

20-3

Office of State Engineer
DOCUMENT FILE

Windown Cemetery Area
Redfield, Spink Co., S.D.
Turtle Creek

NO. 20-3

Water Division No. _____
(Blanks to be filled by the State Engineer.)District. *Corrected application***RECEIVED**

MAY 16 1940

Priority date.

APPLICATION FOR A PERMIT**To appropriate Water Within the State of South Dakota**Office of STATE ENGINEER
PIERRE, S. DAK.

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

1. Name of applicant Greenlawn Cemetery AssociationPostoffice address Redfield, County Spink, State So. Dak.I. If a corporation yes(a) Name of same Greenlawn Cemetery Association(b) Date and place of incorporation So. Dak.(c) Amount of capital stock none(d) Amount paid in none

(e) Names and addresses of directors:

O. H. Andersen, Frank Strous, A. D. Coleman, R. J. Croin, Miss Castle Croin,H. C. Cole, E. T. Erickson, H. L. Gilby, W. F. Bruell all of Redfield, S. D.

(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 the work. (Whether by contract, employment of others, or by direct labor) direct labor(b) Cash on hand, \$ (c) Treasury stock, \$ none(d) Bonds to be issued, \$ none (e) Other resources, \$ 2. Name of diversion works Cemetery Pipe Line3. Quantity of water claimed .0015 cu. ft. per sec. 6.73 gal. per min or 150,000 gal. per season4. Source of water supply draw some from Turtle Creek as it passes by the Cemetery5. Location of point of diversion Southwest corner of cemetery on left bank.
(Right or left bank looking down stream.)6. Annual periods during which water is to be used May, June, July, Aug. & Sept. if needed

7. To be used for:

I. Irrigation or domestic use: to water trees and shrubs(a) Number of acres to be irrigated acres.(b) Legal subdivisions to be irrigated 13-28²⁸ acres. Outlets 30 and 35 to Redfield

(NOTE—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. Mining, power, manufacturing, transportation, or other purposes:

(a) Nature of use (b) Amount of power to be generated horse power.(c) Location of plant (d) Method of developing power (e) Point where water will be returned to stream none to be returned

8. Estimated cost of works: We have all of the equipment
- (a) Head gates, \$..... (b) Pumping plant, \$300.00.....
- (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: We do not propose to dam it up

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

(b) Reservoir; Capacity when filled.....acre feet. Surface.....at highwater mark.....acres.

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

(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
.....Mile	feet	feet	feet	feet
.....Mile	feet	feet	feet	feet
.....Mile	feet	feet	feet	feet
.....Mile	feet	feet	feet	feet
.....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.....9.....years.
12. Choice of newspaper for publication of notice of intention to appropriate.....Radfield.....

Journal-Observer

STATE OF SOUTH DAKOTA,

County of Spink.....ss.

IW. E. Brunnell....., being first duly sworn
on my oath depose and say: That my relation to the above described undertaking is that of

.....President....., that I have read the above and
(Owner, manager, engineer.)

forgoing statement, and 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

W. E. Brunnell

Subscribed and sworn to before me this 7th day of March, 1940.

Notary Public (or oth

Remarks by State Engineer:

STATE OF SOUTH DAKOTA,

County of Hughes

ss.

Pierre, South Dakota, June 24, 1940

This is to certify that the foregoing application was received at this office at o'clock
..... m. upon the 14th day of February 1940 and that after examination it
was returned for correction and the final corrected application received May 16th,
1940. Intentions in relation to the application were published including a date for
taking up the application by the State Engineer in accordance with Section 61.0124 of
the South Dakota Code of 1939. No objections were received.

Dean W. Loucks, State Engineer.

Number of permit 20-3

Date of first receipt of application February 14th, 1940

Date of return to applicant for correction February 14th, 1940

Date of receipt of corrected application May 16th 1940

Date from which applicant may claim right May 16th 1940

Approved June 24, 1940, Recorded in Book 2 Page

This is to certify that I have examined the foregoing application for a permit to appropriate
water of the state of South Dakota, and I 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 16, 1942.

2nd. The whole of said work is to be completed on or before May 16th 1945.

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith
is May 16th 1949.

4th. The water appropriated shall be used for the purpose of Irrigating trees and shrubs
on 13.28 acres of Outlot 30 and 35 and also for a like purpose on Outlot 32.

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 appro-
priation.

6th. The amount of the appropriation herein granted shall not exceed 150,000 cu. ft. per sec. or
feet of water per second of time; 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 neces-
sary for the production of crops in the exercise of the best husbandry; and further, said appropria-
tion 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 16, 1949; said water to be used during the following described
annual periods:

May, June, July, August and September as needed.

