

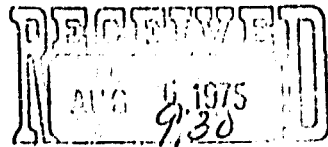
Water Right Number 2321-3

1. Considered SEPTEMBER 10, 1975
2. Name of Applicant ORLOW K. EIDAM
3. Post Office Address GETTYSBURG
4. Amount of Water claimed 4.57
5. Source of Water supply MISSOURI RIVER
6. Water to be used for IRRIGATION  
Acres to be irrigated 320
7. Water to be diverted and used in POTTER County  
about 25.18 IN miles of GETTYSBURG
8. Proof of Publication Received 8-22-75  
Not Received \_\_\_\_\_
9. Application Approved \_\_\_\_\_  
Subject to \_\_\_\_\_  
Not Approved \_\_\_\_\_  
Action Deferred \_\_\_\_\_

10. Remarks:

No. 2321-3Map No. 1703-3 Water Division No. 3 MISSOURI RIVER District  
(blanks to be filled by the Engineer for the W. R. C.)

## APPLICATION FOR PERMIT



STATE WATER RIGHTS COM.

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant Orlow K. Eidam  
 Postoffice address Gettysburg State S.D. 57442  
 If a corporation show date and place of incorporation \_\_\_\_\_
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
3. Name of diversion work Eidam Irrigation Project No. 1
4. Amount of water claimed (cubic feet per second) 4.57 4/6 cu. ft. p. sec.
5. Source of water supply LaKe-Oahe Missouri River
6. Location of point of diversion SW 1/4 SE 1/4 NW 1/4 25 118-79

County Potter

7. Annual period or periods during which water is to be used Apr. - Oct.
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 1320

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 1/4 NE 1/4 35-118-79 | 40             | NE 1/4 SE 1/4 35-118-79 | 40             |
| NW 1/4 NE 1/4 35-118-79 | 40             | NW 1/4 SE 1/4 35-118-79 | 40             |
| SW 1/4 NE 1/4 35-118-79 | 40             | SW 1/4 SE 1/4 35-118-79 | 40             |
| SE 1/4 NE 1/4 35-118-79 | 40             | SE 1/4 SE 1/4 35-118-79 | 40             |

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 2 years. Additional time required to complete application of water to the proposed beneficial use 1 years.
11. Choice of a 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.

12" Suction Pipe LaKe Oahe.

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

Sec 10" 50' Alum  
1000' 10" 64' Alum  
1660' 10" PVC  
1050' 8" PVC

C. Works proposed to apply water to beneficial use.

Electrogrator Center PivotEstimated Total Cost: \$ 74,000.00

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 PotterI, Orlow K. Eidam 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

Subscribed and sworn to before me this

4th day of August 1975  
Helen Nagel  
 Notary Public (or other qualified officer)

NOT TO SCALE

TO SCALE

26-118-79 (D-2)

W/2-25-118-79  
(D-2)

T 1597

T 1604

T 1636

(1)  
126°  
T 1599

(3)  
44°

Prepared by:

