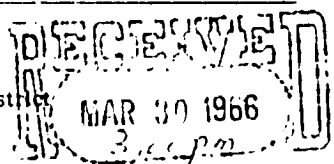


1. Considered 5-18, 19 66
2. Name of Applicant Albert Steffen
3. Post Office Address Prine
4. Amount of water claimed 50.50
5. Source of water supply Missouri River
6. Water to be used for irrigation
 Acres to be irrigated 3535
7. Water to be diverted and used in Sully County about
65 16w miles of Grider
8. Proof of Publication Received ✓
 Not Received _____
9. Application Approved _____
 Subject to _____
 Not Approved _____
 Action deferred _____

10. Remarks:

No. 1264-3
 Water Division No. 3 MISSOURI RIVER District 3
 (Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT TO APPROPRIATE WATER RESOURCES COMMISSION

To Appropriate Water within the State of South Dakota

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

1. Name of applicant ALBERT STEFFEN
 Postoffice address PIERRE, County HUGHES, State S. DAK.

I. If a corporation _____

- (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)

CONTRACT & SELF EMPLOYMENT

(b) Cash on hand, \$ ADEQUATE (c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work STEFFEN PROJECT #1

3. Amount of water claimed 50.5 19.7 cubic feet per second

4. Source of water supply MISSOURI RIVER

5. Location of point of diversion SEE ATTACHMENT

_____ on LEFT bank SULLY County.

6. Annual period or periods during which water is to be used APRIL THRU OCTOBER

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? SPRINKLER

(a) Number of acres to be irrigated 3535.1379 acres. (PART TRANS: G STEFFEN ERS.)

(b) Legal subdivisions to be irrigated SEE ATTACHMENT

(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.)

(c) Statement as to domestic use (giving location, etc.) _____

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

(a) Nature of use _____

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 _____

MAP NO 881-3

8. Estimated cost of work:

(a) Head Gates, \$----- (b) Pumping plant, \$-----
 (c) Fluming, \$----- (d) Canal-earth, \$----- Rock, \$-----
 (e) Other structures ----- \$----- Total, \$-----

9. Description of diversion works:

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

PUMPS, PIPE & SPRINKLER SYSTEMS

II. Dimensions of works.

(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.

DEPTH AT OUTLET- FEET	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE- FEET CAPACITY

(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 5 years.
 11. Time required for complete application of water to the proposed beneficial use 4 years.
 12. Choice of newspaper for publication of notice of intention to appropriate -----

CAPITAL JOURNAL, PIERRE, S. DAK.

STATE OF SOUTH DAKOTA

County of HUGHES ss.

I, ALBERT STEFFIN

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

Albert Steffin

Subscribed and sworn to before me this

30th

day of

MARCH

1966

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

H. E. BROWN, Notary Public
 My Comm. expires -----



NOTE: POINT OF DIVERSION EAST & WEST BANK OF OKOBOJO CREEK BETWEEN POINTS A & B

AREAS BY LEGAL SUBDIVISION

SE 1/4 Sec. 2 - T 113 N - R 80 W
SEC. 3 - T 113 N - R 80 W
E 1/2 SEC. 4 - T 113 N - R 80 W
NE 1/4 SEC. 9 - T 113 N - R 80 W
SEC. 10 - T 113 N - R 80 W
SEC. 11 - T 113 N - R 80 W
SEC. 12 - T 113 N - R 80 W
NW 1/4 SEC. 7 - T 113 N - R 80 W
NE 1/4 SEC. 13 - T 113 N - R 80 W
SEC. 14 - T 113 N - R 80 W
SEC. 15 - T 113 N - R 80 W
SEC. 16 - T 113 N - R 80 W

SURVEYORS CERTIFICATE

STATE OF SOUTH DAKOTA⁵⁵
COUNTY OF HUGHES

I, MAYNARD C. SOMMER, REGISTERED LAND SURVEYOR, IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF ALBERT STEFFEN, SOLE OWNER, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED WITHIN HIS OWNERSHIP BOUNDRIES ON MARCH 1966 FOR WHICH APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND THAT THIS MAP IS A TRUE REPRESENTATION THEREOF.
WITNESS MY HAND AND SEAL THIS 23RD DAY OF MARCH 1966.

