(s) 429-2 & 459-2. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, March 3, 1999, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 429-2 & 459-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. 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 questionnaire(s) is(are) received in this office on/or before March 1, 1999, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (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.

429-2

SENDER: a. Complete items 1 and/or 2 for additional services. b. Complete items 3, 4a, and 4b. c. Print your name and address on the reverse of this form so that we can return this card to you. d. Attach this form to the front of the mailpiece, or on the back if space does not permit. e. Write "Return Receipt Requested" on the mailpiece below the article number. f. The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. ☐ Addressee's Address 2. ☐ Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: HOLLIS HAISCH RT 2 BOX 18 BONESTEEL SD 57317 9521		4a. Article Number 2119141670	
		4b. Service Type ☐ Registered ☒ Certified ☐ Express Mail ☐ Insured ☐ Return Receipt for Merchandise ☐ COD	
		7. Date of Delivery 1-23-99	
5. Received By: (Print Name) Hollis Haisch		8. Addressee's Address (Only if requested and fee is paid)	
6. Signature: (Addressee or Agent) 			
PS Form 3811, December 1994		102595-97-B-0179 Domestic Return Receipt	

Is your RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service.



429-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 27, 1999

429-2
459-2

Hollis Haisch
RR 2 Box 18
Bonesteel, SD 57317-9521

Dear Mr. Haisch:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right Nos. 429-2 and 459-2.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 14, 2002

429-2

Joe Duling
122 Main St
Gregory SD 57533

Dear Mr. Duling:

Thank you for calling about the pending ownership change for Water Right No. 429-2. Enclosed as we discussed, is a partially completed Notice of Transfer of Ownership form for us in filing the ownership change.

Please review the form and complete as needed. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

I noticed when reviewing the water right that we do have a copy of the old easement written by the Corps of Engineers for this property. If you would like a copy, let me know. I have a feeling they will want to redo the easement with the name change and send you something different so perhaps the copy we have will not be useful to you anyway.

If you have any questions about the water right, filing the transfer form or completion of the irrigation questionnaire, please let me know.

Sincerely,

Genny McMath

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

enclosure

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date November 19, 2002

RECEIVED OF R. J. Duling, Business Account, 122 Main St., Gregory SD 57533

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>429-2</u>	2	50
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	2.50

No.

000361

By

J. Oakland Ebel
Chief Engineer

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

NOV 19 2002

WATER RIGHTS
PROGRAM

No. 429-2

Date: 11-18-02

I/We request that Water Right No. 429-2

formerly owned by: Hollis Haisch

be transferred to: (name & address)

Joe Duling
RR 1 Box 146
Dixon, SD 57533

Telephone No. 605-835-8053

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

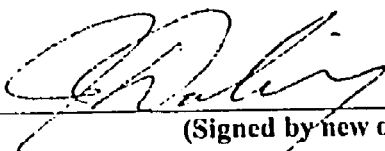
277 acres - NE ¼ Section 21, NW ¼ Section 22, W ¼ Section 15, Section 16, Section 9, all in T97N,
R68W

I/We understand that the validity of Water Right No. 429-2 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 Two Dollars and Fifty Cents (\$2.50) 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 Joe Duling, the new owner, certify that the above information is true and correct.


(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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 20, 2002

429-2

Joe Duling
RR 1 Box 146
Dixon SD 57533

Dear Mr. Duling:

I am writing to acknowledge receipt of the transfer form, filing fee and the 2002 irrigation questionnaire for Water Right No. 429-2. The transfer has been completed. The water right, formerly listed in the name of Hollis Haisch is now listed in your name.

Enclosed is your Receipt No. 000361 in the amount of \$2.50. You may keep this for your records. Also enclosed, as you requested, is a copy of the old Corps of Engineers easement pertaining to installation, operation and maintenance of the irrigation pump and pipeline. If you have not done so already, you should contact Ron Ellis with the Omaha District (they handle all easements from Ft Randall down to Gavins Point). His phone number is (402) 222-4359. I know that they have to either replace or assign existing easements once an ownership change has occurred.

If you have any questions, please give me a call.

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JUN 30 2004

429-2

459-2

Joe Duling
122 Main St
Gregory SD 57533

Dear Mr. Duling:

Enclosed is Reissued Water License No. 459-2. The applicable portions of Water Right No. 429-2 were incorporated into No. 459-2. Also included is Receipt No. 001055 in the amount of \$2.50 which you paid for filing the ownership change for No. 459-2.

Water Right No. 459-2 was originally issued to increase the diversion rate for irrigation of land described in Water Right No. 429-2. Based on a letter received from you in January, 2004, the licenses are being combined and will authorize irrigation of the 215 acres you indicated are still being irrigated.

Combining the water rights eliminates the need for two irrigation questionnaires each year. Next fall, you will receive an irrigation questionnaire for Water Right No. 459-2. Everything you irrigate can be reported on the one form.

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,

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

enclosure

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 459-2

(1) Hollis Haisch was issued Water License No. 429-2, with a priority date of August 14, 1956 for a water right to divert 2.23 cubic feet of water per second (cfs) from the Missouri River, Gregory County, South Dakota for irrigation purposes. Water Right No. 459-2, with a priority date of May 29, 1957 was issued to authorize an increase in the diversion rate to irrigate the same land described in Water Right No. 429-2. The combined diversion rate authorized by Water Right Nos. 429-2 and 459-2 is 3.80 cfs.

Water Right Nos. 429-2 and 459-2 have been transferred from Hollis Haisch to Joe Duling.

In a letter dated January 6, 2004, the water right holder described the land still being irrigated. The applicable portions of Water Right No. 429-2 are being incorporated into Water Right No. 459-2 with the license being reissued to reflect what is actually being irrigated.

Based on the 215 acres still irrigated, a diversion rate of 3.07 cfs is applied with the following priority dates:

- August 14, 1956 (established under No. 429-2) for 2.23 cfs; and
- May 29, 1957 (established under No. 459-2) for 0.84 cfs.

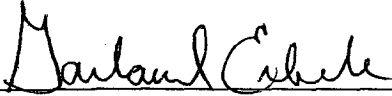
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, Joe Duling, 122 Main St, Gregory SD 57533 the holder and/or owner of Water Right No. 459-2 is issued a license, bearing priority dates of August 14, 1956 and May 29, 1957 to appropriate 3.07 cubic feet of water per second from the Missouri River to irrigate 215 acres.

The diversion point is located between a point 225 feet south and 720 feet east of the SW corner of Section 15 (Lot 3 of Section 22) and a point 290 feet east and 885 feet south of the NW corner of Section 9 (NW ¼ NW ¼) all in T97N, R68W.

The acres authorized for irrigation are as follows:

70 acres – NW ¼ Section 16, T97N, R68W
<u>145</u> acres – Section 9, T97N, R68W
215 acres – Total

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit Nos. 429-2 and 459-2.



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

JUN 30 2004

date