Witness my hand this 24th day of June 1940

(e) Point

Dean W. Loucks, State Engineer.

O.L. 30
9.78 Acres.
O.L. 35
3.5 Acres.

~~TURTLE CREEK~~

OUT LOT 30.

Commencing at a point 31 rods and 10 feet west of the center quarter corner in Sec. 3-116-64, thence West 46 rods, thence South 34 rods and 4 feet, thence East 46 rods, thence North to place of beginning, containing 9.78 acres.

OUT LOT 35.

Commencing at a point 31 rods and 10 feet West and 34 rods and 4 feet South of the corner stone in Sec. 3, thence South to low water mark in Turtle Creek, thence Westerly along low water mark to the East line of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 3, thence North to the center line in said section, thence east 2 rods and 12 feet thence South 34 rods and 4 feet, thence East to place of beginning, containing 3.5 acres.

RECEIVED

MAR 6 1960

*Greenlaw Cemetery Association
Redfield, S.D.*

Form 12—Proof of Publication—Appropriation of Water.

No.

PROOF OF PUBLICATION

RECEIVED
JUN 28 1940

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

STATE OF SOUTH DAKOTA

County of *Spink* } ss.

Carmen L. Bates being duly sworn, deposes and says the annexed printed copy of Notice of Intention to appropriate Water was taken from the.....

Evening Journal Observer newspaper which during the whole time of publication of said notice herein- after stated, has been and is printed and published in the

Evening Journal Observer of *Redfield* County of *Spink* and State of South Dakota;

that the said notice was published in said newspaper on the following dates:

May 20 - '40
May 27 '40
June 3 '40
June 10 '40

in each and every issue of the full number thereof, the first publication being made on the *20* day of *May*

19*40* and the last publication on the *10* day of

June 19*40*, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was..... the ~~printer~~ publisher.... of the said newspaper.

Carmen L. Bates

Subscribed and sworn to before me this *12th* day of *June* A. D. 19*40*

Cecilia McCoy
Notary Public *Spink* County, S. D.

Notice of Intention to appropriate Water

APPROPRIATION OF WATER

Office of the State Engineer
Pierre, S. Dak. May 16, 1940

Notice is hereby given that Greenlaw Cemetery Assn. whose postoffice address is Redfield, Spink County, S. Dak., has made an application in accordance with the provisions of the irrigation laws of South Dakota for a permit to appropriate for beneficial use .0015 cubic feet of water per second of time from Turtle River through the Cemetery Pipe Line, the point of diversion of which is to be located on the Left bank of said stream in the NW 1/4 of the SW 1/4 of Section 3 Twp. 116 N. Rge. 64W. and 1330 West and 550' South of the center of said Section 3. Said water to be used for the purpose of providing irrigation for trees and shrubs.

This application will be taken up by the State Engineer at his office at Pierre for consideration upon the 21st day of June, 1940. All persons who believe that there prior rights would be injuriously affected, or that the allowance of the permit would be detrimental to the public welfare shall

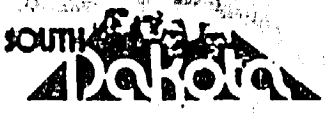
file a protest with the State Engineer in writing prior to the above date and may appear at the place and on the day above mentioned in person for the purpose of discussing further, the information presented.

Appropriate action will be taken by the State Engineer after suitable time has elapsed for the consideration of any information presented.

Dean W. Loucks,

State Engineer.

May 20-27 June 3-10



Department of Water & Natural Resources

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

December 18, 1987

Curtis E. Kludt
City of Redfield
626 N. Main Street
Redfield, South Dakota 57469

Dear Mr. Kludt:

The intent of my letter was not for you to provide fake data on the Irrigation Questionnaire for Water Right No. 23-3 and Water Permit No. 20-3. As stated in the previous letters the questionnaire is an annual requirement by qualification or Water Management Board rules. I am sure that the City of Redfield realizes this since in previous years the questionnaires have been completed as required.

Since data is not available, the questionnaires will be filed as such. You will need to record the necessary data in future years, so that the questionnaires can be completed. Irrigation Water Permits or Water Rights that do not meet Board rules or permit qualifications are presented to the Water Management Board for action. The Board can amend a permit or suspend it for one year for not properly submitting the questionnaire.

If I can answer any questions, please contact me.