*Lynn Beck*

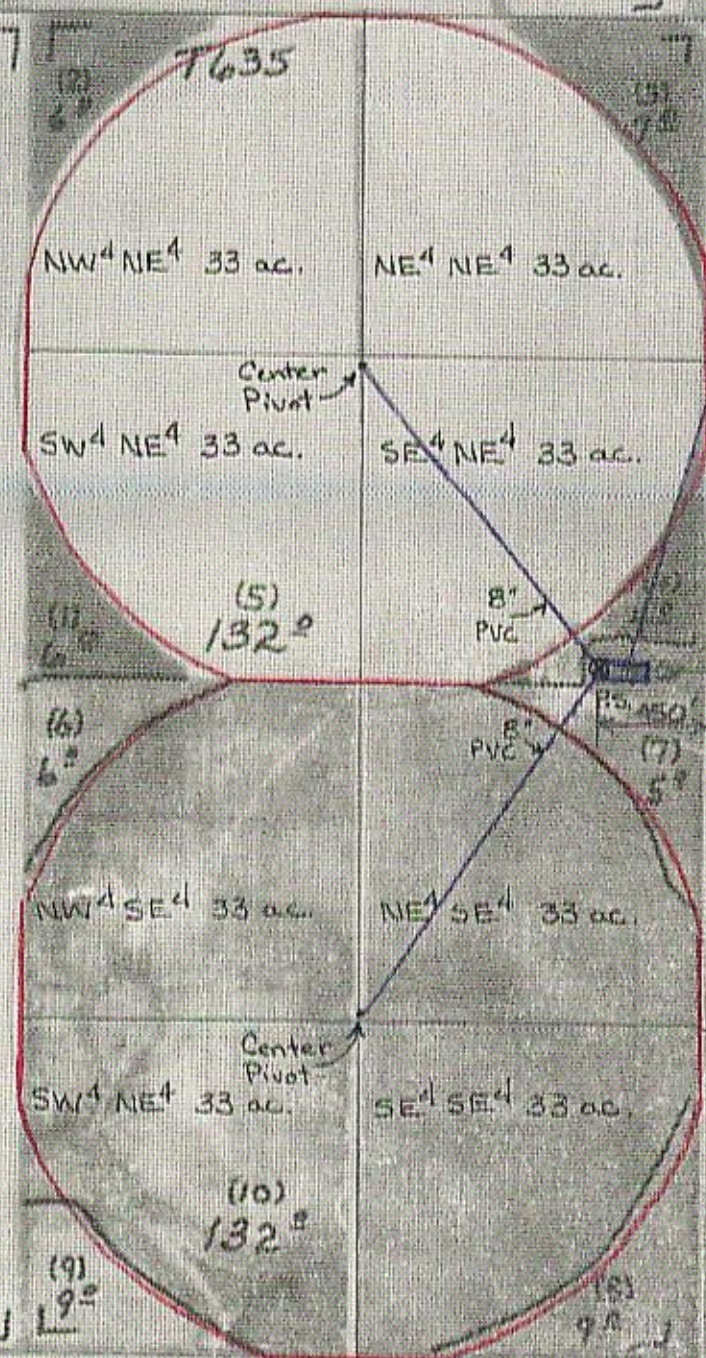
Lynn Beck  
Natural Resource Engineer  
DENR, Division of Water Rights  
8-25-92

(4)  
320°

35-118-79 (D-2)

Total Acres = 264

2321-3



WATER RIGHT APPLICATION APPROVAL

WATER RIGHTS COMMISSION hereby approves Water Right Application No. 2321-3

ORLOW K. EIDAM  
(Applicant)

GETTYSBURG  
(Post Office Address)

SOUTH DAKOTA 57442 With the following modifications:  
(State)

Date of first receipt of application AUGUST 6, 19 75  
Date of return to applicant for correction, amendments or changes required \_\_\_\_\_, 19 \_\_\_\_  
Date of receipt of corrected application \_\_\_\_\_, 19 \_\_\_\_  
Approved SEPTEMBER 10, 19 75, Recorded in Book 14 Page 38

WATER RIGHT PERMIT NO. 2321-3 2321-3

WATER RIGHTS COMMISSION

The Water Resources Commission hereby grants and issues this Water Right Permit No. 2321-3 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 AUGUST 6, 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 10, 76
3. The whole of said work is to be completed on or before SEPTEMBER 10, 77
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 10, 78
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 4.57 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 SEPTEMBER 10, 78; said water to be used during the following described annual period: APRIL - OCTOBER

Witness my hand this 16TH day of SEPTEMBER, 19 75

WATER RIGHTS COMMISSION

By:

John H. Hark  
Chief Engineer, Executive Officer

Certificate of Construction Issued \_\_\_\_\_, 19 \_\_\_\_

Water License Issued \_\_\_\_\_, 19 \_\_\_\_

No. 2321-3

Publish first publication, on or before

August 28, 1975

## NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 7, 1975

Notice is hereby given that Orlow K. Eidam

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 4.57 cubic feet of water per

second of time from the Missouri River through the Eidam Irrigation Project #1, the point of diversion of which is to be located in the \_\_\_\_\_

SE $\frac{1}{4}$  NW $\frac{1}{4}$

of Section 25, Twp. 118N, Range 79W. Said water to be used for the purpose of providing irrigation on the following described land:

SE $\frac{1}{4}$ , Section 35, T118N, R79W

This application No. 2321-3 will be considered by the Water Rights Commission at the Burgunday Room at the Skyline Hotel, Yankton, South Dakota

upon the 10th day of September, 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:

Orlow K. Eidam, Gettysburg, 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 \_\_\_\_\_

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

Aug. 14, 1975

Aug. 21, 1975

Dorothy Shawgo  
(Signature)

Bookkeeper  
(Title)

Aug 21, 1975  
(Date Signed)

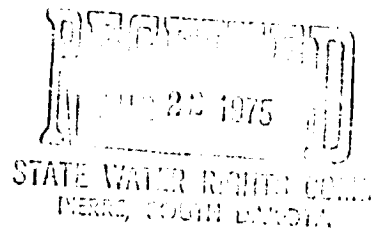
No. 2321-3  
NOTICE OF INTENT  
TO APPROPRIATE  
WATER

Pierre, S. D. 57501  
August 7, 1975

Notice is hereby given that  
Orlow K. Eldam 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 4.57 cubic  
feet of water per second of  
time from the Missouri  
River through the Eldam  
Irrigation Project No. 1, the  
point of diversion of which is  
to be located in the SE $\frac{1}{4}$   
NW $\frac{1}{4}$  of Section 25, Twp.  
118N, Range 79W. Said water  
to be used for the purpose of  
providing irrigation on the  
following described land:  
E $\frac{1}{4}$ , Section 35, T118N,  
R79W.

This application No. 2321-3  
will be considered by the  
Water Rights Commission at  
the Burgundy Room at the  
Skyline Motel, Yankton,  
South Dakota upon the 10th  
day of September, 1975 at  
2:30 P.M. All interested  
persons may appear and be  
heard.

Water Rights Com-  
mission  
Burton F. Jones  
Water Rights Specialist  
(Aug. 14, 21, 1975)



Form 10.

No. 2321-3

NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE

Post Office Bethsburg SD  
Date 5-28-76

TO: **WATER RIGHTS COMMISSION**  
State Office Building No. 2  
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 2321-3

Water Right Permit No. 2321-3 states that the diversion system is to be constructed by 9-10, 1977 and that the water is to be put to beneficial use by 9-10, 1978.

The diversion system was completed on 5-28-76, 19\_\_\_\_. Applying the water to beneficial use was completed on 5-28-, 1976.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Olav Kildan  
(Signature)





**Department of  
Water & Natural Resources**

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

February 17, 1989

Orlow Eidam  
ST RT Box 82A  
Gettysburg, SD 57442

Dear Mr. Eidam:

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;

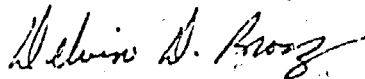


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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,



*for* JOHN HATCH, Chief Engineer  
Water Rights Division

Permit No. 2321-3Missouri River Water District

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

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

I have this day made a thorough examination of the water use system constructed by Orlow Eidam of St. Rt. 3 Box 82 Gettysburg, SD 57442 holder of Permit No. 2321-3, bearing the priority of August 6, 1975 authorizing the diversion of 4.57 cu. ft. per second of the waters of Missouri River for irrigation purposes, in Potter County.

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

## A. Works used to divert the water:

At the Missouri River: 2-Marathon motors, model nos. 404TTDS7312AAWF1 and 404TTDS7309AAW1,  
125 hp. 2-Cornell pumps, model no. 4YB125-2. 900 gpm

At the holding pond: General Electric motor, model no. 5K364TK132, 75 hp. Cornell pump,  
model no. 5WB75-2, 900gpm capacity.

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

2110' of 10" aluminum, 3770' of 10" pvc and 3170' of 8" pvc. One 190'x75' holding pond.

## C. Works used to apply water to beneficial use:

Reinke Electrigrator towable center pivot, 1240' long, 10 tower with end gun, high pressure, 900 gpm capacity.

The system is in the following condition good. The point of diversion is located 1360' E  
and 600' N of W <sup>1/4</sup> corner Sec. 25, 450'W and 2560' S of NE corner Sec. 35 all in T118N-R79W.

The works are capable of diverting and conveying to the place of use 2 cu. ft. per second of water and/or storing 3 acre-feet of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

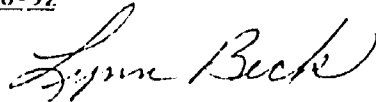
Section 35 T118N-R79W:

|                    |                 |                    |                 |
|--------------------|-----------------|--------------------|-----------------|
| <u>NW1/4 NE1/4</u> | <u>33 acres</u> | <u>NW1/4 SE1/4</u> | <u>33 acres</u> |
| <u>NE1/4</u>       | <u>"</u>        | <u>NE1/4</u>       | <u>"</u>        |
| <u>SW1/4</u>       | <u>"</u>        | <u>SW1/4</u>       | <u>"</u>        |
| <u>SE1/4</u>       | <u>"</u>        | <u>SE1/4</u>       | <u>"</u>        |

comprising a total of 264 acres of land and the license should be issued for 2 cfs and/or 3 acre-feet of storage.

Application permit qualifications have been complied with Y Yes      No

Exceptions to compliance are: none      Date 8-18-92



Lynn Beck  
Natural Resources Engineer III  
DENR, Water Rights Division



- 2) overall length 1240 feet
- 3) number of towers 10
- 4) distance between towers      feet
- 5) end gun Y (Y/N)
- 6) high or low pressure high
- 7) capacity 900 GPM

**HOLDING POND INFORMATION:** 190' X 75' holds approximately 3 acre-feet.

**CHEMIGATION EQUIPMENT:**

- a) does chemigate Y (Y/N)
- b) main line check valve Y (Y/N)
- c) inspection port/air relief Y (Y/N)
- d) low pressure drain (Y/N) see (K)
- e) discharge is 20' from source (Y/N) see (K)
- f) interlock type electric
- g) injection pump type piston
- h) injection check valve Y (Y/N)
- i) injection line check valve or positive displacement pump Y (Y/N)
- j) all chemigation equipment appears to be installed in the proper position and . complies with chemigation laws and rules Y (Y/N)
- k) comments : The holding pond acts as a barrier between the water source and the point of chemigation.

**PERMIT QUALIFICATIONS AND REGULATIONS:**

- a) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y (Y/N)
- b) Special qualifications to permit being abided by Y (Y/N)
- c) All structures, wells and lands on map Y (Y/N)
- d) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y (Y/N)

*South Dakota*

2321-3

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

September 3, 1992

2321-3

Orlow K. Eidam  
Gettysburg, SD 57442

Dear Mr. Eidam:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 2321-3, 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 issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

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

Sincerely,

*Cheryl F. Frost*

Cheryl F. Frost  
Secretary  
Water Rights Division  
(605) 773-3352

NOTE: On check or money order, please specify your permit number.  
This will insure proper handling of the fee.

# RECEIPT

413412

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, \_\_\_\_\_ September 9, 19 92

RECEIVED OF Orlow K Eidan, HCR 3 Box 82, Gettysburg, SD 57442

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

|                                                                                                                      |       |       |
|----------------------------------------------------------------------------------------------------------------------|-------|-------|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct 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. <u>252A-5</u>          | 50    | 00    |
| Fee for Filing Transfer Form _____                                                                                   |       |       |
| Fee for Filing Extension Request _____                                                                               |       |       |
| Fee for _____                                                                                                        |       |       |
| _____                                                                                                                |       |       |
| _____                                                                                                                |       |       |
| (Any Other Work Provided by Law)                                                                                     | Total | 50 00 |

By John Hatch  
Chief Engineer

2321-3

STATE OF SOUTH DAKOTA  
WATER LICENSE NO. 2321-3

(1) Orlow K. Eidam of HCR 3, Box 82, Gettysburg, SD 57442 made Application No. 2321-3, August 6, 1975 for a water permit to appropriate 4.57 cubic feet of water per second from the Missouri River, Potter County, South Dakota for irrigation purposes. Permit No. 2321-3 with a priority date of August 6, 1975 was approved September 10, 1975 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before September 10, 1977 and for the application to beneficial use of said water on or before September 10, 1978.

(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 2.00 cubic feet of water per second for beneficial use. The location of the diversion points are: 1360'E and 600'N of the W1/4 corner Section 25 (Missouri River); and 450'W and 2560'S of the NE corner Section 35 (holding pond) all in T118N, R79W. The holding pond is capable of storing 3 acre feet of water.