Maynard C. Sommer
REG. LAND SURVEYOR

STATE OF SOUTH DAKOTA⁵⁵
COUNTY OF HUGHES

ON THIS DAY, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED MAYNARD C. SOMMER, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING SURVEYORS CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.
WITNESS MY HAND AND SEAL THIS 23RD DAY OF MARCH 1966.

MY COMMISSION EXPIRES; January 19, 1967

R. B. Schell
NOTARY PUBLIC

SHOWING AREA & DIVERSION POINTS WHERE WATERS WILL BE DIVERTED FOR PERMIT TO APPROPRIATE WATER

ALBERT STEFFIN	OWNER
MAYNARD C. SOMMER	SURVEYOR

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, MAY 20, 1966

This is to certify that the foregoing application was received by the Commission at 3:00 o'clock
P.m. upon the 30TH day of MARCH, 1966

State Water Resources Commission

By:

Durton Stone
for Chief Engineer, Executive Officer

Number of permit 1264-3

Date of first receipt of application MARCH 30, 1966

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right MARCH 30, 1966

Approved MAY 18, 1966, Recorded in Book 9 Page 121

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 18, 1968

2nd. The whole of said work is to be completed on or before MAY 18, 1971

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

MAY 18, 1975

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 50.50 19.7 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 MAY 18, 1975; said water to be used during the following described annual period:

APRIL THRU OCTOBER
Witness my hand this 20TH day of MAY, 1966

State Water Resources Commission

By:

Robert L. Hume
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

DIVERSION POINTS:

BETWEEN A POINT IN THE SW⁴SW⁴, SECTION 16, AND A POINT IN THE NW⁴SW⁴, SECTION 2, T113N, R80W.

LANDS TO BE IRRIGATED

T113N, R79W NW⁴ SECTION 7 160 ACRES

T113N, R80W E²SE⁴ SECTION 2 60 "

SE⁴ & W² SECTION 3 180 "

E²E² SECTION 4 38 "

NE⁴ SECTION 8 96 "

SE⁴ & N² SECTION 10 358 "