Sincerely,

Delvin D. Brosz, P.E.
Hydrologist

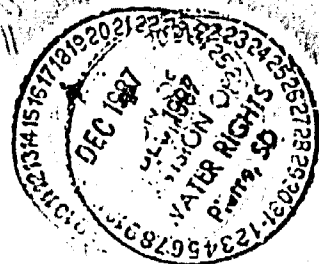
City of Redfield
CITY HALL

626 N. Main Street

Redfield, South Dakota 57469

Telephone 472-0660

December 16, 1987



Mr. Delvin Brosz
Hydrologist
South Dakota Department of Water & Natural Resources
523 East Capitol
Pierre, SD 57501-3181

Re: Irrigation Questionnaire

Dear Mr. Brosz:

In response to your letter of December 14th, please be advised I do not provide fake data for anybody. When I list "no data available" that is precisely what the situation is in our files.

If you have some magic numbers please use them as anything I could provide would have no factual basis.

Respectfully submitted,

CITY OF REDFIELD

Curtis E. Kludt
Curtis E. Kludt
Municipal Finance Officer

CEK/jlg

WATER RIGHTS DIVISION
(605) 773-3352

December 14, 1987

City of Redfield
626 Main Street
Redfield, South Dakota 57469

Dear Sirs:

I am returning your 1987 Irrigation Water Use Questionnaire. The Division of Water Rights needs to determine how much water you used during the 1987 irrigation season.

As stated in the October 8th letter, Water Management Board rules or water permit qualifications require questionnaires to be submitted each year. The questionnaires need to be completed in such a way that actual water use can be determined for a particular crop and acreage. Stating that no data is available is not acceptable.

The questionnaires will have to be completed and returned by December 31, 1987.

If you have any questions, please contact me.

Sincerely,

Delvin D. Brosz, P.E.
Hydrologist

DDB:ms
Enc.

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 20-3

COPY

August 26, 1988

Greenlawn Cemetery
626 Main Street
Redfield, South Dakota 57469

Dear Sir:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 20-3 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

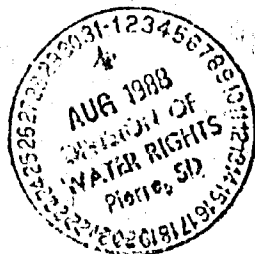
Maxine Stirling

Maxine Stirling
Secretary

ms/

NOTE: On check or money order, please indicate the number of the water permit.
This insures proper handling of the fee.

DWNR-814 8/83



City of Redfield
CITY HALL

626 N. Main Street

Redfield, South Dakota 57469

Telephone 472-0660

August 30, 1988

Ms. Maxine Sterling
SD Dept of Water & Nat. Resources
523 East Capitol
Pierre, SD 57501



Re: Water Right No. 20-3.

Dear Ms. Stirling:

Please forward a copy of the inspection report referred to in the attached letter. This office is not aware of any inspection being made as no contact was made by any inspector. We take a dim view of receiving a bill for some activity we are not made aware of at the time it takes place and not receiving the results of any inspection.

Thank you very much.

Respectfully submitted,

Curtis E. Kludt
Curtis E. Kludt
Finance Officer

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

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

20-3

September 2, 1988

Curtis E Kludd, Finance Officer
City of Redfield
626 N Main Street
Redfield, SD 57469

Dear Mr. Kludd:

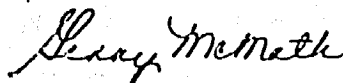
I am writing in response to your letter of August 30, 1988 concerning the inspection of Water Permit No. 20-3 for Greenlawn Cemetery. Enclosed is a copy of the inspection report.

Jim Wendte, Staff Engineer, with the Division of Water Rights inspected the water use system for Greenlawn Cemetery on August 10, 1988. Prior to the inspection, Mr. Wendte called and set up an appointment with the groundskeeper for the cemetery. Mr. Baird accompanied Mr. Wendte during the entire inspection. Following the inspection, Mr. Baird stated the bill for the inspection and issuance of the Water License (and all correspondence concerning Water Permit No. 20-3), should be directed to the City.

Water Permits are inspected for licensing purposes on a county-by-county basis. Before each inspection is made, the permit holder or representative for the permit holder is contacted to assist in the inspection. After the inspection is completed, the permit holder is assessed a \$50.00 fee as required by Statute.

Upon receipt of the \$50.00 fee from you, Water License No. 20-3 will be processed and issued. If you have any further questions, please contact us.

Sincerely,



GENNY MCMATH
Natural Resources Analyst



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

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

January 17, 1989

Curtis E Kludt, Finance Officer
City of Redfield
526 Main Street
Redfield SD 57469

Dear Mr. Kludt:

Water Permit No. 20-3 was published with an incorrect appropriation amount from Turtle Creek on May 20, 27, June 3, and 10, 1940. Therefore, the notice of hearing needs to be readvertised with the correct water appropriation amount. A notice of your claim has been sent to the Publisher of the Redfield Press printed at Redfield SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the readvertisement are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

The cost of publication of this notice will be paid by the Division of Water Rights. Please contact us if you have any questions.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures



Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 20-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Spink) ss.



I, Dawn Gardner hereby

certify that the annexed printed copy of

Water was taken from the Red

A newspaper which during the whole time
herein after stated, has been and is printed

City of Spink

County of Spink
that the said notice was published in said
two dates:

January 25,
February 1,

Dawn Gardner
(Signature)

Secretary
(Title)

2-1-89
(Date Signed)

No. 20
READVERTISEMENT OF NOTICE OF HEARING
FOR WATER PERMIT NO. 20-3 TO
APPROPRIATE WATER

Notice is given that Greenlawn Cemetery, 626
Main Street, Redfield, SD 57469 filed an application
for a water permit on May 16, 1940. Readvertisement
of the notice of hearing published on May 26, 27,
June 3 and 10, 1940 in the Evening Journal Observer
is to correct the amount of water appropriation. Water
Permit No. 20-3 appropriates water from Turtle Creek
to irrigate 13 acres of the Greenlawn Cemetery in the
SE 1/4 NW 1/4, NE 1/4 SW 1/4 Section 3-T116N-
R64W. The correct water appropriation from Turtle
Creek is 0.015 cubic feet of water per second (cfs)
not 0.0015 cfs as published in the original notice of
hearing. The pumping point from Turtle Creek is
located in the NW 1/4 SW 1/4 Section 3-T116N-
R64W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of
the Water Rights Division recommends APPROVAL
of No. 20-3 because 1) unappropriated water is
available, 2) existing rights will not be unlawfully
impaired, 3) it is a beneficial use of water and 4) it is
in the public interest. This readvertisement will be
considered by the Water Management Board at the
Howard Johnson's, 190 at LaCrosse, Rapid City, SD,
on March 1, 1989, at 10:00 a.m. The Chief
Engineer's recommendation is not final or binding
upon the Board. The Board is authorized to 1)
approve, 2) approve with qualifications, 3) defer or 4)
deny this readvertisement based on the facts
presented at the public hearing.

Any interested person that intends to participate
in the hearing before the Board by presenting
evidence or cross-examining witnesses according to
SDCL 1-23, must file a written petition with BOTH the
applicant and Chief Engineer by February 17, 1989.
The Chief Engineer's address is "Water Rights
Division, Foss Building, 523 E. Capitol, Pierre, SD
57501 (605/773-3352)". The petition may be
informal, but must include a statement describing the
petitioner's interest in the readvertisement, the
petitioner's reasons for opposing or supporting the
readvertisement and the signature and mailing
address of the petitioner or legal counsel if legal

counsel is obtained. The applicant need not file a
petition. Contact the Water Rights Division to request
information on this application or to assure access to
the hearing by the handicapped.

This hearing is an adversary proceeding. Any
person filing a petition and/or the applicant have the
right to be represented by a lawyer. These and other
due process rights will be forfeited if not exercised.
Decisions of the Board may be appealed to the
Circuit Court and State Supreme Court as provided
by law. The time of the hearing will also be
automatically delayed for at least twenty days upon
written request to the Chief Engineer from the
applicant or a petitioner. The request for a delay must
be received by February 17, 1989.

This advertisement is made pursuant to SDCL
46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1,
46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-
2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru
46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-
5-30.2, 46-5-30.4, 46-5-31; and Board Rules ARSD
74.02.01:1 thru 74.02.01:15.
(Jan. 25; Feb. 1)

Cost of Printing: 42.12

109 lines x 3392 = 2340

2nd insertion x 80% = 1872

Total 4212

Instruction to Newspaper - Publish first Notice on or before January 25, 1989 with 2nd publication 7 days later.