(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:

|                        |               |           |
|------------------------|---------------|-----------|
| T118N, R79W Section 35 | NW 1/4 NE 1/4 | 33 Acres  |
|                        | NE 1/4 NE 1/4 | 33 Acres  |
|                        | SW 1/4 NE 1/4 | 33 Acres  |
|                        | SE 1/4 NE 1/4 | 33 Acres  |
|                        | NW 1/4 SE 1/4 | 33 Acres  |
|                        | NE 1/4 SE 1/4 | 33 Acres  |
|                        | SW 1/4 SE 1/4 | 33 Acres  |
|                        | SE 1/4 SE 1/4 | 33 Acres  |
|                        | Total-----    | 264 Acres |

(4) Pursuant to Section 46-5-30.1 Orlow Eidam of HCR 3, Box 82, Gettysburg, SD 57442 the holder(s) and/or owner(s) of Water Permit No. 2321-3 is issued a license to appropriate water, the right to use 2.00 cubic feet of water per second from the Missouri River with a priority date of August 6, 1975 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. 2321-3 and subject to South Dakota State Law.



NOV 24 1992

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



2321-3

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

NOV 24 1992

2321-3

Orlow K. Eidam  
HCR 3, Box 82  
Gettysburg, SD 57442

Dear Mr. Eidam:

Enclosed is Water License No. 2321-3 and Receipt No. 413412 for \$50.00 which was assessed for an inspection and issuance of the license. Water License No. 2321-3 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

enclosures



January 30, 1996

2321-3

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

**NOTICE**

**TO:** ORLOW EIDAM  
HCR 3 BOX 82  
GETTYSBURG SD 57442

**FROM:** Ron Duvall, Natural Resources Engineer  
for JOHN HATCH, Chief Engineer  
Water Rights Program

**RE:** Failure to Report Chemical Use under Water Permit No(s) 2321-3

The first notice to file chemigation report(s) for Permit No(s) 2321-3 was dated 10/20/95. Our records indicate that we have not received the 1995 chemigation report for Permits No(s) 2321-3. The Water Management Board has directed that owners of water permits who have not submitted the 1995 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:45 A.M. on March 6, 1996, in the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 2321-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the chemigation report(s) is(are) received by this office on/or before March 1, 1996 your name will be deleted from the board agenda.

**NOTE:** Please contact the Water Rights Program, Joe Foss Building, 523 East Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

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

I also wish to receive the following services (for an extra fee):

- 1. ☐ Addressee's Address
- 2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Orlow Eidam  
HCR 3 Box 82  
Gettysburg SD 57442

4a. Article Number

2348 318 840

4b. Service Type

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

7. Date of Delivery

2-2-96

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)

X *Orlow Eidam*

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

January 30, 1996

**NOTICE**

**TO:** ORLOW EIDAM, HCR 3 BOX 82, GETTYSBURG, SD 57442

**FROM:** Ron Duvall, Natural Resources Engineer  
for John Hatch, Chief Engineer  
Water Rights Program

**SUBJECT:** Violation of Requirement to Submit 1995 Irrigation Questionnaire

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 2321-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:45 am, March 6, 1996, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2321-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1996 your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

**Note:** Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



2321-3

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

February 7, 1996

2321-3

Orlow Eidam  
HCR 3 Box 82  
Gettysburg, SD 57442

Dear Mr. Eidam:

I am writing to acknowledge receipt of your 1995 irrigation questionnaire and chemical reporting form. You may disregard the January 30, 1996, Notice of Violation of the Requirement to Submit the 1995 Irrigation Questionnaire and Failure to Report Chemical Use.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

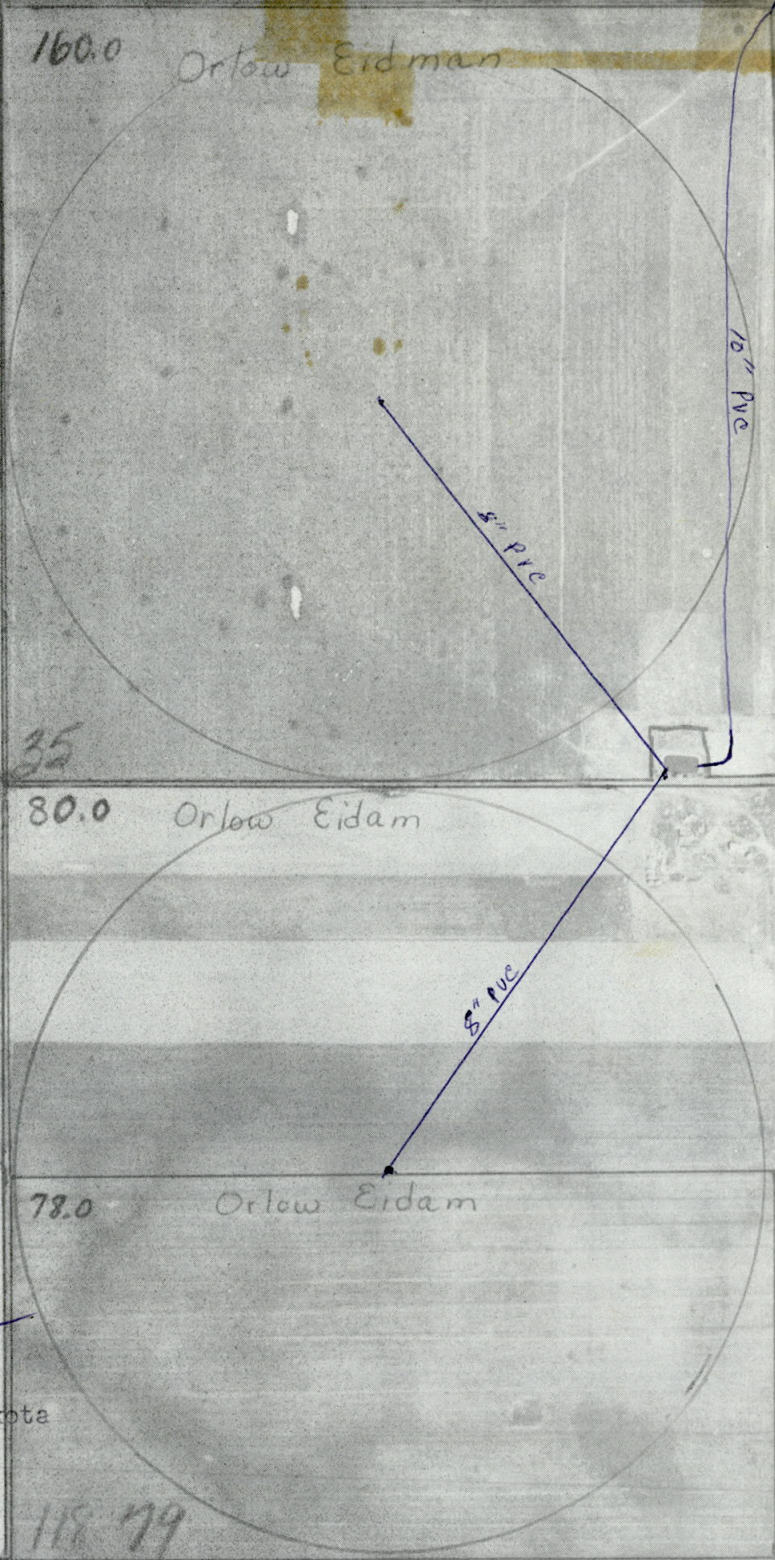
# NOT TO SCALE

39.30  
320.0 Raymond Sutton

118 19  
(1-168)

160.0

Orlow Eidman



The land with the two circles  
superimposed is owned by Orlow Eidman  
and is the land he plans to irrigate.

*Lawrence Madsen*  
Lawrence Madsen  
County Extension Agent  
Potter County, South Dakota

39.70

118 79

MAP NO 1703-3  
(APPL NO 2321-3)

2321-3

118-79

M.A.S.

Raymond Sutton

Ruth Livingston  
Trans to Sally  
Co. 3

Sutton Bros.

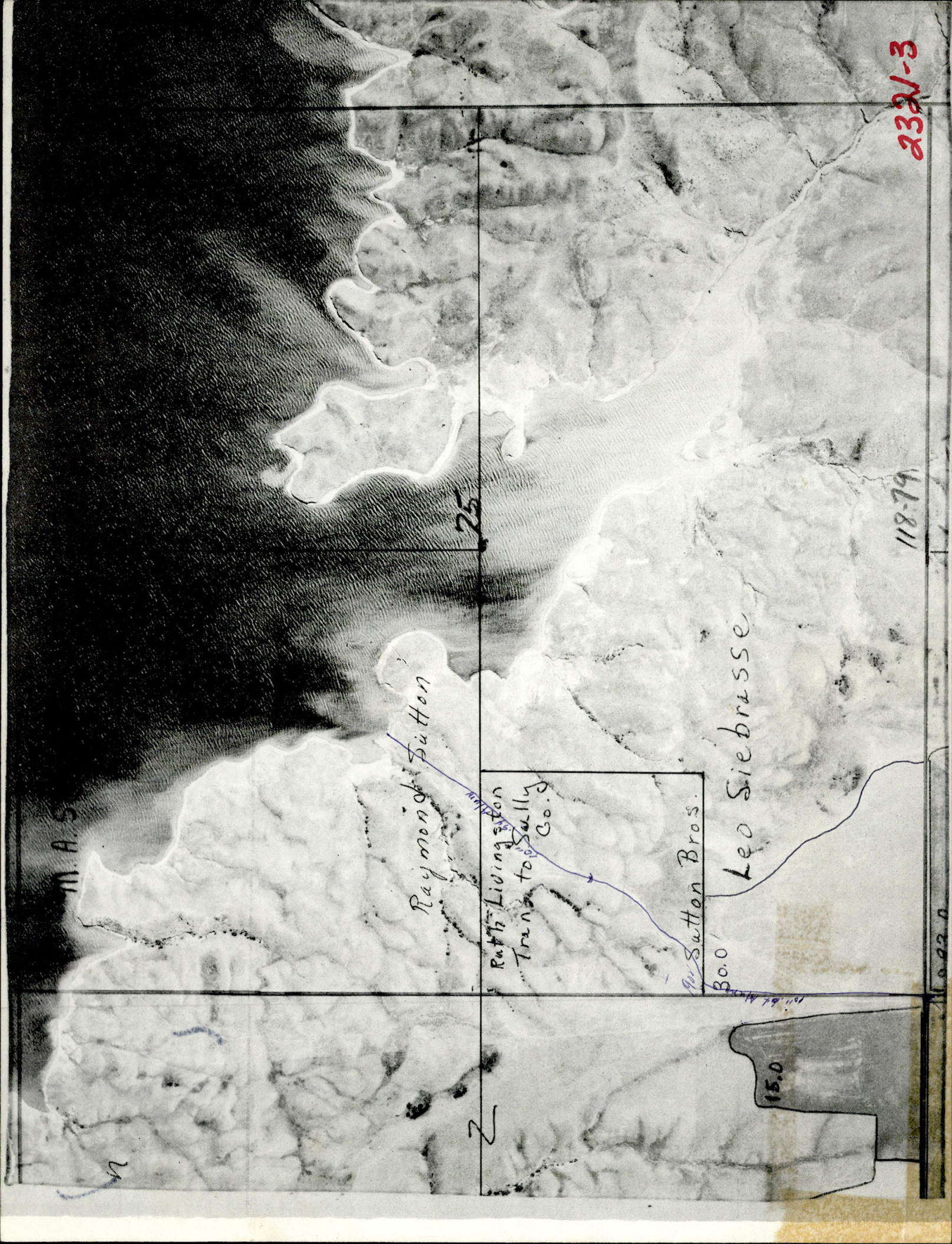
Leo Siebrasse

30.0'

15.0

25

2





**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

December 10, 2009

2321-3

Keith Eidam  
16496 293<sup>rd</sup> Ave  
Gettysburg SD 57442

Dear Mr. Eidam:

Thank you for the return of the 2009 irrigation questionnaire for Water Right No. 2321-3 listed in the name of Orlow Eidam. I gather from the notation you made on the form that the water right should be transferred to your name.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

I have included a copy of the water right for you to keep in the event you do not have one. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath  
Environmental Scientist  
Water Rights Program  
(605) 773-3352  
email: [genny.mcmath@state.sd.us](mailto:genny.mcmath@state.sd.us)

enclosure

**File No. 2321-3**

**WATER RIGHTS PROGRAM -- FILE DOCUMENTATION**

**NAME & ADDRESS:** Keith Eidam, 16496 293rd Ave, Gettysburg SD

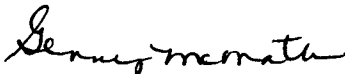
**DATE:** December 15, 2009

**TELEPHONE:**

**RE:** ownership of land described in Water Right No. 2321-3

**COMMENTS:**

Keith Eidam called in response to a "Notice of Transfer of Ownership" form I sent to him for transferring Water Right No. 2321-3 from Orlow's name to his name. He indicated that his dad (Orlow) is deceased but technically, the land has not changed hands yet and at this point in time is owned by his mom. He requested to leave the water right as is for now with all correspondence being sent to him.



Genny McMath  
Water Rights Program



2321-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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January 15, 2016

NOTICE

TO: KEITH EIDAM, MGR, 16496 293RD AVE, GETTYSBURG, SD 57442

FROM: Ron Duvall, Natural Resources Engineer  
for Jeanne Goodman, Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire has not been submitted for Permit No(s) 2321-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Thursday, March 3, 2016 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2321-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 3, 2016** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at [genny.mcmath@state.sd.us](mailto:genny.mcmath@state.sd.us). If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

**Note:** Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



2321-3  
**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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denr.sd.gov

January 25, 2016

2321-3

Keith Eidam  
16496 293<sup>rd</sup> Ave  
Gettysburg SD 57442

Dear Mr. Eidam:

I am writing to acknowledge receipt of your 2015 irrigation questionnaire.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right No. 2321-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath  
Water Rights Program  
(605) 773-3352  
email: genny.mcmath@state.sd.us



2321-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 26, 2018

NOTICE

TO: KEITH EIDAM, MGR, 16496 293RD AVE, GETTYSBURG, SD 57442

FROM: Ron Duvall, Natural Resources Engineer  
for Jeanne Goodman, Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire has not been submitted for Permit No(s) 2321-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

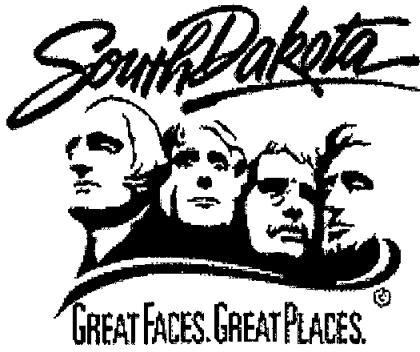
The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2321-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 7, 2018** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at [genny.mcmath@state.sd.us](mailto:genny.mcmath@state.sd.us). If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

**Note:** Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



DEPARTMENT of ENVIRONMENT  
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[www.denr.sd.gov](http://www.denr.sd.gov)

February 1, 2018

2321-3

Keith Eidam  
16496 293rd Ave  
Gettysburg SD 57442

Dear Mr. Eidam:

I am writing to acknowledge receipt of your 2017 irrigation questionnaire.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right No. 2321-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath  
Water Rights Program  
(605) 773-3352  
email: [genny.mcmath@state.sd.us](mailto:genny.mcmath@state.sd.us)



2321-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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January 25, 2019

NOTICE

TO: KEITH EIDAM, MGR, 16496 293RD AVE, GETTYSBURG, SD 57442

FROM: Ron Duvall, Natural Resources Engineer  
for Jeanne Goodman, Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire has not been submitted for Permit No(s) 2321-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2321-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 6, 2019** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at [genny.mcmath@state.sd.us](mailto:genny.mcmath@state.sd.us). If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

**Note:** Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



2321-3

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.denr.sd.gov](http://www.denr.sd.gov)

February 7, 2019

2321-3

Keith Eidam  
Eidam Ranch  
16490 293<sup>rd</sup> Ave  
Gettysburg SD 57442-8609

Dear Mr. Eidam:

I am writing to acknowledge receipt of your 2018 irrigation questionnaire.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right No. 2321-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath  
Water Rights Program  
(605) 773-3352  
email: [genny.mcmath@state.sd.us](mailto:genny.mcmath@state.sd.us)