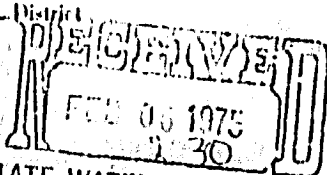


1. Considered 3-19, 1975 2197-3
2. Name of Applicant TERRANCE T. KORN
3. Post Office Address PIERRE
4. Amount of water claimed 4.0
5. Source of water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
- Acres to be irrigated 280
7. Water to be diverted and used in HUGHES county
about 35E, 6S miles of PIERRE
8. Proof of Publication Received 2-25-75
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 2197-3Map No. 1598-3 Water Division No. 3 MISSOURI RIVER

(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT



To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Terrance Etzkorn
 Postoffice address Route 3, Pierre, State South Dakota
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) _____
3. Name of diversion work Etzkorn #1
4. Amount of water claimed (cubic feet per second) 4.0
5. Source of water supply Missouri River
6. Location of point of diversion Between points in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, and in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8, T109N, R75W

County Hughes

7. Annual period or periods during which water is to be used ~~XXXXXXX~~ April thru October
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
9. For irrigation use, Total number of acres to be irrigated 280

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>SE$\frac{1}{4}$ Section 5</u>	<u>234</u>		
<u>NW$\frac{1}{4}$, Section 5</u>	<u>46</u>		
<u>all in T109N, R75W</u>			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Capitol Journal, Pierre, S.D.
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Pump and motor