~~SECTION 11 556~~

~~SECTION 12 640~~

~~N² SECTION 13 320~~

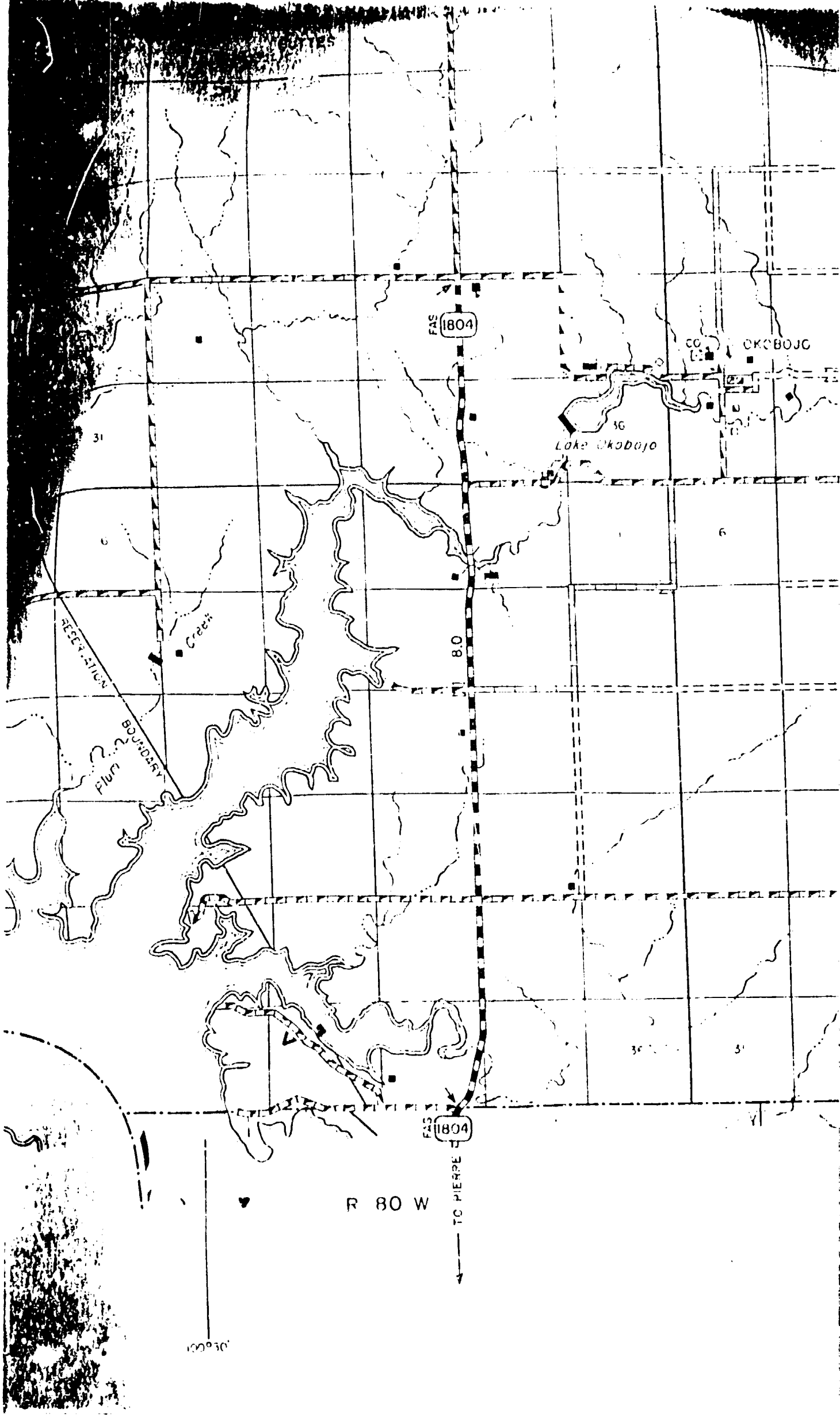
~~SECTION 14 640~~

NE⁴ & S² SECTION 15 474 "

SE⁴SE⁴ SECTION 16 13 "

TOTALS 3,535 ACRES

) TRANS TO
" 1264-34
) STEFFEN BROS



R 80 W

EAS 1804

EAS 1804

TO PIERRE

Lake Okobajo

OKOBOJO

RESERVATION
BOUNDARY

100°30'

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, energy needs, safety, food production, navigation, recreation, water supply, water quality, and in general, the needs and welfare of the people.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reason for holding a public hearing. The request must be submitted to the District Engineer, Omaha District, Corps of Engineers, P.O. Box 5, Omaha, Nebraska 68101.

Any interested party (particularly officials of any town, city, county, state, federal agency, or local association whose interests may be affected by the proposed work) is invited to submit to this office written facts, arguments, or objections on or before 25 June 1978. Any agency or individual having an objection to the work should specifically identify it as an objection with clear and specific reasons. Comments, both favorable and unfavorable, will be accepted, made a part of the record and will receive full consideration in subsequent actions on this permit application.

A permit, if granted, will be under Section 10 of the River and Harbor Act of 1899 (30 Stat. 1151; 33 USC 403).

A drawing showing the location and extent of the work is attached to this notice.

FOR THE DISTRICT ENGINEER:

Attachment
As stated



RALPH J. MILLER
Chief, Regulatory Functions Branch
Operations Division



DEPARTMENT OF THE ARMY
OMAHA DISTRICT, CORPS OF ENGINEERS
6014 U.S. POST OFFICE AND COURTHOUSE
OMAHA, NEBRASKA 68102

MROOP-N
SD 2SB OXT 1 001598
Steffen Brothers, Inc.
Irrigation Intake Structure
Missouri River Mile 1089.50L (1960 Mileage)

26 May 1978

NOTICE OF PERMIT PENDING

The application of Steffen Brothers, Inc., Part A, Pierre, South Dakota 57501, for approval of plans and issuance of a permit under authority of the Secretary of the Army is being considered by the District Engineer, U.S. Army Engineer District, Omaha, Nebraska.

The applicant requests permission to modify an existing portable irrigation intake structure on the left bank of the Missouri River at mile 1089.50 in Section 16, Township 113 North, Range 80 West, Sully County, South Dakota.

The proposed activity would consist of removing the existing portable structure and installing a permanent structure at the same location. The construction would consist of pouring a concrete pad in place at elevation 1,620 mean sea level (see attached drawing). Three 150-horsepower electric booster pumps will be mounted on the pad and three 50-horsepower electric submersible pumps will be connected to the booster by a 12-inch intake steel line. Each pump will have a 5-foot by 4-foot by 2-foot intake screening device covered with $\frac{1}{4}$ -inch perforated steel. The intakes will be placed at the elevation of 1,575 mean sea level and have an intake velocity of 0.18-foot per second.

The purpose of the proposed project is to modify the temporary structure to a permanent structure to irrigate approximately 1,850 acres of land.

A preliminary assessment of the proposed action indicates that it is minor in nature and will not result in a significant impact on the quality of the human environment. Accordingly, a preliminary determination has been made that this project does not warrant the preparation of an environmental impact statement.

In compliance with the National Environmental Policy Act of 1969 and Section 106 of the National Historic Preservation Act of 1966, the National Register of Historic Places and monthly supplements thereto have been consulted and no properties included therein will be affected by this activity. However, presently unknown archeological, scientific, prehistoric, or historic data may be lost or destroyed by work to be accomplished under the requested permit.

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, energy needs, safety, food production, navigation, recreation, water supply, water quality, and in general, the needs and welfare of the people.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reason for holding a public hearing. The request must be submitted to the District Engineer, Omaha District, Corps of Engineers, P.O. Box 5, Omaha, Nebraska 68101.

Any interested party (particularly officials of any town, city, county, state, federal agency, or local association whose interests may be affected by the proposed work) is invited to submit to this office written facts, arguments, or objections on or before 25 June 1978. Any agency or individual having an objection to the work should specifically identify it as an objection with clear and specific reasons. Comments, both favorable and unfavorable, will be accepted, made a part of the record and will receive full consideration in subsequent actions on this permit application.

A permit, if granted, will be under Section 10 of the River and Harbor Act of 1899 (30 Stat. 1151; 33 USC 403).

