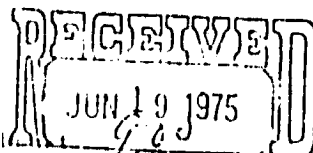


Water Right Number 7301-3

1. Considered JULY 24, 19 75
2. Name of Applicant RALPH HOLZWORTH
3. Post Office Address GETTYSBURG
4. Amount of Water claimed 38.9
5. Source of Water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
Acres to be irrigated 2720
7. Water to be diverted and used in POTTER County
about 12W miles of GETTYSBURG
8. Proof of Publication
Received 7-14-75
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:

1687-3 No. 2301-3
 Map No. 2301-3 Water Division No. 3 MISSOURI RIVER
 (Blanks to be Filled by the Engineer for the W. R. C.)



STATE WATER RIGHTS COMM.
 PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE-Draw a line through items not applicable)

1. Name of Applicant Ralph Holzworth
 Postoffice address Gettysburg 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) Contract & Direct Labor
 3. Name of diversion work Ralph Holzworth Irrigation Project #2
 4. Amount of water claimed (cubic feet per second) 38.9
 5. Source of water supply Missouri River
 6. Location of point of diversion 100 rods west of N.E. corner Section 21-T118N-R78W
 _____ County Potter
 7. Annual period or periods during which water is to be used April through 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 2720

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.
NE $\frac{1}{4}$ Sec 23 T118N, R78W	160	Sec 24 T118N R78W	640
Sec 19 T118N, R77W	640	Sec 14 T118N R78W	640
SW $\frac{1}{4}$ Sec 20 T118N, R77W	160	S $\frac{1}{2}$ Sec 13 T118N R78W	320
S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 13 T118N, R78W	80	S $\frac{1}{2}$ NW $\frac{1}{4}$ Sec 13 T118N R78W	80

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 Potter County News
 12. Principal Features of the Proposed Water Supply System.

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

Pumps

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

Pipe

C. Works proposed to apply water to beneficial use.

Overhead Sprinklers

Estimated Total Cost \$ 150,000.00

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

I, Ralph Holzworth 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 Ralph HolzworthSubscribed and sworn to before me this 17th day of June 1975

Notary Public (or other qualified officer)

my Commission Expires 3/27/83

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2301-3
RALPH HOLZWORTH GETTYSBURG
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57442 With the following modifications:
 (State)

Date of first receipt of application JUNE 19 1975
 Date of return to applicant for correction, amendments or changes required _____ 19 ____
 Date of receipt of corrected application _____ 19 ____
 Approved JULY 24 1975 Recorded in Book 14 Page 4

WATER RIGHT PERMIT NO. 2301-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2301-3 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 JUNE 19 1975
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 24 1978
3. The whole of said work is to be completed on or before JULY 24 1980
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 24 1984
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 38.9 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 JULY 24 1984; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 4TH day of AUGUST 1975

WATER RIGHTS COMMISSION

Philip W. Brater
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

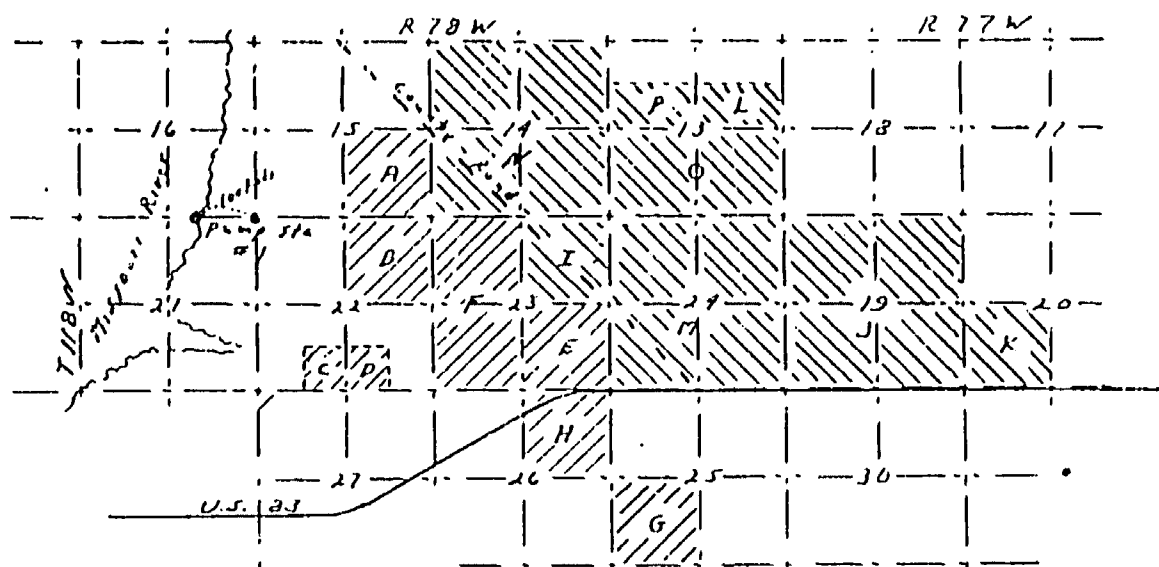
Water License Issued _____, 19 ____

ELDORE HOLZWORTH IRRIGATION PROJECT NO. 1

4

RALPH HOLZWORTH IRRIGATION PROJECT NO. 2

POTTER COUNTY, SOUTH DAKOTA



Land To Be Irrigated by Eldore Holzworth

Area	Location	Acres
A	SE $\frac{1}{4}$ Section 15 - T118N - R78W	160
B	NE $\frac{1}{4}$ Section 22 " "	160
C	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22 " "	40
D	SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22 " "	40
E	SE $\frac{1}{4}$ Section 23 " "	160
F	W $\frac{1}{2}$ Section 23 " "	320
G	SW $\frac{1}{4}$ Section 25 " "	160
H	NE $\frac{1}{4}$ Section 26 " "	160
Total		1200



