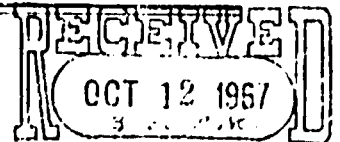


1450-3

1. Considered Nov 8, 1967
2. Name of Applicant Charles Cohen
3. Post Office Address Frankfort
4. Amount of water claimed 8.95
5. Source of water supply Ground Water & Tamen River
6. Water to be used for Irrigation
 Acres to be irrigated 127
7. Water to be diverted and used in Spencer County
 about 6.5 miles 1 E of Frankfort
8. Proof of Publication
 Received _____
 Not Received X
9. Application
 Approved Proof
 Subject to _____
 Not Approved _____
 Action deferred _____

Aug. 0
Domestic

10. Remarks:

No. 1950-3Water Division No. 3 James River District
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
PIENRE, 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 GLENDALE COLONY, John Kleinsasser, President
Postoffice address Frankfort, County Spink, 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 and Direct Labor

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

2. Name of diversion work
- Glendale Colony Irrigation Project No. 1

3. Amount of water claimed
- 9
- 6.67
- cubic feet per second

4. Source of water supply
- James River with wells as a secondary source

1. Well No. 1--1320'S, 1320' E of NW Corner, 8,115,62
2. Well No. 2--1320'S, 1320' W. of NE Corner, 8,115,62

3. Anywhere from a point just N and due E of the NE Corner, 8,115,62 to the S Sect line, 8,115,62 along James River on West bank Spink County.

6. Annual period or periods during which water is to be used
- April thru Oct.

7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?
- overhead Sprink

- (a) Number of acres to be irrigated
- 467
- acres.
- (160 ACRES TRANSFERRED TO PERMIT 1733-3)

- (b) Legal subdivisions to be irrigated
- all of Sect. 8, 115, 62 except the SE Corner cut

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction, with acreage thereof, should be which 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 # 1056-3

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.)

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.)

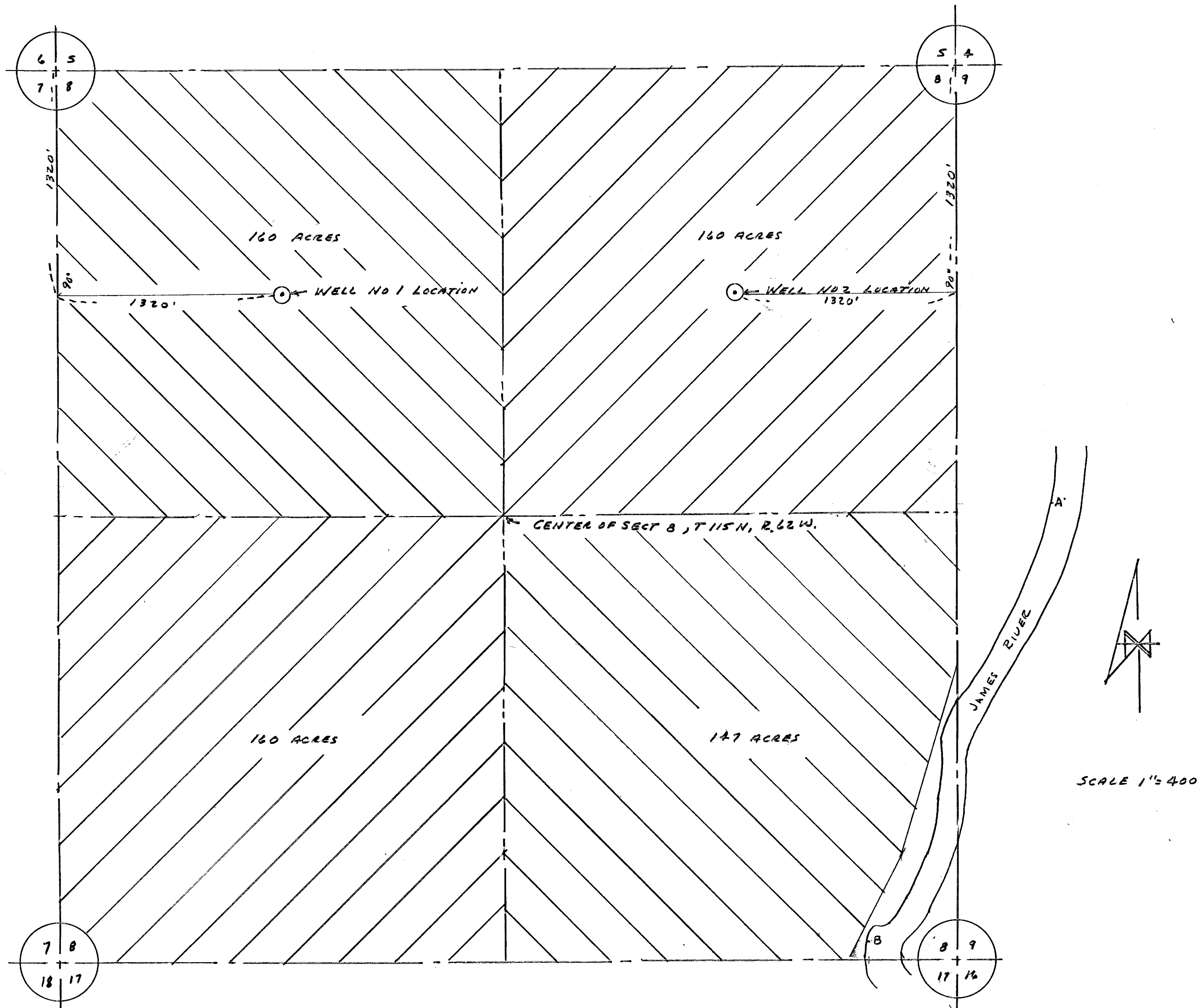
10. Time required for completion of work.....5.....years.
 11. Time required for complete application of water to the proposed beneficial use.....2.....years.
 12. Choice of newspaper for publication of notice of intention to appropriate.....
The Daily Plainsman, Huron, S. Dak.....

STATE OF SOUTH DAKOTA } ss.
 County of.....Beadle.....

I, John Klainnason, President Glendale Colony....., 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, Glendale Colony

Signed.....
 day of.....19.....
 Corinne Johnson
 Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



NOTE: POINT OF DIVERSION IS ANYWHERE BETWEEN POINT A AND POINT B ABUTTING GLENDALE COLONY OWNERSHIP BOUNDARIES ALONG THE WEST BANK OF THE JAMES RIVER.

AREAS BY LEGAL SUBDIVISION			
ACRES	SECTION	TOWNSHIP	RANGE
160	NW 1/4, 8	115	62
160	NE 1/4, 8		
160	SW 1/4, 8		
147	SE 1/4, 8		
621 TOTAL			

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA) SS
COUNTY OF BEADLE)
I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
CERTIFY THAT AT THE REQUEST OF GLENN DALE COLONY, (JOHN KLEINSASSER, PRESIDENT)
SOLE OWNER, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED
WITHIN THEIR OWNERSHIP BOUNDARIES ON OCT 7, 1967 FOR WHICH APPLICATION
FOR APPROPRIATIVE WATER RIGHT IS MADE AND THAT THIS MAP
IS A TRUE REPRESENTATION THERE OF.
WITNESS MY HAND AND SEAL THIS 7TH DAY OF OCT 1967

Harlan W. Meyer
REG. LAND SURVEYOR

STATE OF SOUTH DAKOTA) SS
COUNTY OF BEADLE)
SUBSCRIBED AND SWORN TO BEFORE ME THIS 7TH DAY
OF OCT. 1967

Comm. Johnson
NOTARY PUBLIC

MY COMMISSION EXPIRES March 10, 1972

GLENDALE COLONY IRRIGATION PROJECT NO 1
SHOWING AREA, WELL LOCATIONS AND POINTS OF DIVERSION (RIVER)
FOR PERMIT TO APPROPRIATE WATER

OWNER GLENDALE COLONY

SURVEYOR

Harlan W. Meyer
OCT 7, 67

MAP # 1056-5 (APPROX 1450-5)

Remarks by State Water Resources Commission:

This permit does not authorize diversion of water from the James River after August 10th of each calendar year, nor at any time when the river flow is obviously low, unless written orders have been so issued by the State Water Resources Commission, or its legally appointed representative. Diversions under this permit shall be in accordance with any written orders issued by the Commission or its representative.

This well is located near domestic wells which may obtain water from the same aquifer. If the well covered by this Permit to Appropriate Water depletes the domestic water supply, restrictions, to the extent necessary, of the capacity of this well or periods of operation or other arrangements will be required to protect the domestic water supply.

County of PIERRE

Pierre, South Dakota,

NOVEMBER 17, 1967

This is to certify that the foregoing application was received by the Commission at 3:00 o'clock

P.m. upon the 12TH day of OCTOBER, 1967

State Water Resources Commission

By:

J. L. Luma
for Chief Engineer, Executive Officer

Number of permit 1450-3

Date of first receipt of application OCTOBER 12, 1967

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 OCTOBER 12, 1967

Approved NOVEMBER 8, 1967 Recorded in Book 10 Page 28

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 _____

MAY 8, 1970

2nd. The whole of said work is to be completed on or before NOVEMBER 8, 1972

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

NOVEMBER 8, 1974

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 8.95 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 8, 1974; said water to be used during the following described annual period:

APRIL THRU AUGUST 10 - JAMES RIVER
APRIL THRU OCTOBER - WELLS

Witness my hand this 17TH day of NOVEMBER, 1967

State Water Resources Commission

By:

J. L. Luma
for Chief Engineer, Executive Officer

Certificate of Construction Issued DECEMBER 7, 1971

Water License Issued DECEMBER 7, 1971

Form 2A — Wells (Supplement to Form 2)

Note: This is an estimation by driller for both wells, the test wells have not been drilled as of application date.

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 36, Depth 100
Type of casing steel
(wood, concrete, steel, etc.)
Size of casing 18", Thickness of casing .219
Length of casing 100' If collection gallery, length, size and depth of gallery _____

(b) Screens

Type of perforated screen mill slot
Size of perforated screen 18" 30'
(diameter) (length)
Thickness of gravel pack 9", length of gravel pack 100'

(c) Water Bearing Materials

Distance to water 70' Character of water bearing materials _____

Thickness of water bearing material 30'

(d) Pump and Motor

Type of pump _____
(centrifugal, propeller, mixed flow, etc.)
Name of pump _____, size _____
Kind of motor _____
(gasoline, electric, diesel, etc.)
Horsepower _____, Name of Motor _____

(e) Complete well

Capacity _____ at drawdown of _____ Estimated cost _____

(f) Owner of land upon which well is located Glendale Colony
Name
Frankfort, N. Dak.
Address

(g) Distance to nearest existing wells

On the owner's property 160 rods. On property owned by others _____ to

Form 15.

Permit No. 1450-3

Water Diversion No. 3 JAMES RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Glendale Colony
_____ the holder _____ of
Permit No. 1450-3, issued upon Application No. 1450-3 bearing date of priority of October 12,
1967 authorizing the diversion of 8.95 cu. ft. per second of the waters of _____
the James River County of Spink, State of South Dakota at _____
a point 200' East and 1200' North of the SE Corner, Section 8,
T115N, R62W
_____, for irrigation

purposes, has _____ 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 4.44 cu. ft. per second of water.

Date December 7, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1450-3

(1) WHEREAS, On the 12th day of October A. D. 19 67
Glendale Colony

made Water Right Application No. 1450-3 for a permit to use 8.95 cubic feet per second of the waters
of the James River

County of Spink State of South Dakota, for irrigation

purposes and

(2) WHEREAS, On the 12th day of November A. D. 19 67

Permit No. 1450-3 with a date of priority of October 12, 1967

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 8th day of November A. D. 19 72 and for the

application to beneficial use of said water on or before the 8th day of November A. D. 19 74

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert 4.44 cubic feet
per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to the application of water to beneficial use of the following extent.

for irrigating the following land in Section 8, T115N, R62W

NW $\frac{1}{4}$	<u>160 acres</u>
NE $\frac{1}{4}$	<u>160 acres</u>
SW $\frac{1}{4}$	<u>147 acres</u>
Total	<u>467 acres</u>

(5) 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 Glendale Colony

_____ of Frankfort, S.D.
the holder _____ and owner _____ of said permit No. 1450-3 a water right, dating from October 12, 1967
_____ to use of 4.44 cubic feet per second of the waters
of the James River

in the County of Spink and State of South Dakota, or so much thereof as may be necessary for the
purpose hereinbelow mentioned, to be diverted at a point 200' East and 1200' North of the SE Corner,
Section 8, T115N, R62W

and conduct to and upon portions of Section 8, T115N, R62W, more fully described on the
face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1450-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 7th day of December A. D.
Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J. W. GRINES

Form 2, Notice of Intention to Appropriate Water

1450-3

First Publication on or before October 20, 1967
APPROPRIATION OF WATER

Office of State Water Resources Commission
Pierre, South Dakota October 16, 1967

Notice is hereby given that the Glendale Colony whose postoffice address is Frankfort, S.D. has made an application in accordance with the provisions of the Water Laws of South Dakota for a permit to appropriate for beneficial use 8.95 cubic feet of water per second of time from the James River and ground water through the Glendale Colony Irrigation Project #1, the points of diversion of which are to be located on the right bank of said stream between a point in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8 and a point in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 9; and from ground water at points in the center of the NW $\frac{1}{4}$ and in the center of the NE $\frac{1}{4}$, both in Section 8; all in T115N, R62W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

Section 8, T115N, R62W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 8th day of November, 1967, 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

RICHARD SCHMOYER
Water Rights Specialist

cc: Glendale Colony
Frankfort, S.D.

7.S. First Publication on or before October 20, remaining publications on October 24th, October 31st and November 7th., 1967.

PRINTER'S AFFIDAVIT

STATE OF SOUTH DAKOTA, }
COUNTY OF BEADLE } ss.

I, JEANNETTE C. LUSK

being duly sworn on oath, say that 'THE DAILY PLAINSMAN' is a daily paper published at Huron, Beadle County, South Dakota, and that said newspaper has a bonafide circulation of at least 250 copies daily; that said newspaper has been published within said county for fifty-two consecutive weeks immediately prior to this date; that said newspaper is printed in whole or in part, in an office maintained at said place of publication; that I am publisher

of said newspaper and know the facts herein stated. The annexed notice headed APPROPRIATION FOR WATER.

was published for 4 successive WEEKS once each week, the same day each week, in said newspaper, and not in any supplement of the said newspaper, the first publication on the 20 day of OCT., 1967, and the last publication on the 7 day of NOV., 1967. That the full amount of the fee charged for publishing the same, to-wit:

TWENTY-FOUR & 52/100 Dollars insures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever.

Jeannette C. Lusk

Subscribed and sworn to before me this 7 day of NOV., 1967.

R. J. L. Papovich
Notary Public, South Dakota

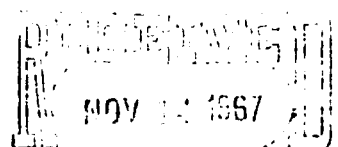
My term expires 9-21-75

AFFIDAVIT OF AGENT OR ATTORNEY

STATE OF SOUTH DAKOTA, }
COUNTY OF } ss.

I, _____
being duly sworn on oath, say that I am the authorized attorney for the party foreclosing the mortgage described in the annexed notice; that no agreement or understanding for any division of the fees therefore has been made with any person whomsoever, and that no part thereof has been refunded or rebated by the party publishing this notice.

Subscribed and sworn to before me this _____ day of _____, 19 _____



STATE WATER RESOURCES COMMISSION

1117-67

F.P. 10-20-67	L.P. 11-7-67
APPROPRIATION FOR WATER	
Notice is hereby given that the Glendale Colony, whose postoffice address is Frankfort, S. D. has made an application in accordance with the provisions of the Water Laws of South Dakota for a permit to appropriate for beneficial use 0.55 cubic feet of water per second of time from the James River and ground water through the Glendale Colony Irrigation Project No. 1, the points of diversion of which are to be located on the right bank of said stream between a point in the SE1/4, Section 8, and a point in the SW1/4, Section 8, and from ground water at points in the center of the NW1/4 and in the center of the NE1/4, both in Section 8, all in T115N, R62W. Said water to be used for the purpose of providing irrigation on portions of the following described land:	
Section 8, T115N, R62W.	
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 8th day of November, 1967, 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 Richard Brown Water Rights Specialist No. 430 (rev.)	

WILL BE REDUCED BY
160 ACRES (3E⁴) WITH
APPROVAL OF 1733.3

1733-3 & 1450-3

COMMISSION

John M. Gihart, Spearfish
Lester Brue, Parker
Carl Cronin, Gettysburg
Lauren A. Davis, Belle Fourche
Milton E. Fischer, Milbank
Richard Loomen, Harrisburg
Clarence D. Mortenson, Hayes
Dick Fisher, Cressbard

**South Dakota
WATER RESOURCES COMMISSION**

State Office Building 12
PILRKE, SOUTH DAKOTA 57501

J.W. GRIMES

Chief Engineer
and
Executive Officer

PHONE
224-3584
Area Code 605

August 7, 1970

Mr. John Kleinmanner, Pres.
Glendale Colony
Frankfort, South Dakota

Dear Mr. Kleinmanner:

The South Dakota Water Laws provide "That the use of water for domestic purposes is the highest use of water, and takes precedence over all appropriative rights," and "That the right of a municipality to acquire and hold rights to the use of water should be protected to the fullest extent necessary for existing and future uses, ---".

The South Dakota water laws provide also, "The full control of all waters in the definite streams of this State is vested in the Commission. The Commission shall regulate and control the development, conservation and allotment of waters of the State according to the principles of beneficial use and priority of appropriation established by this Act." The Commission referred to is the Water Resources Commission.

Because of the existing deficient supply of water in the James River to satisfy all authorized uses of the waters of this stream, the Water Resources Commission hereby orders that all withdrawals of water from the James River for irrigation purposes between the north boundary of Spink County and the south boundary of Hanson County shall cease effective 6:00 P.M., August 10, 1970, and until January 1, 1971, or until further notice.

This order is necessary in order to maintain domestic use, including stock-water, and municipal water supplies to the extent possible under the scanty runoff yield of water to the James River.

Please govern your use of irrigation water under your Water Right No. 1733-3 & 1450-3 in accordance with this order. You will be notified if water supplies in this section of the James River become sufficient to permit irrigation water withdrawals again during 1970. Aerial inspections of this section of the James River will be made by the Staff of the Water Resources Commission.

Sincerely,

J.W. Grimes
J.W. GRIMES

JWG/DD/bw

P.S. The Water Permits of almost every water right holder receiving this letter contains the August 10th irrigation stoppage qualification or a low flow qualification which prohibits the diversion of water from the existing low flows of the James River, even if this special order were not issued.

Permit No. 1450-3Water Division 3 JAMES RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by GLENDALE COLONY of FRANKFORT holder
of Permit No. 1450-3, bearing date of priority of OCTOBER 12, 1967
authorizing the diversion of 6.67 cu. ft. per second of the waters of THE JAMES RIVER
for IRRIGATION purposes, in SPINK County.

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

The Water Use System consists of,

A. Works used to divert the water:

BERKELEY GNFB PUMP - 10" INTAKE - 10" DISCHARGE
POWERED BY 75 HP CENTURY ELECTRIC MOTOR

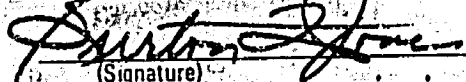
B. Works used to transport water to place of use,

4650' OF 10", 4080' OF 8" AND 960' OF 6"
MAINLINE

C. Works used to apply water to beneficial use.

6 - 1/4 MILE 4" TOWLINES W/ RAINBIRD #30
SPRINKLER HEADS W/ 1/164 ORIFICEThe system is in the following condition: VERY GOODThe point of diversion is located A POINT ^{200' E} 200' E AND 1200' N OF THE
SE CORNER, SECTION 8, T115N, R62WThe works are capable of diverting and conveying to the place of use 4.44cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN SECTION 8, T115N, R62W

NW 1/4	160 ACRES
NE 1/4	160 "
SW 1/4	147 "

comprising a total of 467 acres of land.Date OCTOBER 6 1971


 (Signature)
 WATER RIGHT SPECIALIST
 WATER RESOURCES COMMISSION

COMMISSION

South Dakota

J. W. GRIMES

Carl Olson, Gettysburg
W. Neil Evans, Watertown
Wayne E. Finch, Mitchell
Glen Garrett, Pierre
Shirley Johnson, Huron
Richard L. Johnson, Harrisburg
Clarence D. Mortenson, Rapid
City
John V. Webb, Geddes

Water Resources Commission

Chief Engineer
Executive Officer

State Office Building #2

PIERRE, SOUTH DAKOTA 57501

PHONE 605/724-3504

6-22-73

Mr. John Kleinsasser
Glenale Colony
Frankfort, S.D. 57440

The South Dakota Water Laws provide "That the use of water for domestic purposes is the highest use of water; and takes precedence over all appropriative rights," and "That the right of a municipality to acquire and hold rights to the use of water should be protected to the fullest extent necessary for existing and future uses,---".

The South Dakota water laws provide also, "The full control of all waters in the definite streams of this State is vested in the Commission. The Commission shall regulate and control the development, conservation and allotment of waters of the State according to the principles of beneficial use and priority of appropriation established by this Act." The Commission referred to is the Water Resources Commission.

Because of the existing deficient supply of water in the James River to satisfy all authorized uses of the waters of this stream, the Water Resources Commission hereby orders that all withdrawals of water from the James River for irrigation purposes between the James River Bridge east of Ashton, South Dakota and the 3rd Street Dam in Huron, South Dakota shall cease effective 6:00 P.M., July 1, 1973, and until January 1, 1974, or until further notice.

This order is necessary in order to maintain domestic use, including stock-water, and municipal water supplies to the extent possible under the scanty runoff yield of water to the James River.

Please govern your use of irrigation water under your Water Right No. 1450-3, 1734-3, 1983-3, 1733-3 and 1735-3 in accordance with this order. You will be notified if water supplies in this section of the James River become sufficient to permit irrigation water withdrawals again during 1973. Aerial inspections of this section of the James River will be made by the Staff of the Water Resources Commission.

Sincerely,

J.W. GRIMES

JWG/DD/bw

1450-3

WATER RIGHTS DIVISION
(605) 773-3352

August 31, 1983

NOTICE

TO: John Kleinsasser
Glendale Colony
Route #1, Box 85
Frankfort, South Dakota 57440.