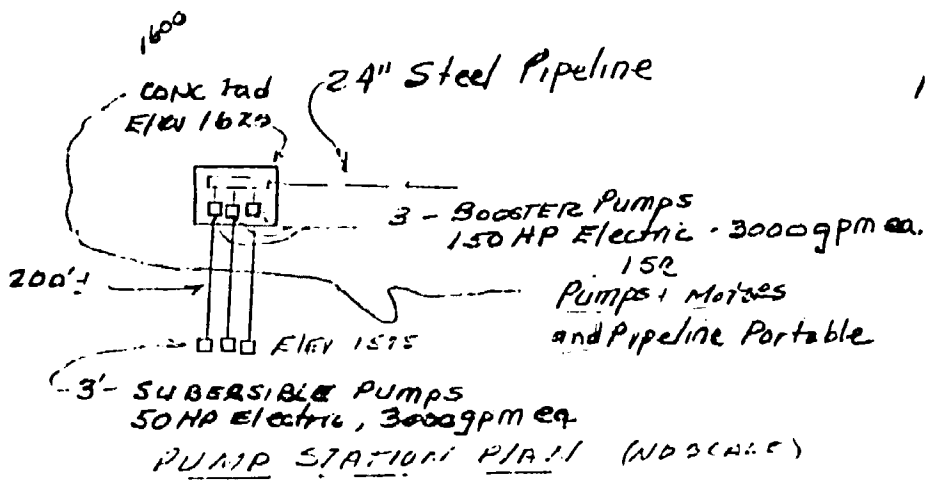
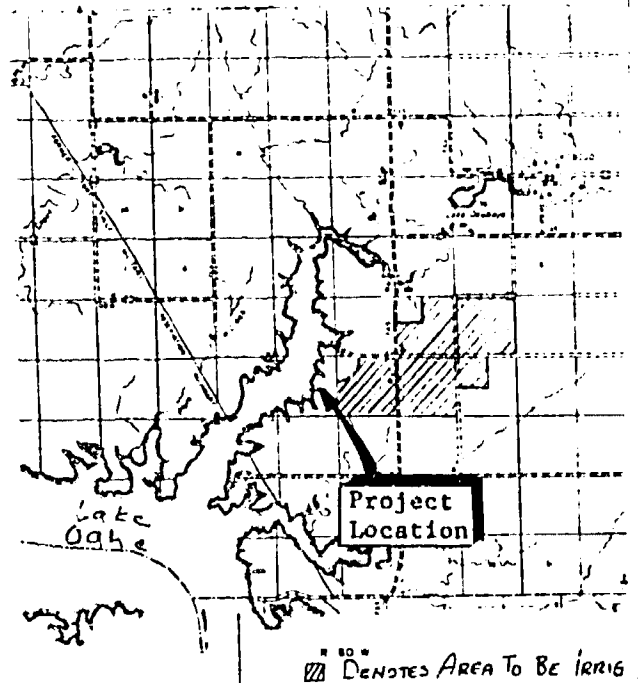
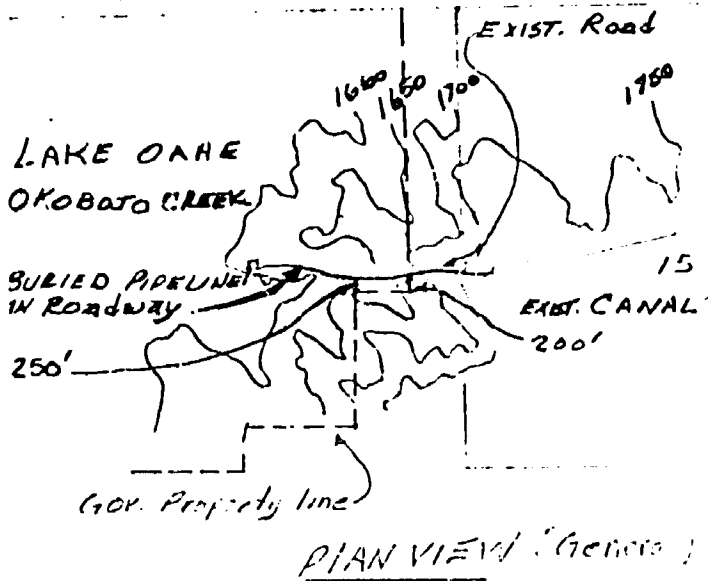
A drawing showing the location and extent of the work is attached to this notice.

FOR THE DISTRICT ENGINEER:

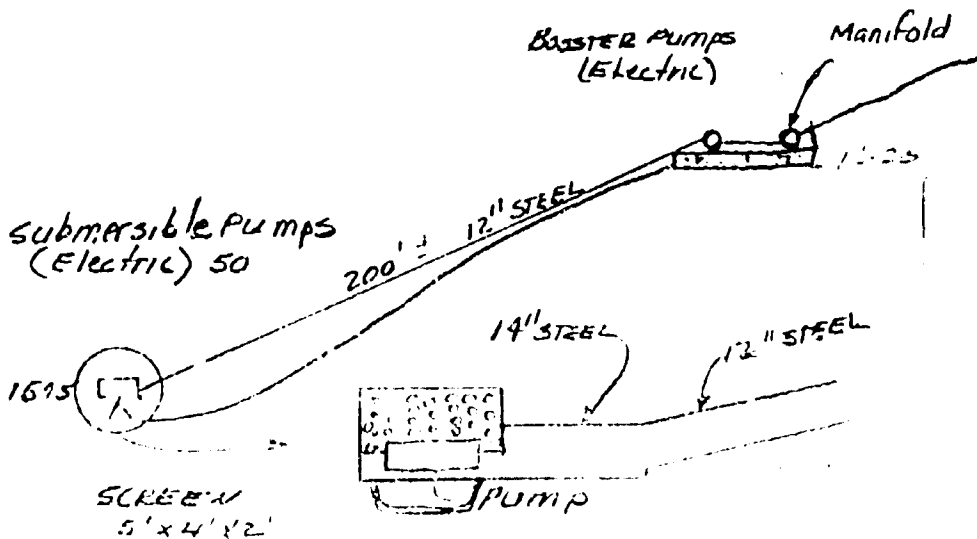
Attachment
As stated



RALPH J. MILLER
Chief, Regulatory Functions Branch
Operations Division



1. 1/4" perforated steel with 53% area, screen size 37.18 ft² effective area. Intake velocity - 18 ft/s at 3000 gpm intake.



STEFFEN BROS, INC
SULLY COUNTY, S.D.
OKOBOJO CREEK PUMP
STATION and Pipeline
SHEET #1 of 1 - 4/12/

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

1264-3

ON OAK RIVER AND TERRACE EASEMENT

NO. 05011

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

Albert Steffen, Pierre, South Dakota

hereinafter designated as the grantee, for a period not exceeding coextensive with State Water (----) years from the date hereof, an easement for a right of way for a portable pump unit and portable irrigation pipeline.

over, across, in, and upon land under the control of the Secretary of the Army at the location shown in red on Exhibit "A" Oak Reservoir Real Estate Map, Segment "B" attached hereto and made a part hereof, and described as follows:

A parcel of land in the W. 1/4 of Section 16, Township 113 North, Range 60 West, Jolly County, South Dakota, more particularly described as follows:

A strip of land 50' in width lying 25' on either side of the following described line; commencing at the Southeast corner of the NW 1/4 of said Section 16, thence North along the East line of said NW 1/4 for a distance of 25' to the point of beginning; thence West parallel to the South line of said NW 1/4 to the shoreline of the Oak Reservoir.

THIS EASEMENT is granted subject to the following conditions:

1. The grantee shall pay to the United States compensation in the amount of Fifty Dollars (\$ 50.00)

, payable in advance. Compensation shall be made payable to the Treasurer of the United States and forwarded by the grantee to

District Engineer

Omaha District, Corps of Engineers

612 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 leaks 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 agreement may be terminated by the United States at any time.

the United States, or in that case, 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.

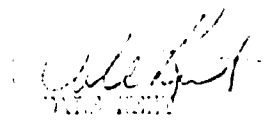
15. That the United States reserves the right to flood the premises when, and as necessary, in connection with project operation.

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

That Condition No. 15 and Condition No. 16 were read and approved 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 16th
day of September 1964


WILLIAM H. SMITH
Chief, Real Estate Division
3 Omaha District, Corps of Engineers

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County HUGHES } ss.

J. H. HIPPLE being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____

DAILY CAPITAL JOURNAL newspaper which during the whole itme of publication of said notice herein after stated, has been and is printed and published in the _____

City of Pierre County of _____

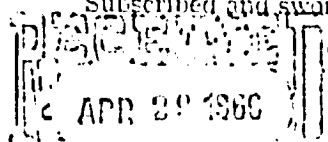
Hughes and State of South Dakota; that the said notice was published in said newspaper on the following dates:

April 7-14-21-28-1966

in each and every issue of the full number thereof, the first publication being made on the 7 day of April 1966 and the last publication on the 28 day of April 1966, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Business Mgr. the printer and publisher of the said newspaper.

J. H. Hipple

Subscribed and sworn to before me this 28 day of April A. D. 1966



NOTARY PUBLIC - SOUTH DAKOTA
J. H. Hipple

Notarial Commission Notary Public Hughes County, S. D.
South Dakota
Expires 1974

No. 11504, It daily, Apr. 7-14-21-28, 1966.
APPROPRIATION OF WATER
Office of State Water Resources
Commission

Pierre, S. Dak., April 4, 1966.
Notice is hereby given that Albert Steffen, whose postoffice address is Pierre, 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 50.5 cubic feet of water per second of time from the Missouri River through the Steffen Project No. 1, the point of diversion of which is to be located on the left bank of said stream between a point in the

NW 1/4 SW 1/4, Section 2, and a point in the SW 1/4 of the SW 1/4 of Section 16 Twp. 113N Range 86W. Said water to be used for the purpose of providing irrigation on the following described land:
NW 1/4 Section 7, T113N, R79W; E1/4 SE 1/4, Section 2; SE 1/4, NW 1/4, Section 3; E1/4, E1/4, Section 4; NE 1/4, Section 5; SE 1/4, N1/2, Section 10; NE 1/4, 12, and 14; N1/2, Section 11; SE 1/4, Section 15; SE 1/4, SE 1/4, Section 16, T113N, R86W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 18th day of May, 1966, at 2 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:

BURTON F. JONES
Water Right Specialist

on or before April 21
(First Publication

66
, 1966)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak.,

April 4

1966

Notice is hereby given that Albert Steffen whose postoffice address is Pierre 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 50.5

cubic feet of water per second of time from the Missouri River through the Steffen Project #1 the point of diversion of which is to be located on the left

between a point in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, and a point SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16 bank of said stream/in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 16 Twp. 113N Range 80W Said water to be used for the purpose of providing irrigation on the following described land:

NE $\frac{1}{4}$ Section 7, T113N, R79W; E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 2; SE $\frac{1}{4}$, W $\frac{1}{2}$, Section 3; E $\frac{1}{2}$ E $\frac{1}{2}$, Section 4; NE $\frac{1}{4}$ Section 8; SE $\frac{1}{4}$, N $\frac{1}{2}$ Section 10; Sections 11, 12, and 14; N $\frac{1}{2}$ Section 13; NE $\frac{1}{4}$, S $\frac{1}{2}$ Section 15; SE $\frac{1}{4}$, SE $\frac{1}{4}$ Section 16, T113N, R80W

purposes:

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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:

CC: R. D. Hippo, Publisher
Capital-Journal
Pierre, S.D.

EDUPON F. JONES
Water Right Specialist

1264-3
1264-3A

March 26, 1984

Agri Management
108 N. Euclid
Pierre, South Dakota 57501

Dear Mr. Baker:

Enclosed please find the 1983 Irrigation Questionnaires for Albert Steffen and Steffen Brothers. They indicated you leased their land during 1983.

Water Permit 1264-3 authorizes irrigation of the following land:

T113N, R79W, Section 7	NW $\frac{1}{4}$	160 Acres
T113N, R80W, Section 2	E $\frac{1}{2}$ SE $\frac{1}{4}$	60 Acres
Section 3	SE $\frac{1}{4}$ W $\frac{1}{2}$	180 Acres
Section 4	E $\frac{1}{2}$ E $\frac{1}{2}$	38 Acres
Section 8	NE $\frac{1}{4}$	96 Acres
Section 10	SE $\frac{1}{4}$ & N $\frac{1}{2}$	35 $\frac{1}{2}$ Acres
Section 15	NE $\frac{1}{4}$ & S $\frac{1}{2}$	474 Acres
Section 16	SE $\frac{1}{4}$ SE $\frac{1}{4}$	13 Acres

and, 1264-3A authorizes

T113N, R80W, Section 11	556 Acres
Section 12	640 Acres
Section 13	320 Acres
Section 14	640 Acres

Please complete the data sheets for our records. If possible return the forms by March 30, 1984. If you have any questions, please contact us.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc.

Equal Opportunity Employer

SOUTH DAKOTA
Department of
Water & Natural Resources

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

April 15, 1985

Steffen Brothers
SR A Box 132
Pierre SD 57501

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s). 1264-3, 1264-3A. The request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 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 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

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). 1264-3, 1264-3A 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.

Sincerely,

John Hatch
John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

NOTE: If the questionnaire(s) is received in this office before the May 15th hearing date, your name will be deleted from the agenda for the hearings.

**South Dakota Department of
Water & Natural Resources**

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

June 12, 1985

Notice of Amendment to Water Permit(s)

To: Albert Steffen
Steffen Brothers
SR A, Box 132
Pierre, SD 57501

FROM: John Hatch, Chief Engineer
Water Rights Division 773-3352 *John Hatch*

SUBJECT: Amendment to Water Permit No(s). 1264-3 & 1264-3A.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 1264-3 & 1264-3A to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required Irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.