Scale - 1 inch = 1 mile

Land To Be Irrigated by Ralph Holzworth

Area	Location	Acres
I	NE $\frac{1}{4}$ Section 23 - T118N - R78W	160
J	All of Section 19 - T118N - R77W	640
K	SW $\frac{1}{4}$ Section 20 - T118N - R77W	160
L	SE $\frac{1}{2}$ NE $\frac{1}{4}$ Section 13 - T118N - R78W	80
M	All of Section 24 - " "	640
N	All of Section 17 - " "	640
O	S $\frac{1}{2}$ Section 13 - " "	320
P	S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 13 - " "	80
Total		2720

Pump Station No 1, both projects, 100 rods west of N.E. corner of Section 21 - T118N - R78W.

I, R. V. Summerside, Registered Land Surveyor, State of South Dakota, do hereby certify that, at the direction of Eldore Holzworth and Ralph Holzworth I have surveyed the tract of land as shown, and that the above drawn plat is a reasonably accurate description of the land of the proposed irrigation projects. In witness whereof I have set my hand and seal this 18th day of June, 1925, A.D.

R. V. Summerside
Registered Land Surveyor

Form 6. - Notice of Intent to Appropriate Water

No. 2301-3

Publish first publication, on or before

July 10, 1975

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 24, 1975

Notice is hereby given that Ralph Holzworth

whose post office address is Gattysburg, 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 36.0 cubic feet of water per

second of time from the the Missouri River through the

Ralph Holzworth Irrigation Project #2, the point of diversion of which is to

be located in the SW 1/4, SE 1/4

of Section 16, Twp. 11EN, Range 74W. Said water to be used for the purpose of providing irrigation on the following described land:

S 1/4, S 1/4 NE 1/4, S 1/4 SE 1/4, Section 13, all of Section 14, NE 1/4, Section 23, All of Section 24;
all in T11EN, R74W; All of Section 19, SW 1/4, Section 20, T11EN, R77W

This application No. 2301-3 will be considered by the Water Rights

Commission at the North Lounge, Surbeck Center, S.D. School of Mines, At Rapid City, S.D.

upon the 20th day of July, 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:

Ralph Holzworth, Gattysburg, S.D. 57442

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Potter) ss.

I, Dorothy Shawgo hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Potter County News

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 Gettysburg of Potter

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

July 3, 1975

July 10, 1975

Dorothy Shawgo
(Signature)

Resident
(Title)

July 10, 1975
(Date Signed)

No. 2301-3
NOTICE OF INTENT
to Appropriate Water
Pierre, S. D. 57501
June 24, 1975

Notice is hereby given that
Ralph Holzwarth whose post
office address is Gettysburg,
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 30.9 cubic
feet of water per second of
time from the Missouri
River through the Ralph
Holzwarth Irrigation Project
No. 2, the point of diversion
of which is to be located in
the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 16,
Twp. 118N, Range 78W. Said
water to be used for the
purpose of providing
irrigation on the following
described land: S $\frac{1}{2}$, S $\frac{1}{2}$
NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, Section 13,
all of Section 14, NE $\frac{1}{4}$,
Section 23, All of Section 24;
all in T118N, R78W; All of
Section 19; SW $\frac{1}{4}$, Section 20,
T118N, R77W.

This application No. 2301-3
will be considered by the
Water Rights Commission at
the North Lounge, Surbeck
Center, S. D. School of
Mines, at Rapid City, S. D.
upon the 24th day of July,
1975, at 2:30 P.M. All in-
terested persons may appear
and be heard.

Water Rights Com-
mission
Burton F. Jones
Water Rights Specialist
(July 3, 10, 1975)

South Dakota
Department of
Water & Natural Resources

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

March 23, 1987

RALPH HOLZWARTH
SR 3 BOX 69
GETTYSBURG, SD 57442

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 2301-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

1. Amend Permit No(s). 2301-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.



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

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



Department of Water & Natural Resources

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

April 3, 1987

2301-3

Ralph Holzworth
SR 3 Box 69
Gettysburg, SD 57442

Dear Mr. Holzworth:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 2301-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Hatch".

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

**Department of
Water & Natural Resources**

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

February 17, 1989

Ralph Holzworth
SR 3, Box 69
Gettysburg, SD 57442

Dear Mr. Holzworth:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

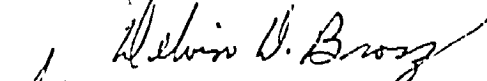


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,



John JOHN HATCH, Chief Engineer
Water Rights Division



JUN 11 1993

2301-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

5748-3

Ralph and Betty Holzwarth
HC 3, Box 69
Gettysburg, SD 57442

Dear Mr. and Ms. Holzwarth:

Enclosed is Water License No. 5748-3 and Receipt No. 413782 for \$50.00 which was assessed for an inspection and issuance of the license. Water License No. 5748-3 is the final document which completes the process of obtaining a water right.

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

Very truly yours,

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

gm
enclosures

NOTE: The applicable portions of Water Permit No. (2301-3) have been incorporated into this Water License No. 5748-3.