B. Works proposed to transport water to place of use.

Mainline

C. Works proposed to apply water to beneficial use.

Sprinkler system

Estimated Total Cost \$ _____

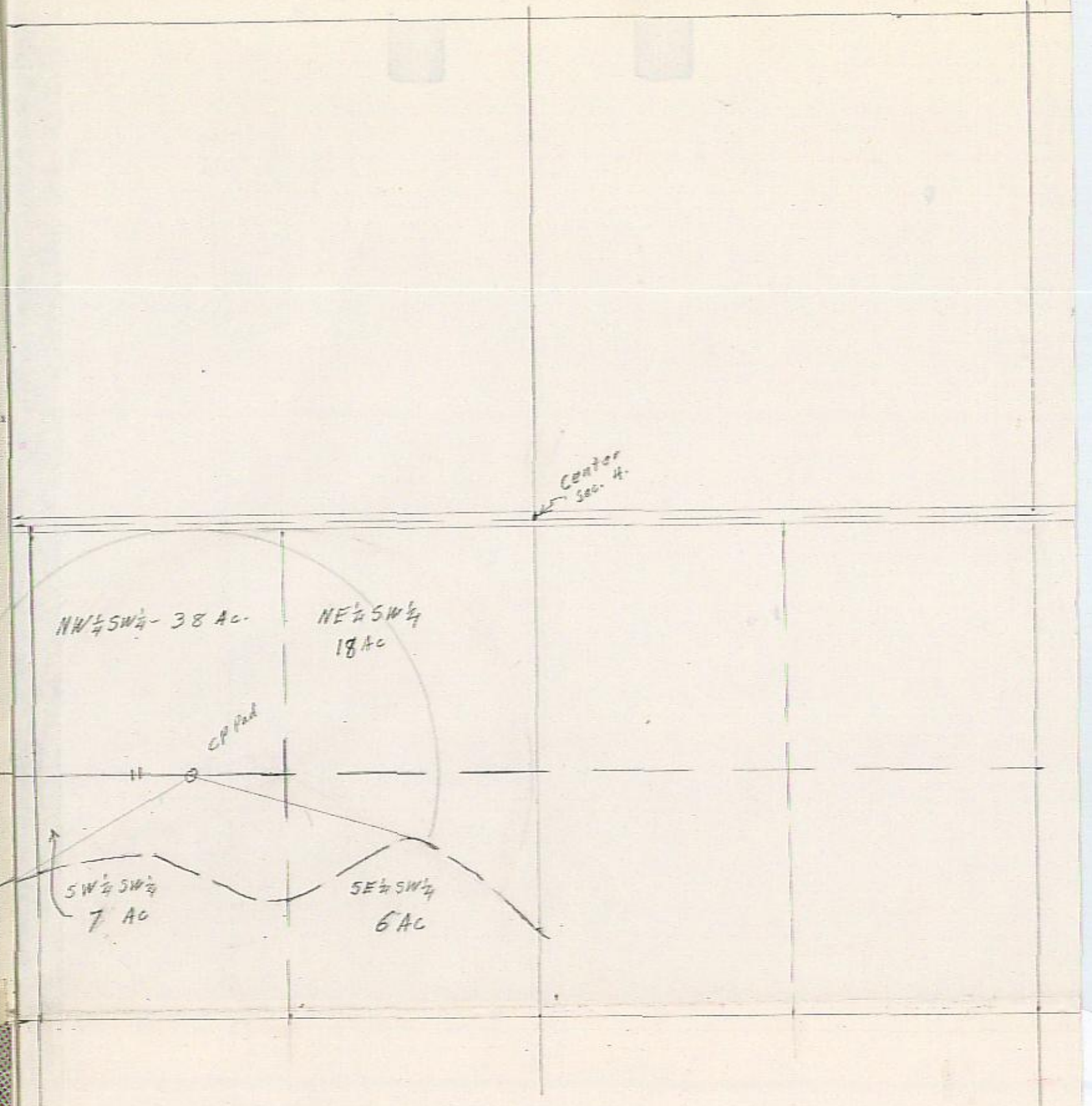
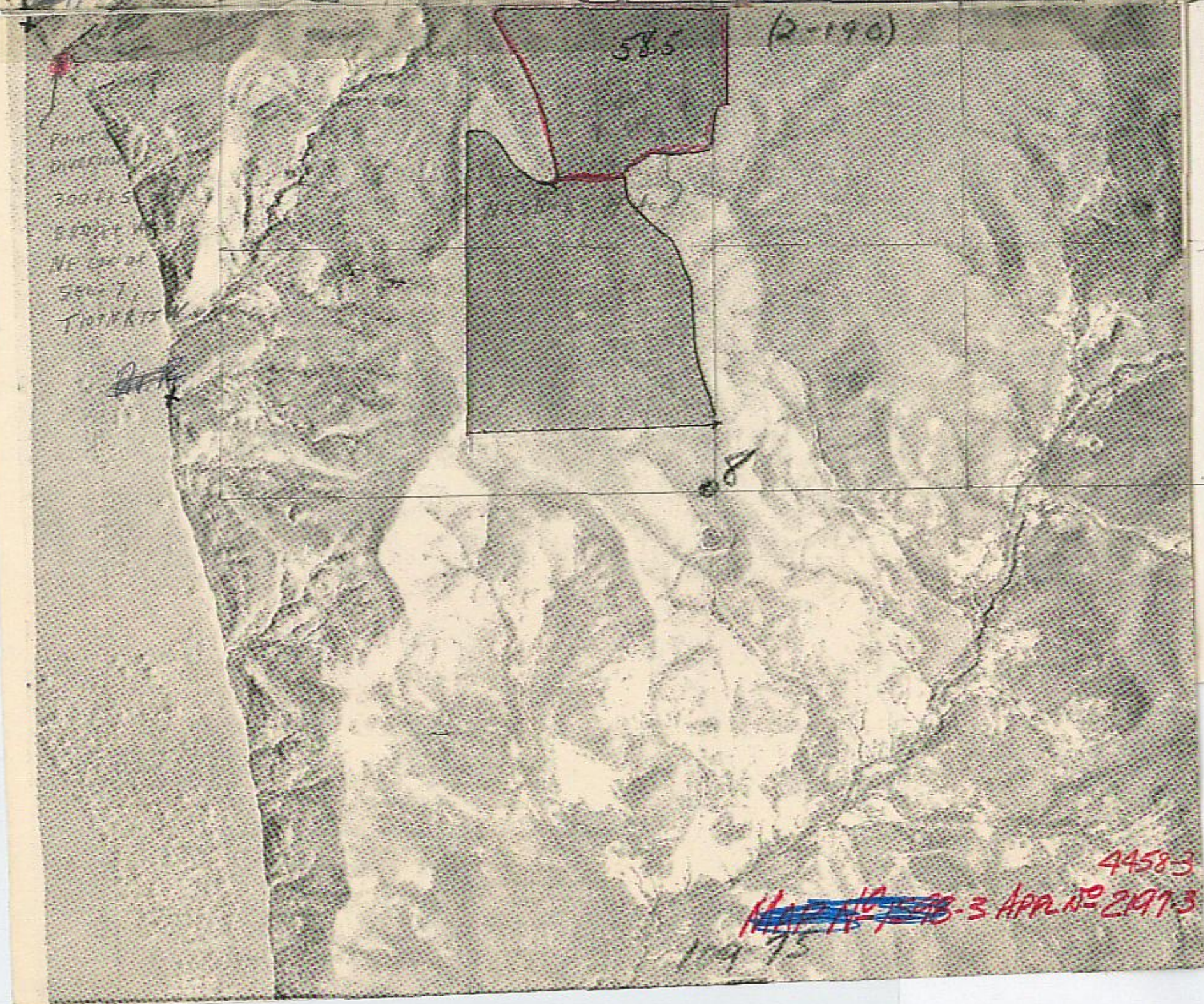
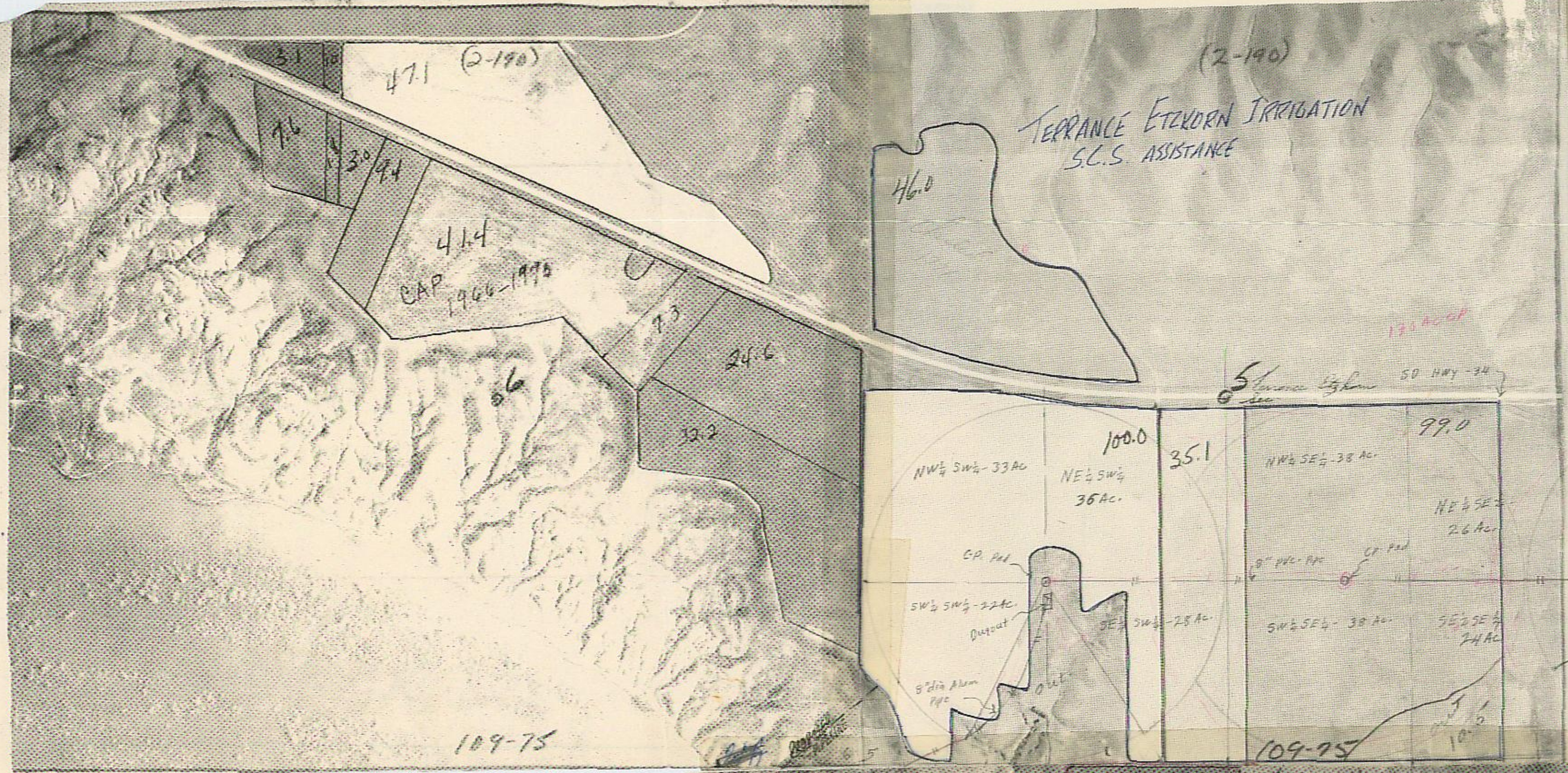
Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