Readvertisement of Notice of Hearing for Water Permit No. 20-3 to Appropriate Water

Notice is given that Greenlawn Cemetery, 526 Main Street, Redfield SD 57469 filed an application for a water permit on May 16, 1940. Readvertisement of the notice of hearing published on May 20, 27, June 3 and 10, 1940 in the Evening Journal Observer is to correct the amount of water appropriation. Water Permit No. 20-3 appropriates water from Turtle Creek to irrigate 13 acres of the Greenlawn Cemetery in the SE 1/4 NW 1/4, NE 1/4 SW 1/4 Section 3-T116N-R64W. The correct water appropriation from Turtle Creek is 0.015 cubic feet of water per second (cfs) not 0.0015 cfs as published in the original notice of hearing. The pumping point from Turtle Creek is located in the NW 1/4 SW 1/4 Section 3-T116N-R64W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of No. 20-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This readvertisement will be considered by the Water Management Board at the Howard Johnson's, 1-90 at LaCrosse, Rapid City SD on March 1, 1989 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this readvertisement based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by February 17, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the readvertisement, the petitioner's reasons for opposing or supporting the readvertisement and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by February 17, 1989.

This readvertisement is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

**Department of
Water & Natural Resources**

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

January 17, 1989

Redfield Press
Box 440
Redfield SD 57469

Dear Sir:

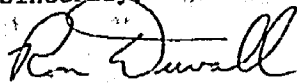
Enclosed is a Readvertisement of Notice of Hearing on Permit No. 20-3 to be published twice. Please publish the first notice on or before January 25, 1989 with the second publication 7 days later.

Please bill the Water Rights Division for the cost of the advertisement.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

FIRST TRANSMITTAL NOTICE
No. _____

TO:

Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of _____ enclosing Readvertisement of Notice of
Hearing to Appropriate Water by Permit No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

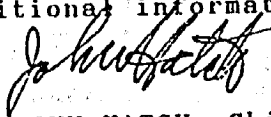


RECOMMENDATION OF CHIEF ENGINEER FOR READVERTISEMENT OF WATER
PERMIT NO. 20-3, Greenlawn Cemetery

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit No. 20-3, Greenlawn Cemetery, 626 Main Street, Redfield SD.

The Chief Engineer is recommending APPROVAL of No. 20-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's use, 2) the diversion has been developed without unlawful impairment of existing rights, 3) the use is a beneficial use and 4) in the public interest.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
December 19, 1988

Report on Water Permit 20-3
Readvertisement of Notice of Hearing
Greenlawn Cemetery Association
December 13, 1988

Water Permit No. 20-3 appropriates water from Turtle Creek to irrigate 13 acres of the Greenlawn Cemetery in the SE1/4NW1/4, NE1/4SW1/4 of section 3, T116N, R64W. The point of diversion from Turtle Creek is located in NW1/4SW1/4 of section 3, T116N, R64W.

Water Permit No. 20-1 was filed as an application on May 16, 1940. The notice of hearing was advertised on May 20 & 27, 1940 and June 3 & 10, 1940 in the Evening Journal Observer, Redfield, SD. The readvertisement is for the purpose of correcting the amount of water appropriation. The correct water appropriation was to be 0.015 cubic feet per second (cfs) rather than the 0.0015 cfs as published in the original notice of hearing. James L. Wendte, Natural Resources Engineer for the Division of Water Rights, inspected the system on August 10, 1988 and verified that the works are capable of diverting 0.015 cfs.

The error was made in advertising by the State Engineer in 1940 because the application had listed 0.0015 cfs as the quantity of water claimed; however, 6.73 gallons per minute (which equates to 0.015 cfs) was also listed. The State Engineer did not catch the 0.0015 cfs as being in error before it was published.

The use of 0.015 cfs from Turtle Creek has occurred since the system was constructed in the 1940's. The Division of Water Rights has no record of complaints against this use. Even with the advertising being in error, the right should remain at 0.015 cfs because the use has been continuous since prior to 1955. The readvertisement corrects the original advertising error and provides legal notice of the authorized diversion rate for the Greenlawn Cemetery Association.

James E. Winterton /ks

James E. Winterton
Natural Resources Engineer

Permit No. 20-3James River Water District

10160006

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Greenlawn
Cemetery of 626 Main Street
Redfield, SD 57469 holder ofPermit No. 20-3, bearing the priority of May 16 1940 authorizingthe diversion of .015 cu. ft. per second of the waters of Turtle Creekfor irrigation purposes, in Spink County.

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

A. Works used to divert the water:

Jacuzzi Pump - Model DB1 1/2, Ser. No. 04APR86
Century Motor - Model 6-349892-11, 5 H.P.

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

1" & 2" Pipe
PVC, Galvanized Steel, & Rubber Hose

C. Works used to apply water to beneficial use:

3 Rainbird SprinklersThe system is in the following condition FairThe point of diversion is located NW 1/4 SW 1/4 Section 3 - T116N - R64W
1350' W & 580' S of the center of Section 3.The works are capable of diverting and conveying to the place of use .015
cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: Sect. 3 - T116N - R64WSE 1/4 NW 1/4 - 3 acresNE 1/4 SW 1/4 - 10 acrescomprising a total of 13 acres of land and the license should be issued for .015 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date 8-10-88James L. Wendt
(signature)

Greenlawn
8-10-88

LICENSE FOR PERMIT NUMBER 20-3

1. Legal location of ~~wells~~ diversion point (Turtle Creek)

NW 1/4 SW 1/4 3-116-64

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells _____

Depth _____

Casing

a) diameter _____

b) length _____

c) type _____

Screen a) type _____

b) length _____

Static Water Level _____

Pump

a) make Jacuzzi

b) model DB 1 1/2

c) ~~size~~ ser. no. 04A PR86

d) capacity 7 GPM

e) turbine pump

no. of stages _____

Motor

a) make Century

b) model no. 6-349892-11

c) horsepower rating 5

d) motor efficiency rating _____

3. Distribution lines:

a) size of lines 1" & 2"

b) type PVC, Galvanized Steel, &

c) ~~length~~ Plastic Hose

run up to 30 Rainbird
Sprinkler heads at a
time.

42 gallon tank.

4. Dam information:

a) height to crest _____

b) height to spillway _____

c) crest width _____

d) crest length _____

e) spillway length _____

f) spillway width _____

g) approx. storage _____

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

i) Outlet tubes:

1) diameter _____

2) type _____

3) valued (Y/N) _____

4) valve type _____

5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline:

1) length _____ feet

2) make, model & number of sprinklers _____

3) spacing of sprinklers _____

4) nozzle size _____

5. System Type: c) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running _____
- 9) GPM _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES

NO

Check Items

NA
✓
✓

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.
2. Special Qualifications to permit being abided by.
3. All Structures, wells and lands on map.

REMARKS:

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 20-3

(1) Greenlawn Cemetery of 626 Main Street, Redfield SD 57469 made Application No. 20-3, February 14, 1940 for a water permit to appropriate * 0.0015 cubic feet of water per second from Turtle Creek, Spink County, South Dakota for irrigation purposes. Permit No. 20-3 with a priority date of May 16, 1940 was approved June 24, 1940 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before May 16, 1945 and for the application to beneficial use of said water on or before May 16, 1949.

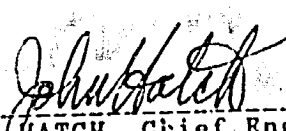
* Water Permit No. 20-3 was readvertised on January 25, and February 1, 1989 to correct the amount of water appropriation. The correct water appropriation is 0.015 cubic feet per second (cfs) rather than the 0.0015 cfs published in the original notice. The readvertisement was approved by the Water Management Board March 1, 1989.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.015 cubic feet of water per second for beneficial use. The location of the diversion point is: 1350'W and 580'S of the center of Section 3, T116N, R64W (NW 1/4 SW 1/4).

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

T116N, R64W Section 3	SE 1/4 NW 1/4	3 acres
	NE 1/4 SW 1/4	10 "
	Total	13 acres

(4) Pursuant to Section 46-5-30.1 Greenlawn Cemetery of 626 Main Street, Redfield SD 57469 the holder(s) and/or owner(s) of Water Permit No. 20-3 is issued a license to appropriate water, the right to use 0.015 cubic feet of water per second from Turtle Creek with a priority date of May 16, 1940 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 20-3 and subject to South Dakota State Law.


JOHN HATCH, Chief Engineer
Water Rights Division
Department of Water and Natural
Resources

SEP 14 1989

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

411402

Pierre, _____, September 11, 1988

RECEIVED OF _____ City of Redfield, Redfield SD 57469

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. 20-3 _____

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for Certified Copy of _____

Fee for Print Copy of Map _____

Fee for Certifying _____

Fee for _____
(Any Other Work Provided by Law)

Total

50 00

50 00

By

Chief Engineer

JOHN HATCH

South Dakota Department of
Water & Natural Resources

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

SEP 14 1989

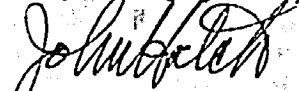
Greenlawn Cemetery
626 Main Street
Redfield SD 57469

Dear Sir:

Enclosed is Water License No. 20-3. 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 Law provides that you have a continuing right to use the water.