FROM: John Hatch, Chief Engineer, Water Rights Division

RE: Extension of pumping from the James River under Permits 1450-3,
1733-3, 1734-3, 1735-3, 1943-3.

The flow in the James River is expected to continue to be above average. August 29, 1983 flow at Columbia was about 150 cfs. Because of the available supply of water in the James River the shutoff date for the above permits is extended to September 20, 1983. This extension is subject to change if flow conditions warrant an earlier cutoff.

Department of Water & Natural Resources

Joe Foas Building
623 East Capitol
Pierre, South Dakota 57501-3181

April 18, 1988

John Kleinsasser
Glendale Colony
RR 1, Box 85
Frankfort, SD 57440

1943-3
1733-3
450-3
1734-3
1735-3

RE: James River Flow Conditions and Future Shut Off Orders

Dear Mr. Kleinsasser:

We have been monitoring James River flows. I am sure that you realize that unless water supply conditions change, there will not be much water for irrigation during 1988. Shutoff of irrigation above Huron is required when the flow drops to 20 cfs at the Huron Third Street Dam. Therefore, we expect to issue orders within the next two to four weeks to shut off James River Irrigation from the Third Street Dam to the ND-SD border. Below Huron to the I-90 bridge near Mitchell, irrigators can also expect a shutoff order within the next few weeks when the flows of the river drop below 20 cfs at the Forestburg Gaging Station. Below the I-90 bridge near Mitchell to the Yankton County line we may need to issue a shutoff order sometime during early summer if the flows at Scotland drop below 20 cfs.

James River flow conditions are as follows:

James River Flow* Record

Date	LaMoure	Ludden	Columbia**	Ashton	Huron	Forestburg	Scotland
04/06/88	81.2	(state	15.0	37.7	48.0	105	285
04/11/88	134	line)	12.4	34.3	39.4	60.9	167
04/13/88	150		8.99	21.4	34.3	55.7	122
04/14/88	159	190	21.3	34.3	32.0	50.8	115
04/15/88	142		57.0	45.6	32.0	48.9	112

* Flow in cfs (cubic feet of water per second)

1 cfs = 449 gallons per minute

** Sand Lake Refuge has increased releases due to inflows

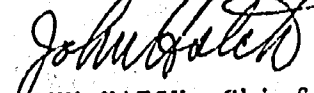
The flow in North Dakota at LaMoure, ND is 142 cfs because of releases being made at the Pipestem Dam. However, releases from Pipestem will be reduced after April 16 to 25-50 cfs because of a construction project below the dam. We do not expect significant releases from the Jamestown Reservoir in North Dakota because the water level elevation is below the flood control storage elevation.

Sand Lake Refuge is at or near full capacity and releases are being made. The quantity released will depend on inflows which are measured near the ND-SD State Line.

We are providing the above information to allow you to have the latest information for the entire James River and to provide you with an indication of what to expect. Unless water supply conditions change, we expect that the James River pumping will be shutoff for much of the irrigation season.

If we may answer any questions, please contact James Winterton, 773-3352.

Very truly yours,



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



Department of Water & Natural Resources

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

May 18, 1988

NOTICE OF SHUTOFF ORDER

TO: John Kleinsasser
Glendale Colony
RR 1, Box 85
Frankfort, SD 57440

1943-3
1733-3
1734-3
1735-3
1450-3

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

John Hatch
by James White

SUBJECT: Shut Off Order To James River Water Right Holders Located Above
Huron, Effective 12:00 Noon, May 25, 1988.

I am certain that you are aware that James River flows are not enough to supply all water rights. Therefore, to protect the City of Huron's senior water rights and to provide water for domestic use (livestock watering), effective 12:00 noon on May 25, 1988 no pumping of water from the James River is authorized until January 1, 1989 or until further notice.

The following is the latest flow information that we have on the river:
(these are provisional records - flow measured in cubic feet per second)

Date	LaMoure	Ludden	Columbia	Ashton	Huron	Forestburg	Scotland
05/09/88	5.5	156	6.97	51.4	62.0	57.7	72.0
05/10/88	4.2	48.0	16.3	43.7	65.1	65.3	87.4
05/11/88		.05	9.23	31.6	45.0	68.8	82.0
05/12/88	4.6	5.79	6.30	30.3	51.3	68.8	79.4
05/13/88	0.30	0.45	6.46	30.0	48.0	65.3	76.9
05/16/88	0.50	3.09	3.15	21.1	45.0	49.9	62.8
05/17/88	0.0	0.0	4.84	16.0	42.1	43.7	58.5
05/18/88	0.0	0.0	3.51	12.8	6.8*	39.6	50.7

* South wind affecting the reading

As the information listed above shows, there is almost no James River flow in North Dakota and the flows in South Dakota are steadily decreasing. Unless conditions change, it appears that no pumping will be allowed for the remainder of the 1988 irrigation season from the James River.

cc: City of Huron



Department of Water & Natural Resources

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

May 18, 1988

NOTICE OF SHUTOFF ORDER

TO: John Kleinsasser
Glendale Colony
RR 1, Box 85
Frankfort, SD 57440

1943-3
1733-3
1734-3
1735-3
1450-3

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3354

John Hatch
by James Hultgren

SUBJECT: Shut Off Order To James River Water Right Holders Located Above
Huron, Effective 12:00 Noon, May 25, 1988.

I am certain that you are aware that James River flows are not enough to supply all water rights. Therefore, to protect the City of Huron's senior water rights and to provide water for domestic use (livestock watering), effective 12:00 noon on May 25, 1988 no pumping of water from the James River is authorized until January 1, 1989 or until further notice.

The following is the latest flow information that we have on the river: (these are provisional records - flow measured in cubic feet per second)

Date	LaMoure	Ludden	Columbia	Ashton	Huron	Forestburg	Scotland
05/09/88	5.5	156	6.97	51.4	62.0	57.7	72.0
05/10/88	4.2	48.0	16.3	43.7	65.1	65.3	87.4
05/11/88		.05	9.23	31.6	45.0	68.8	82.0
05/12/88	4.6	5.79	6.30	30.3	51.3	68.8	79.4
05/13/88	0.30	0.45	6.46	30.0	48.0	65.3	76.9
05/16/88	0.50	3.09	3.15	21.1	45.0	49.9	62.8
05/17/88	0.0	0.0	4.84	16.0	42.1	43.7	58.5
05/18/88	0.0	0.0	3.51	12.8	6.8*	39.6	50.7

* South wind affecting the reading

As the information listed above shows, there is almost no James River flow in North Dakota and the flows in South Dakota are steadily decreasing. Unless conditions change, it appears that no pumping will be allowed for the remainder of the 1988 irrigation season from the James River.

cc: City of Huron



SOUTH DAKOTA

Department of Water & Natural Resources

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

May 24, 1988

NOTICE OF EXTENSION OF SHUTOFF ORDER

TO: John Kleinsasser
Glendale Colony
RR 1, Box 85
Frankfort, SD 57440

1943-3
1733-3
1450-3
1734-3
1735-3

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

John Hatch

SUBJECT: Extension of Shutoff Order to 12:00 Noon, June 1, 1988
due to Increased Flows in the James River.

The rains this past weekend over the James River Drainage area has produced enough runoff to provide additional flows in the James River. Therefore, the shutoff order to be effective at 12:00 noon, May 25, 1988 is extended to 12:00 noon, June 1, 1988.

We will continue to monitor the flows to determine whether or not an additional extension may be granted.





Department of Water & Natural Resources

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

May 31, 1988

NOTICE OF EXTENSION OF SHUTOFF ORDER

TO: John Kleinsasser
Glendale Colony
RR 1, Box 85
Frankfort, SD 57440

1943-3
1733-3
1450-3
1734-3
1735-3

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

SUBJECT: Extension of Shutoff Order to 12:00 Noon, June 15, 1988
due to Increased Flows in the James River.

The rains over the James River Drainage area has produced enough runoff to provide additional flows in the James River. Therefore, the shutoff order to be effective at 12:00 noon, May 25, 1988 is extended to 12:00 noon, June 15, 1988.

We will continue to monitor the flows to determine whether or not an additional extension may be granted.





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3131

July 17, 1989

NOTICE OF SHUTOFF ORDER

TO: Jerry Kleinsasser
Glendale Colony
RR 1, Box 85
Frankfort, SD 57440

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

SUBJECT: Shut Off Order to James River Water Right Holders
Located above Huron Effective 12:00 Noon July 20, 1989.

1943-3
1733-3
1450-3
1734-3
1735-3

The flows in the James River have dropped to less than 20 cfs at Huron. Therefore to protect the City of Huron's prior rights and domestic uses (livestock watering) on the James River, effective 12:00 noon on July 20, 1989 no pumping of water from the James River is authorized until January 1, 1990 or until further notice.

Unless flow conditions change, it appears that no pumping will be allowed for the remainder of the 1989 irrigation season from the James River.

If you have any questions, please contact James Winterton, Division of Water Rights, Joe Foss Building, Pierre, SD 57501, phone (605) 773-3352.

cc: City of Huron, Water Superintendent



L

SOUTH DAKOTA Department of Water & Natural Resources
 Joe Foss Building
 523 East Capitol
 Pierre, South Dakota 57501-3181

April 6, 1990

NOTICE OF SHUTOFF ORDER

1943-3, 1733-3, 1734-3,
 1735-3, 1450-3

TO: Kleinsasser, Jerry
 Glendale Colony
 RR 1, Box 85
 Frankfort, SD 57440

FROM: *for* John Hatch, Chief Engineer
 Water Rights Division
 (605) 773-3352

Delwin H. Brosz

SUBJECT: Shut Off Order to All James River Irrigation Water Right Holders-Effective Immediately.

The flows in the James River are below 20 cubic feet per second (cfs) at most of the gaging stations. Therefore to protect the City of Huron's prior rights from diversions above Huron and domestic uses (livestock watering) on the river below Huron, effective immediately, no pumping of water from the James River is authorized until January 1, 1991 or until further notice.

Unless flow conditions change, it appears that no pumping will be allowed for the 1990 irrigation season from the James River. If conditions do improve, notices will be issued, based on senior priority dates, to allow pumping by irrigators.

Sand Lake Wildlife Refuge is approximately one foot below the full level. The Refuge is entitled to the flows from North Dakota under a senior water right. The flows from North Dakota are expected to decrease due to the lack of snow pack. The storage levels in the Jamestown and Pipestem Reservoirs are down with no expected releases.

The following is the latest flow (cfs) information on the river:

Date	Ludden	Columbia	Ashton	Huron	Forestburg	Scotland	Yankton
3/28/90	----	----	----	----	----	----	30.2
4/2/90	----	3.5	8.0	0	6.0	15.0	----
4/4/90	51.0	10.0	10.0	0	5.4	22.0	----

- If you have any questions, please contact Del Brosz, Division of Water Rights, Joe Foss Building, Pierre, SD 57501, phone (605) 773-3352.

cc: City of Huron, Water Superintendent

 **Department of
Water & Natural Resources**

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

August 2, 1990

RESCISSION OF SHUTOFF ORDER

1733-3, 1734-3
1735-3, 1450-3,
1943-3

TO: Jerry Kleinsasser
Glendale Colony
RR 1, Box 85
Frankfort, SD 57440

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



SUBJECT: Rescission of April 6, 1990 Shutoff Order to James
River Water Right Holders

The present flow conditions on a portion of the James River below Ashton appear to be of sufficient quantities to allow for irrigation. The Shutoff Order of April 6, 1990 is rescinded, this notice is effective immediately, for the section of the James River downstream from Ashton to the James River Diversion Dam. The mandatory August 10 shutoff date is still in effect, but exceptions to this will be handled on a case by case basis by contacting the Water Rights Division.