Department of Water & Natural Resources

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

Attachment to Water Permit No(s). 1264-3 & 1264-3A

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 1264-3 & 1264-3A to add the following qualification:

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

SOUTH DAKOTA
Department of
Water & Natural Resources
Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501
WATER RIGHTS DIVISION
Phone (605) 773-3352

No. 1264-3

1264-3A

DEC 20 1965

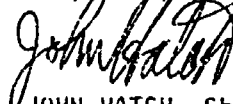
Steffen Brothers, Inc.
SR A, Box 132
Pierre, South Dakota 57501

Dear Sirs:

Enclosed herewith is, Water License No. 1264-3A. This is the final water right document completing your process of obtaining a water right.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

Enclosures

Applicable portions of Permit No. 1264-3 have been incorporated into this Water License No. 1264-3A.

WRR-017 3/83
Transmittal of Water License



STEFFEN BROTHERS INC
HCR 37 BOX 132
PIERRE SD 57501

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

RE: Violation of Water Permit No(s) 1264-3A

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 1264-3A. The request for the Questionnaire was dated October 16, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1264-3A qualification:

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

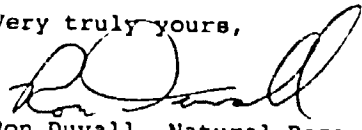
The hearing will be held at 9:15 am, March 4, 1992, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, 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) 1264-3A in accordance with applicable provisions of SDCL 46-1-12;
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 before the March 4th hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,


Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

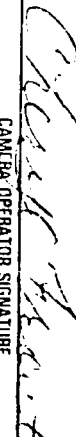
STATE OF SOUTH DAKOTA

THIS IS TO CERTIFY THAT THE MICROGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SECTION 1-27.4 OF THE SOUTH DAKOTA CODIFIED LAWS. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF ADMINISTRATIVE RULES OF SOUTH DAKOTA 10:04:01 AND 10:04:02 FOR MICROGRAPHIC REPRODUCTIONS.

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ROLL NUMBER 46-25

DATE MICROFILMED 4-2-92

CAMERA OPERATOR SIGNATURE 

MICROFILM CERTIFICATE OF AUTHENTICITY



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

February 7, 1992

1264-3A

Steffen Brothers, Inc
HCR 37 Box 132
Pierre, SD 57501-9514

Dear Sirs:

I am writing to acknowledge receipt of your 1991 irrigation questionnaire for Water Right No. 1264-3A. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaire was received prior to the Water Management Board meeting and your name was deleted from the agenda.

If you have any questions, please contact me at (605) 773-3352.

Sincerely,

Genny McMath
Genny McMath
Natural Resources Analyst
Water Rights Division

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

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:

STEFFEN BROTHERS INC
HCR 37 BOX 132
PIERRE, SD 57501

4a. Article Number

P 906 557 831

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

FEB - 8 1992

5. Signature (Addressee)

David S. Giff

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)



1264-3A

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2004

NOTICE

TO: STEFFEN BROTHERS INC, DAVE STEFFEN, 19076 SD HWY 1804, PIERRE, SD 57501 9514

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1264-3A. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1264-3A qualification:

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

The hearing will be held at 8:30 am, March 3, 2004 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) 1264-3A in accordance with applicable provisions of SDCL 46-1-12;
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 February 27, 2004, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath 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.



1264-3A

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 9692

Your item was delivered at 1:55 pm on January 26, 2004 in PIERRE, SD 57501. The item was signed for by D STEFFEN.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email

[What is this?](#)

[Go >](#)

▶ Request Proof of Delivery

[What is this?](#)

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Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 9692

STEFFEN BROTHERS INC
DAVE STEFFEN
19076 SD HWY 1804
PIERRE SD 57501 9514

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

☐ Priority Mail®
☐ Package Services



1264-3A

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 6, 2004

1264-3A

Dave Steffen
Steffen Brothers Inc
19076 SD Hwy 1804
Pierre SD 57501-9514

Dear Mr. Steffen:

I am writing to acknowledge receipt of your 2003 irrigation questionnaire. I completed a questionnaire for you based on our February 6th telephone conversation.

You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right No. 1264-3A. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

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