Very truly yours,



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

enclosures



WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Joan Mariette, Finance Officer, City of Redfield, 626 Main St, Redfield,
SD 57469-1127

DATE: October 24, 2001

TELEPHONE: 605 472-0660

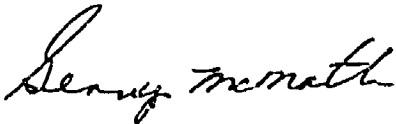
RE: water use for Greenlawn Cemetery -- Water Right No. 20-3

COMMENTS:

I called to inquire about the 2001 irrigation questionnaire submitted for Greenlawn Cemetery. The questionnaire stated they no longer use Turtle Creek as a water source. A notation was made that the pump and spigots were abandoned in 2000.

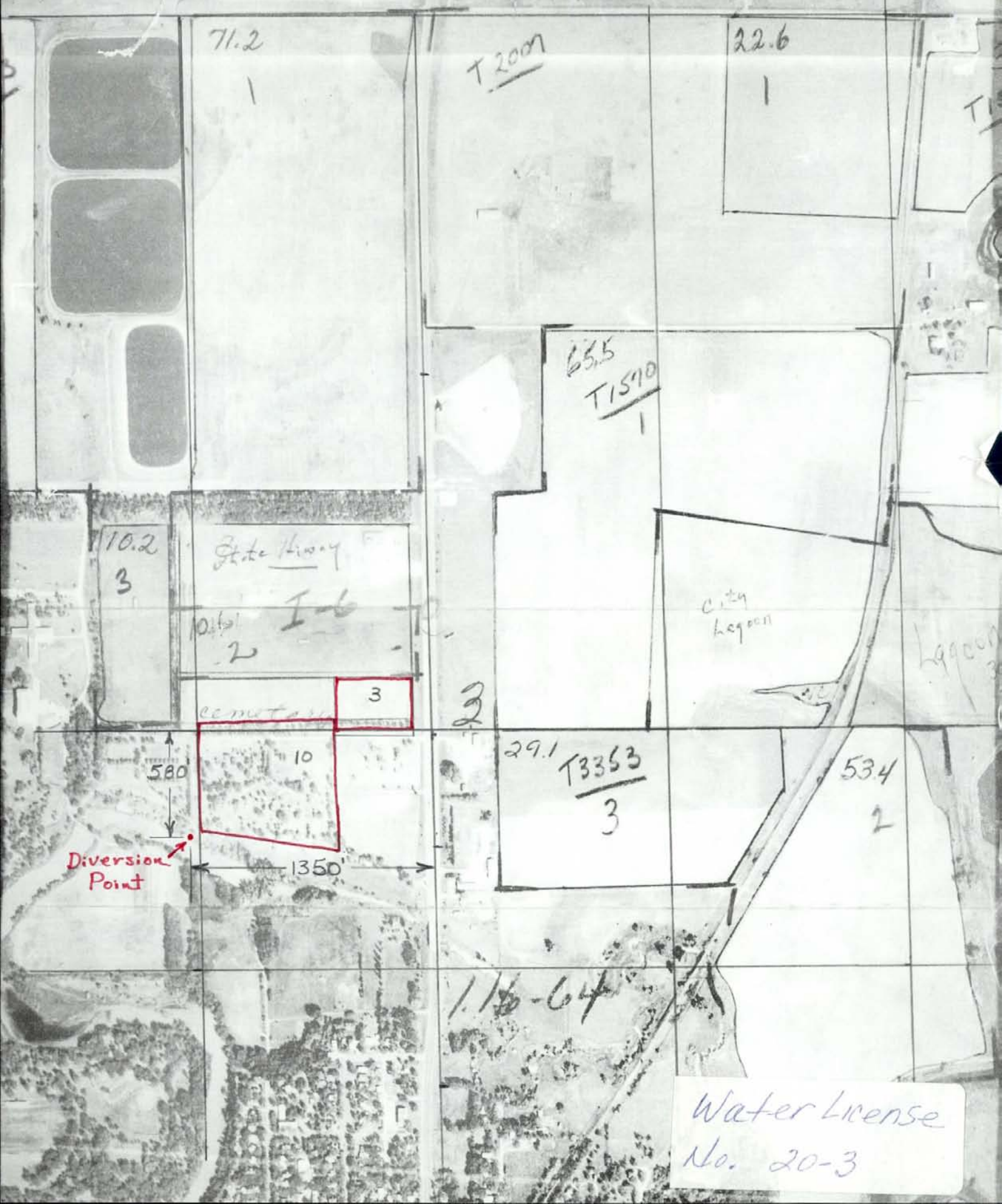
Joan indicated that they want to keep their water right just in case WEB water is too expensive to use or in case they need it for backup. I explained the 3-year use it or lose it plan, she said they have not irrigated for a couple years, but it's been wet enough they have not needed to pump water from Turtle Creek.

I told her we would leave the water right as is for now and they could let us know on future irrigation questionnaires if they choose to totally abandon Turtle Creek as a water source.



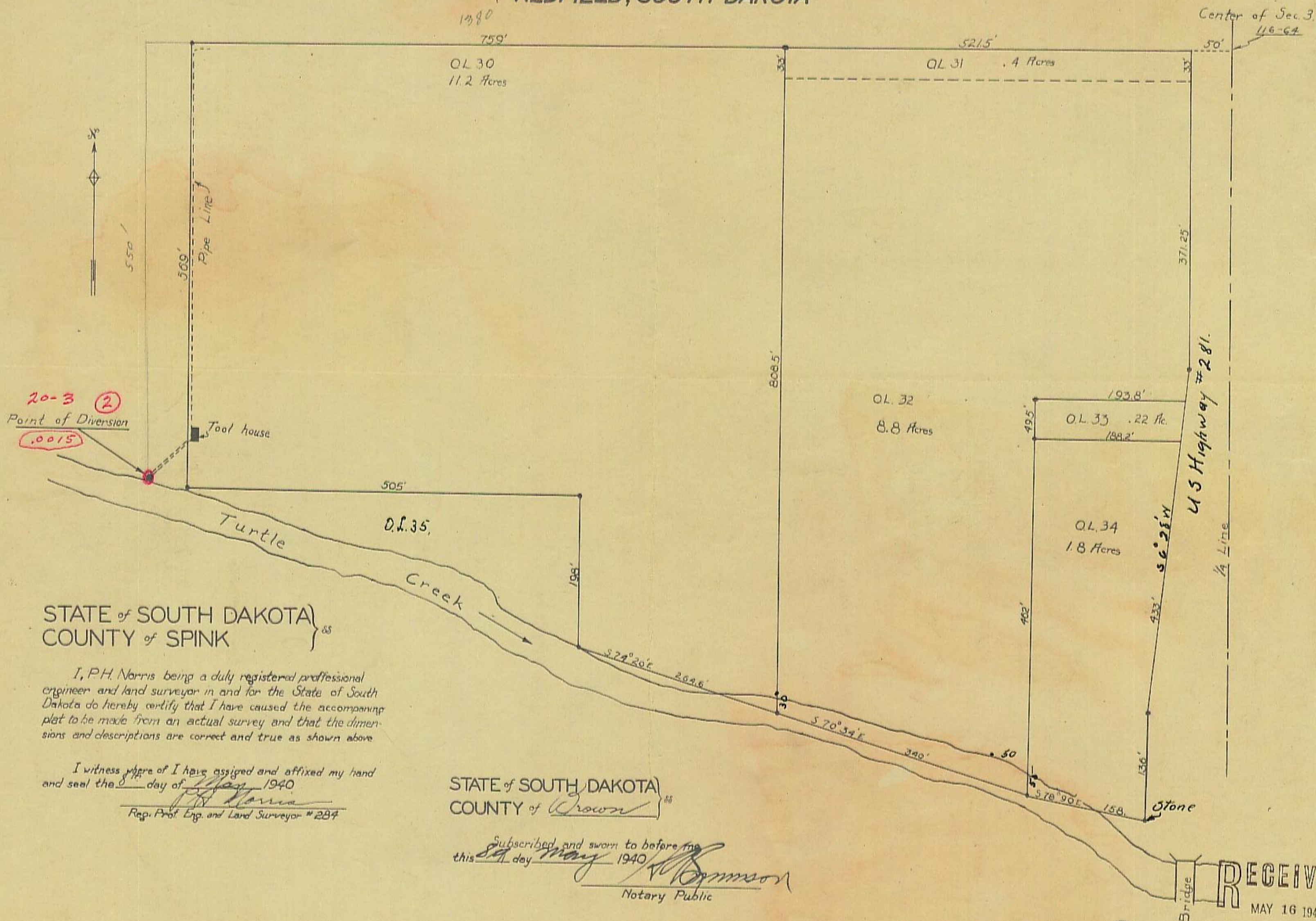
Genny McMath
Environmental Scientist

James L. Wendt
N.R. Engineer
8-25-88



PLAT OF GREENLAWN AND CATHOLIC CEMETERIES

REDFIELD, SOUTH DAKOTA



Map # 17-3
(W.R. 20-3)

RECEIVED
MAY 16 1940
OFFICE OF STATE ENGINEER
PIERRE, S. DAK.