If you have any questions, please contact Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501 Phone (605) 773-3352.

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

August 8, 1990

NOTICE

1943-3, 1733-3,
1450-3, 1735-3,
1734-3

TO: Jerry Kleinsasser
Glendale Colony
RR 1, Box 85
Frankfort, SD 57440

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



SUBJECT: The August 10 Automatic Shutoff Date For Water
Diversions from the James River

The August 10 automatic shutoff date for water diversions from the James River is still in effect. On some of the older permits this qualification though not listed is still valid and must be followed. Since there are still flows in portions of the James River, continuation of diversions beyond the shutoff date will be considered on a case by case basis. To do this you need to contact Water Rights Division in Pierre.

The following is the latest flow (cfs) information on the river.

<u>DATE</u>	<u>LUDDEN</u>	<u>COLUMBIA</u>	<u>ASHTON</u>	<u>HURON</u>	<u>FORESTBURG</u>	<u>SCOTLAND</u>
8/06/90	0.0	0.0	14.3	128.0	188.0	99.0
8/01/90	0.0	0.0	10.6	108.1	166.5	119.5
8/02/90	0.0	0.0	7.6	99.0	146.2	138.9

If you have any questions, please contact Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501.
Phone (605) 773-3352

cc: City of Huron, Water Superintendent

 **Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 2, 1991

1450-3
1733-3
1734-3
1735-3
1943-3

Jerry Kleinsasser
Glendale Colony
RR 1, Box 85
Frankfort, SD 57440

Dear Mr. Kleinsasser:

I am contacting irrigators and water users on the James River to advise of the low flow conditions in the James River and potential of shut off orders being issued. Due to the continuing drought, the James River basin, in both North Dakota and South Dakota, is supplying the river with below normal runoff.

The following is the latest flow (cfs) information on the river:

Date	Ludden	Columbia	Ashton	Huron	Forestburg	Scotland
3/28/91	79.1	0.0	6.6	2.3	19.2	23.7
3/29/91	79.1	0.0	6.3	13.0	17.9	22.8
4/01/91	79.1	0.0	6.1	11.1	18.5	10.0

Note: The flow at Ludden is from in stream ice melt with little or no runoff occurring.

We will continue to closely monitor the flow in the river. Unless flow conditions improve in the next two to three weeks, shut off orders may have to be issued to all James River water users except for the City of Huron, which has senior water rights.

If you have any questions, feel free to contact Mark Rath or Del Brosz. Phone (605) 773-3352.

Very truly yours,

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

South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 5, 1991

NOTICE

1450-3
1733-3
1734-3
1735-3
1943-3

TO: Jerry Kleinsasser
Glendale Colony
RR 1, Box 85
Frankfort, SD 57440

FROM: *for* JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

Delvin D. Brosz

SUBJECT: The August 10 Automatic Shutoff Date For Water
Diversions from the James River

The August 10 automatic shutoff date for water diversions from the James River is still in effect. Although flows in the James River continue to be good, the gates at the Columbia Road Dam below Sand Lake Refuge were shut on August 1, continued good flows, particularly in the upper river reaches, are questionable. Continuation of diversions beyond the August 10 shutoff date will be considered on a case by case basis. To do this you need to contact the Water Rights Division in Pierre.

The following is the latest flow (cfs) information on the river.

DATE	LUDDEN	COLUMBIA	ASHTON	HURON	FORESTBURG	SCOTLAND
7/31/91	6.7	63	130	139	142	148
8/02/91	17	58	125	134	139	154
8/05/91	0.3	36	101	128	140	166

If you have any questions, please contact Del Brosz or Mark Rath, Division of Water Rights, 523 East Capitol, Pierre, SD 57501. Phone (605) 773-3352

cc: City of Huron, Water Superintendent

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 12, 1991

Jerry Kleinsasser
Glendale Colony
RR 1, Box 85
Frankfort, SD 57440

Dear Mr. Kleinsasser:

In response to your telephone call requesting an extension to pump from the James River, you are hereby authorized to continue irrigation under Water Right Nos. 1450-3, 1733-3, 1734-3, 1735-3, and 1943-3 from the James River.

This authorization is subject to flows remaining available for downstream domestic users and prior water rights. We will continue to monitor the river and will be in contact with you if low flows become a problem.

If you have any questions, please do not hesitate to contact this office.

Very truly yours

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352



1450-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 5, 1991

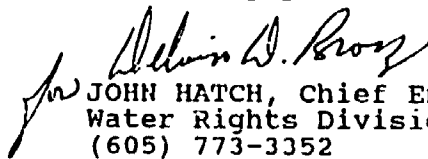
Jerry Kleinsasser
Glendale Colony
RR 1, Box 85
Frankfort, SD 57440

Dear Mr. Kleinsasser:

The flow in the James River is approaching 20 cfs at Huron and continues to drop. Therefore, to protect Huron's senior water right and downstream domestic use (including livestock watering), diversions covered under Water Right Nos. (1450-3, 1733-3 1734-3, 1735-3 and 1943-3 shall be discontinued, effective immediately, until January 1, 1992.

If you have any questions, please do not hesitate to contact this office.

Very truly yours


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



April 14, 1992

1450-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

NOTICE OF SHUTOFF ORDER

1450-3
1733-3
1734-3
1735-3
1943-3

TO: JERRY KLEINSASSER
GLENDALE HTTRN BRTH
RT 1 BOX 55
FRANKFORT, SD 57440

FROM: JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

SUBJECT: Shut Off Order to All James River Water Right Holders
Above Huron, Effective Immediately.

The flows in the James River are below 20 cubic feet per second (cfs) at the gaging stations above Huron. Therefore to protect the City of Huron's prior rights from diversions above Huron and domestic uses (livestock watering) below Huron, effective immediately, no pumping of water from the James River above Huron is authorized until January 1, 1993 or until further notice.

Unless flow conditions change, it appears that no pumping will be allowed for 1992 from the James River above Huron diversion dam. If conditions improve, notices will be issued, based on senior priority dates, to allow pumping by water users.

Due to the continuing drought, the James River basin, in both North Dakota and South Dakota, is receiving below normal runoff.

The following is the latest flow (cfs) information on the river:

Date	Ludden	Columbia	Ashton	Huron	Forestburg	Scotland
4/7/92	83	.4	9	32	40	57
4/10/92	54	.6	7	20.5	---	57
4/13/92	6	.6	4	20.5	---	55

If you have any questions, please contact Norma Job or Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501, phone (605) 773-3352.

cc: City of Huron, Water Superintendent

L



1450-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 22, 1992

RESCISSION OF SHUTOFF ORDER

1450-3
1733-3
1734-3
1735-3
1943-3

TO: GLENDALE HTRN BRTH
JERRY KLEINSASSER
RR 1 BOX 85
FRANKFORT, SD 57440

FROM: *for* John Hatch, Chief Engineer *William L. Brosz*
Water Rights Division
(605) 773-3352

SUBJECT: Rescission of April 14, 1992 Shutoff Order
to James River Water Right Holders above the
Huron Third Street Dam to Ashton.

The present flow conditions on the James River are sufficient to allow for diversions. The Shutoff Order of April 14, 1992 is rescinded, effective immediately, for all James River Water Right Holders between the Huron Third Street Dam and the Ashton gaging station. We will continue to monitor the flows of the James River through the summer. The present increase in flow may only be temporary. If the present flow conditions continue, pumping will be allowed until the mandatory August 10 shutoff date. Pumping after the August 10 shutoff date will be handled on request and requires written approval from the Chief Engineer.

If you have any questions, please contact Norma Job or Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501 Phone (605) 773-3352.

cc: City of Huron, Water Superintendent

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 1, 2006

NOTICE OF SHUTOFF ORDER

TO: GLENDALE HTTRN BRTH attn JERRY KLEINSASSER
17866 GLENDALE DR
FRANKFORT SD 57440

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program

SUBJECT: James River Shutoff Order

Shutoff Order for Water Right No(s). 1450-3 1733-3 1734-3 1735-3 1943-3 6587-3

To protect domestic use on the James River, the department is issuing shutoff orders to water right holders on the James River from the Yankton-Hutchinson county line north to the North Dakota border. Effective immediately, no diversions of water from the James River will be allowed. Previous to this Order, shutoff orders were issued for water right junior to January 1, 1975 located upstream of Huron.

Flow in the James River continues to decline to the point where domestic use of water, which includes livestock watering from the river, has become a concern. USGS gaging stations over this entire river reach are measuring flow levels at or below 20 cubic feet per second, the required bypass for downstream domestic use. This order will remain in effect until the end of the calendar year.

The USGS maintains a website where you can view real-time stream flow measurements at several sites along the river, the web address is:

<http://waterdata.usgs.gov/sd/nwis/rt>

I am asking for your cooperation in complying with this shutoff order. The ongoing drought is creating hardship for all the water right holders along the river.

If you have any questions, please contact Lynn Beck or Mark Rath with the Water Rights Program at (605) 773-3352. Thank you.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 6, 2012

JAMES RIVER WATER RIGHT QUALIFICATION REMINDER
WATER RIGHT NO(s). 1450-3, 1733-3, 1734-3, 1735-3, 1943-3, 6587-3, 6588-3, 6589A-3,
6589B-3, 6590-3

To: GLENDALE HTTRN BRTH
17866 GLENDALE DR
FRANKFORT SD 57440

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

Subject: James River Qualification Reminder for Permit No(s). 1450-3, 1733-3, 1734-3,
1735-3, 1943-3, 6587-3, 6588-3, 6589A-3, 6589B-3, 6590-3

Qualifications on your water right indicate that you are not authorized to divert James River water after August 10th. Please, consider this a reminder and cease diversion if you have not already done so. No diversion can take place after August 10th unless under written orders by the Chief Engineer. You may resume diversion on the date stated in the qualifications on your water right.

July 10. 2015

Chief Engineer
Water Rights Program, DENR
523 E Capitol Avenue
Pierre SD 57501

Dear Chief Engineer

I am now the President of Glendale Hutterian Brethren. Please put my name down as the contact person for all of Glendale's water rights/permits.

A handwritten signature in cursive script, appearing to read "John Kleinsasser".

John Kleinsasser
Glendale Colony



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 16, 2021

Dear James River Water Right Holder:

I am writing to water right holders and operators who either use water from the James River or tributaries under permits with the August 10 shutoff date qualification.

Water rights containing this qualification requires a mandatory compliance and pumping under your permit must cease after August 10th unless you contact the Water Rights Program and receive permission to continue to divert water.

Water Rights staff drove along the James River last week after the August 10 shutoff date to spot-check whether water right holders were complying with this qualification. This spot-check found multiple water right holders diverting water in violation of this qualification.

Again, I remind you, compliance with this shutoff qualification is required unless you request and receive permission from the Water Rights Program to continue pumping. Permission may be granted based upon water availability.

Thank you for your cooperation. If you have any questions, please contact Mark Rath, Blaise Hansen, or Nakaila Steen at (605) 773-3352.

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program