County of Hughes) ss.I, Terrance Etzkorn the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed Terrance EtzkornSubscribed and sworn to before me this 6th day of February 19 75

Notary Public (or other qualified officer)

BETTY WESTLUND, Land/Water Clerk II



WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2197-3
TERRANCE ETZKORN ROUTE 3, PIERRE
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57501 With the following modification:
 (State)

INCORPORATED INTO
WATER LICENSE NO. 44583

Date of first receipt of application FEBRUARY 6, 19 75
 Date of return to applicant for correction, amendments or changes required , 19
 Date of receipt of corrected application , 19
 Approved MARCH 20, 19 75, Recorded in Book 13 Page 220

WATER RIGHT PERMIT NO. 2197-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2197-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is FEBRUARY 6, 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 20, 19 77
3. The whole of said work is to be completed on or before MARCH 20, 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 20, 19 84
5. The water appropriated shall be used for the purpose of IRRIGATION
6. 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.
7. The amount of the appropriation herein granted shall not exceed 4.0 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and 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 MARCH 20, 19 84; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 24TH day of MARCH, 19 75

WATER RIGHTS COMMISSION

By:

Donald W. Russell
 Chief Engineer, Executive Officer

Certificate of Construction Issued , 19

Water License Issued , 19

Form 6 - Notice of Intent to Appropriate Water

No. 2197-3

Publish first publication, on or before March 6, 1975

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501
February 7, 1975

Terrance Etzkorn

Notice is hereby given that _____
whose post office address is Pierre, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
4.0 cubic feet of water per second of time from the Missouri River through the
Etzkorn #1, the point of diversion of which is to be located XXXX

between points in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, and in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8,

~~xxx of Section 2~~, Twp. 109N, Range 75W. Said water to be used for the purpose
of providing irrigation on the following described land:
SE $\frac{1}{4}$ and NW $\frac{1}{4}$, Section 5, T109N, R75W

This application No. 2197-3 will be considered by the Water Rights Commission at its office at
Pierre upon the 19th day of March, 1975, at 2:30 P. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Terrance Etzkorn, Route 3, Pierre, D. 57501



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Office Building Number 2, Pierre, South Dakota 57501

Phone 605/224-3151

February 7, 1975

R.B. Hipple, Publisher
Capitol Journal
Pierre, S.D. 57501

Dear Bob:

Enclosed is a Notice of Intent to Appropriate Water by Terrance Etskorn

Application No. 2197-3, who proposes to divert water from the Missouri River
in Hughes county, South Dakota. Please

publish this notice once a week for two consecutive weeks in your paper, the Capitol Journal
as provided for in SDCI 46-5-17, as amended. The first publication should be on, or
before 2 March 6, 1975.

The Applicant should verify to you that the notice is to be published, before you make the first publication.
The applicant is to pay the costs of publication and should make the necessary arrangements with you to pay these
costs.

Please receipt for this notice immediately after first publication attaching thereto a copy of the first
publication so that it may be compared with the records. For your convenience, you may use the printed form
below for this purpose.

After final publication, please complete the enclosed Form No. 8 to furnish Proof of Publication. The Permit
to Appropriate Water cannot be issued until this proof of final publication is received. This Proof of Publication
must be filed within 60 days of this notice for the applicant to retain his priority.

Encl: forms 6 and 8

cc: Terrance Etskorn

Respectfully,

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

No. 2197-3

Date 19

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

Dear Sirs:

We are in receipt of your letter of , 19 , enclosing Notice of Proposed
Appropriation of Water, as proposed in Application No. , which was first published in our issue of
 , 19 .

Enclosed is a copy of this first publication.

Sincerely,

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

No. 2197-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Hughes) ss.

I, John H. Hippie hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Daily Capital Journal

A newspaper which during the whole time 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
two dates:

February 17, 1975; and

February 24, 1975.

John H. Hippie
(Signature)

Business Manager
(Title)

February 24, 1975
(Date Signed)

No. 1950 - 21 dly Feb. 17-24

No. 2197-3

NOTICE
INTENT TO
APPROPRIATE WATER

Notice is hereby given that
Terrance Etzkorn whose post
office address is Pierre, South
Dakota, has made an application
in accordance with the provisions
of the water laws of South Dakota
for a permit to appropriate for
beneficial use 4.0 cubic feet of
water per second of time from the
Missouri River through the Etz-
korn No. 1, the point of diversion
of which is to be located between
points in the SE 1/4 SE 1/4, Section 6,
and in the SE 1/4 NE 1/4, Section 8,
Twp. 109N, Range 75W. Said
water to be used for the purpose
of providing irrigation on por-
tions of the following described
land:

S 1/2 and NW 1/4, Section 5,
T109N, R75W.

This application No. 2197-3, will
be considered by the Water
Rights Commission at its office at
Pierre upon the 19th day of
March, 1975, at 2:30 P.M. All
interested persons may appear
and be heard.

WATER RIGHTS COMMISSION
By: BURTON F. JONES
Water Rights Specialist

RECEIVED
FEB 25 1975

STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA