

2545-3

1. Considered 3-17 1976
2. Name of Applicant HAROLD & ISADORE KLIMISCH
3. Post Office Address UTICA
4. Amount of water claimed 2.0
5. Source of water supply JAMES RIVER
6. Water to be used for IRRIGATION
Acres to be irrigated 140
7. Water to be diverted and used in YANKTON county
about 12 N miles of YANKTON
8. Proof of Publication Received 3-9-76
Not received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 2545-3
 Map No. 1916-3 Water Division No. 3 JAMES RIVER District
 (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 Harold Klimisch and Isadore Klimisch
 Post-office address Zitica State So. Dak
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Pipe-Labor
3. Name of diversion work Harold Klimisch and Isadore Klimisch
4. Amount of water claimed (cubic feet per second) 3.2.0
5. Source of water supply James River
6. Location of point of diversion Pumping stations are located on aerial photo
NE 1/4 of NW 1/4 of NE 15.5 ACRES (Station 1 & 2)
SECTION 11, T95N, R56W County Yankton
7. Annual period or periods during which water is to be used March Nov. 30
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 Approx. 140

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>W 1/2 of NE 1/4 10 95-56</u>	<u>APPROX 8.3 A</u>		
<u>NE 1/4 of NE 1/4 10 95-56</u>	<u>APPROX 2.5 A</u>		
<u>NW 1/4 NW 1/4 11 95-56</u>	<u>APPROX 13.5 A</u>		
<u>NE 1/4 of NW 1/4 11 95-56</u>	<u>APPROX 13.5 A</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 _____ years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Yankton Press & Courier
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. Pumping StationsB. Works proposed to transport water to place of use. Movable Pipe

C. Works proposed to apply water to beneficial use.

For Irrigation use
with sprinkler or gun type system
Estimated Total Cost: \$20,000
 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 Yankton
 I, Harold Klimisch 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 Harold KlimischSubscribed and sworn to before me this 13 day of February, 1976
Louise R. Larson
 County Public (or other qualified officer)
Register of Deeds

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 2545-3 ³⁹⁴¹ 39
Harold Klumpp Office So. Dak. Bldg 73
 (Applicant) (Post Office Address)
57067 With the following modifications:
 (State)

Date of first receipt of application FEBRUARY 18 19 76
 Date of return to applicant for correction, amendment or changes required _____ 19 ____
 Date of receipt of corrected application _____ 19 ____
 Approved MARCH 17 19 76 Recorded in Book 14 Page 325

WATER RIGHT PERMIT NO. 2545-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 2545-3 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 18 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 17 19 78
3. The whole of said work is to be completed on or before MARCH 17 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 18 19 81
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 2.0 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 17 19 81; said water to be used during the following described annual period: MARCH - NOVEMBER 30

Witness my hand this 23RD day of MARCH 19 76

WATER RESOURCES COMMISSION

By:

[Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 ____

Water License Issued _____ 19 ____

Publish first publication, on or before March 4, 1976

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 19, 1976

Notice is hereby given that Harold and Isadore Klimisch
whose post office address is Utica, South Dakota, ~~xxx~~ have made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
2.0 cubic feet of water per second of time from the James River through the
Klimisch Irrigation Project, the point of diversion of which is to be located in the _____

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

of Section 11, Twp. 95N, Range 56W. Said water to be used for the purpose
of providing irrigation on ^{portions of} the following described land:

NE $\frac{1}{4}$, Section 10; N $\frac{1}{2}$ NW $\frac{1}{4}$, Section 101, T95N, R56W

This application No. 2545-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 17th day of March, 1976, at 1:00 P..M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc:

Harold Klimisch, Box 33, Utica, S.D. 57067

2+27&3+5
NOTICE
INTENT TO
APPROPRIATE WATER

February 19, 1976

Notice is hereby given that Harold and Isadore Klimisch whose post office address is Utica, South Dakota, have made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.0 cubic feet of water per second of time from the James River through the Klimisch Irrigation Project, the point of diversion of which is to be located in the NE¹/₄, NW¹/₄ of Section 11, Twp. 95N, Range 56W. Said water to be used for the purpose of providing irrigation on portions of the following described land: NE¹/₄, Section 10; N¹/₂, NW¹/₄, Section 11; T95N, R56W

This application No. 2545-3 will be considered by the Water Rights Commission at their office at Pierre upon the 17th day of March, 1976, at 1:00 P.M. All interested persons may appear and be heard.

Water Resources Commission

By: BURTON F JONES
Water Rights Specialist



No. 2545-3

Date Feb 22, 1976

TO: WATER RIGHTS COMMISSION

Joe Foss Building

Pierre, South Dakota 57501

Dear Sirs:

We are in receipt of your letter of Feb. 19, 19 76 enclosing Notice of Proposed Appropriation of Water, as proposed in Application No. 2545-3, which was first published in our issue of Feb. 22, 19 76.

ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Sincerely,

Wm. F. Jones

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

No 2575

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Yankton,)

I, Harry L. Spence hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Yankton Daily Press & Dakotan

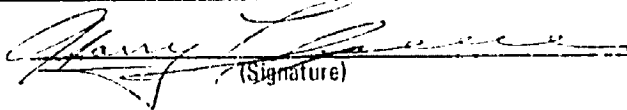
A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

City of Yankton

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

February 27, 1976

March 5, 1976


(Signature)

Business Manager
(Title)

3-5-76
(Date Signed)



State of South Dakota

Water License No. 2545-3

(1) Harold and Isadore Klimisch
of RR 1, Box 39, Utica, South Dakota 57067
made Application No. 2545-3, February 18, 1976 for a water permit to appropriate
2.0 cubic feet per second of water from the James River,
Yankton County, South Dakota for Irrigation purposes.
Permit No. 2545-3, with a priority date of February 18, 1976
was approved March 17, 1976 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before March 17, 1981 and for the application to beneficial use of said
water on or before March 17, 1981.

and

(2) It is certified that the application 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 0.23 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is on the James River; 7640 ft E and
330 ft S from the NW Corner of Section 11, T95N-R56W

and

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

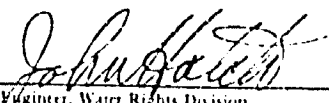
Section 11, T95N-R56W NE 1/4 NW 1/4 16.1 ACRES

(1) Pursuant to §46-5-30.1 Harold and Isadore Klimisch

of RR 1, Box 39, Utica, South Dakota 57067

the holder(s) and/or owner(s) of Water Permit No. 2545-3 is issued a license to appropriate water, the right to use 0.23 cubic feet per second of water from the James River with a priority date of February 18, 1976 from the location specified in (2) of this license. The water 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. 2545-3 and subject to South Dakota State Law.


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

JOHN HATCH

FEB 18 1987

LICENSE FOR PERMIT NUMBER 2545-3

1. Legal location of wells: _____

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____
b) length _____ b) length _____
c) type _____ Static Water Level _____

Pump a) make _____ Motor a) make _____
b) model _____ b) model no. _____
c) size _____ c) horsepower rating _____
d) capacity _____ GPM d) motor efficiency rating _____
e) turbine pump
no. of stages _____

3. Distribution lines:

a) size of lines <u>8 in.</u>	<u>6 in.</u>	<u>5 in.</u>
b) type <u>Aluminum</u>	<u>Aluminum</u>	<u>Aluminum</u>
c) length <u>600 ft.</u>	<u>400 ft.</u>	<u>800 ft.</u>

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) siederoli:

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 (Stationary)

- 1) make Nelson P150
- 2) serial number EA 3988
- 3) nozzle size _____
- 4) capacity (GPM) 200
- 5) PSI 60
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length included with 8 in. pipeline
- 2) diameter 8 in.
- 3) spacing of gates 40 in.

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make Vermeer
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) 500
- 5) PSI 60

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

- | | | |
|-------------------------------------|--------------------------|---|
| ☒ | ☐ | 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:

motor: Chevy, 8cyl.
283 cu. in.

pump: Pacific
S.N. 61J-8027
M.N. 4CD-LKUE

James River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Harold and Isadore Klimisch of RR1, Box 39, UTICA SD 57067 holder of Permit No. 2545-3, bearing the priority of February 18 1976 authorizing the diversion of 2.00 cu. ft. per second of the waters of the James River for irrigation purposes in Yankton County.

I have to report on the conditions of the same as follows: motor: Chevy, 8cyl. pump: Pacific
283 cu. in. S.N. 61J-8027
M.N. 4CD-LKUE

A. Works used to divert the water:

Vermeer Boom Sprinkler:
 capacity - 500gpm, pressure - 60^(psi)

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

Pipeline: size - 8in. 6in. 5in.
 type - Aluminum Aluminum Aluminum
 length - 600 ft. 400 ft. 800 ft.

Stationary gun: make - Nelson P150
S.N. EA 3988
 pressure - 60psi
 capacity - 200gpm

C. Works used to apply water to beneficial use:

gated pipe: length - included with 8in. pipeline
 diameter - 8in.
 gate spacing - 40 in.

The system is in the following condition good

The point of diversion is located James River: 2640 ft. E and 330 ft. S from the NW corner of sec 11 - T95N - R56W (NE 1/4 NW 1/4)

The works are capable of diverting and conveying to the place of use 1.55

cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows:

NE 1/4 NW 1/4 sec. 11 - T95N - R56W 16.1 Acres

comprising a total of 16.1 acres of land and the license should be issued for 23 cfs

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: _____ Date 5/29/85

Ron Duwall
 (signature)



**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 2545-3

February 10, 1986

Harold & Isadore Klimisch
RR 1, Box 39
Utica, South Dakota 57067

Dear Sirs:

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. 2545-3 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
Staff Assistant

ms/

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.



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

Department of Water & Natural Resources

SECOND NOTICE

September 29, 1986

Permit No. 2545-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Harold & Isadore Klimisch
RR #1, Box 39
Utica, SD 57067

Dear Mr. and Mrs. Klimisch:

February 10, 1986, you were notified the final inspection fee of \$50.00 is due before Water License No. 2545-3 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

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

s508.wr

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, December 16, 1936, 19

RECEIVED OF Harold Klimisch, Rm 1, Box 39, Utica, SD 57067

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. 25557-1 _____

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 HATCHER/DIS



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

FEB 18 1987

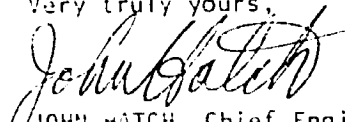
Harold and Isadore Klimisch
RR 1, Box 39
Utica, South Dakota 57067

Dear Sirs:

Enclosed herewith is, Water License No. 2545-3. 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 Laws provide that you have a continuing right to use the water.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures

WNR-817 3/83

Transmittal of Water License.

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

January 29, 1988

HAROLD/ISADORE KLIMISCH
RR #1 BOX 39
UTICA, SD 57067

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

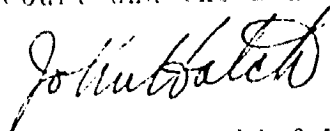
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 2545-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given 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 9:00 am, March 2, 1988 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). 2545-3 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 March 2 hearing date, your name will be deleted from the agenda for the hearing.

2545-3



2-15-88

Dear Sir:

I either did not receive
a questionnaire or it is mis-
placed. I can not locate
it.

This is to inform you and
the Dept of Water & Natural
Resources that I did not
use any water for irrigation
purposes last year.

I hope this will take
care of the matter and I
apologize for any inconvenience.

Sincerely,

Harold Kinnick
RR 1 Box 39
Pitkin, SD 57067



Department of Water & Natural Resources

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

February 23, 1988

2545-3

Harold Klimisch
RR 1, Box 39
Utica SD 57067

Dear Mr. Klimisch:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 2545-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

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

SOUTH DAKOTA Department of
Water & Natural Resources

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

May 26, 1988

Harold/Isadore Klimisch
RR 1, Box 39
Utica, SD 57067

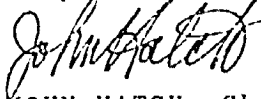
Dear Mr. & Mrs. Klimisch:

I am writing in regard of our review of irrigation questionnaire records. No irrigation has been reported for the last five irrigation seasons under Permit No(s). 2545-3.

South Dakota Codified Laws state that when any person fails to use water for the purpose for which it was appropriated for a period of three years, or abandons the use of the water, such unused water shall revert to the public. An exception to the law is when there is legal excuse for nonuse of water. Examples of legal excuse for nonuse of water are when water is not available or legal proceedings which prevent the use of water.

Since your permit(s) has (have) not been used for five years, the permit(s) may be subject to cancellation by the Water Management Board unless there is a legal reason for not using water. Please advise by June 17, 1988 if you still want to keep your water right and if there is a reason why water has not been used. Let us know, if you have any questions.

Very truly yours,



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



SD Dept of Water
& Nat. Resources
Mr John Hatch



6-7-88

Dear Sir:

This is to inform you that
I do want to keep my
irrigation permit.

The reason I have
not used any water is because
the land is game River
bottom land and has been
flooded. I have not even
been able to get to it
to get a crop in.

Sincerely,

Harold Klimisch
RR 1 Box 39
Utica, SD 57067

2545-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 25, 1993

Harold Klimisch
RR #1 Box 39
Utica, SD 57067

Dear Mr. Klimisch:

Thank you for your prompt return of the 1993 irrigation questionnaire. You indicated on the form that the water right should be listed in your name now.

I have enclosed a partially completed "Notice of Transfer of Ownership" form. In order to delete Isadore's name from the water right, you will need to file a ownership change.

Please review the enclosed form for accuracy and then sign it in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50. Once the form and filing fee are received, we will then transfer all pertinent records to your name.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Resources Analyst
Water Rights Division
(605) 773-3352

enclosure

2545-3

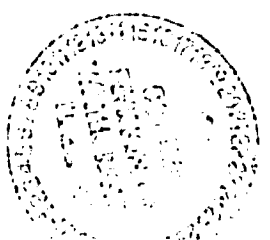
PLEASE FILL OUT AND RETURN
BEFORE DECEMBER 17, 1993

OCTOBER 1993 WATER MANAGEMENT BOARD IRRIGATION QUESTIONNAIRE

2545-1
HABOLD/1-1-1993
RD #1 BOX 39
UTICA
SD 57507
KLIMISCH

VA/JR

1. SURFACE WATER ✓ GROUNDWATER ✓
2. Did you irrigate during 1993? Yes ✓ No ✓
(if no, please include reason(s) in comment section)
3. Number of acres irrigated in 1993 _____
4. Has your system been constructed? Yes ✓ No ✓
5. Are chemicals, including fertilizer, applied through your irrigation system? Yes ✓ No ✓



Telephone No. _____

Type of Power	No. of acres irrigated
1. Electric	_____
2. Gravity	_____
3. Gasoline	_____
4. Nat. Gas pipeline	_____
5. Diesel	_____
6. Propane	_____
7. Other	_____
Type of System	_____
1. Hand moved sprinklers	_____
2. Portable booms	_____
3. Center pivots (# of)	_____
4. Gated pipes	_____
5. Sidewheels	_____
6. Towlines	_____
7. Big gun	_____
8. Siphons	_____
9. Flood	_____
10. Other	_____

Owner or address change, if any:

Tractor passed away

Month	# days pumped	Average # hours per day	Average pump rate (gpm)	Acres of Crop Irrigated & Estimated Water Use			
				Crop	Acres	Water Used	Water Used
April							
May							
June							
July							
August							
Sept.							
Oct.							
Other Months							

COMMENTS:

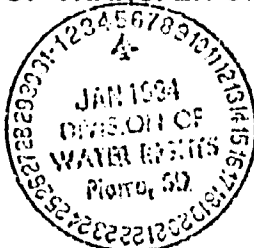
Hand was Flooded

Complete & return to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
(605) 773-3352

2545-3

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Division, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 2545-3Date: 1-3-94I/We request that Water Right No. 2545-3formerly owned by: Harold and Isadore Klimisch, RR #1 Box 39, Ulrica, SD 57067be transferred to: Harold Klimisch, RR #1 Box 39, Ulrica, SD 57067(Telephone No) 364-7468

Title to the following described land(s)/property has been transferred as described above:

NE 1/4 NW 1/4 Section 11, T95N, R56W

I/We understand that the validity of Water Right No. 2545-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

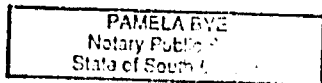
STATE OF SOUTH DAKOTA)

County of Hankston)

I/We Harold Klimisch being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Harold Klimisch
(Signed)

Subscribed and sworn to before me this 1st day of Dec, 19 93.



Pamela Rye
(Notary Public)

My Commission Expires 7-26-01.

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

2545-3
413982

Pierre, _____ January 5, 19 94

RECEIVED OF Janice K Klimisch, RR 1 Box 39, Utica, SD 57067

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. _____		
Fee for Filing Transfer Form <u>Water Right No. 2545-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By *John W. Hatch*
Chief Engineer



2545-3

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

January 7, 1994

No. 2545-3

Harold Klimisch
RR 1, Box 39
Utica, SD 57067

Dear Mr. Klimisch:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 2545-3.

Our records now show you as the owner of Water Right No. 2545-3.

Sincerely,

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

enclosure



2545-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 1995

HAROLD KLIMISCH
RR 1 BOX 39
UTICA SD 57067

NOTICE

RE: Violation of Requirement to Submit 1994 Irrigation Questionnaire

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No 2545-3. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 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 9:30 am, March 8, 1995, in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 220 S 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No 2545-3 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 is received in this office on/or before March 3, 1995 your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach 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:

HAROLD KLIMISCH
RR 1 BOX 39
UTICA, SD 57067

2545-3

4a. Article Number

P 837 692 723

4b. Service Type

☐ Registered ☐ Insured

☒ Certified ☐ COD

☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

2-9-95

5. Signature (Addressee)

6. Signature (Agent)

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

PS Form 3811, December 1991

★U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 20, 1995

2545-3

Harold Klimisch
RR #1 Box 39
Utica, SD 57067

Dear Mr. Klimisch:

I am writing to acknowledge receipt of your 1994 irrigation questionnaire. You may disregard the February 7, 1995, Notice of Violation of the Requirement to Submit the 1994 Irrigation Questionnaire.

The questionnaire 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 Division
(605) 773-3352

2545-3

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return this card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

HAROLD KLIMISCH
43765 298TH ST
UTICA SD 57067

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

1-22-01

C. Signature

X Harold Klimisch ☐ Agent ☒ Addressee

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Copy from service label)

7000 0600 0026 9814 3284



2545-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: HAROLD KLIMISCH, 43765 298TH ST, UTICA, SD 57067

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire

Our records indicate that the 2000 Irrigation Questionnaire has not been submitted for Permit No. 2545-3. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 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 10:00 am, March 7, 2001, 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. 2545-3 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 is received in this office on/or before March 2, 2001, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire, 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2001

2545-3

Harold & Jan Klimisch
43765 298th St
Utica, SD 57067

Dear Mr. & Mrs. Klimisch:

I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right No. 2545-3.

I completed a questionnaire for you based on our January 22nd telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

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



NOT TO SCALE

2545

95-56

N

10 11

2460 ft.

330 ft.

L-145

L-145

Ron Duvall

Natural Resources Engineer

5/29/85

Permit No. 2545-3

Map No. 1976-3

95-56

95-56

10

10

10 11



NE4-10-95-56

To Be Surveyed By June P. Miller Co. Extension 1947

To Be Surveyed By June P. Miller Co. Extension 1947

To Be Surveyed By June P. Miller Co. Extension 1947

Pump station no. 1

Pump station no. 2

T95N, R56W

MAP NO 1916-3
95-56 (APPL NO 2545-3)

NOT TO SCALE



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2012

NOTICE

TO: HAROLD KLIMISCH, 43765 298TH ST, UTICA, SD 57067

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire has not been submitted for Permit No(s) 2545-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 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 **10:00 am, March 7, 2012**, 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) 2545-3 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 2, 2012**, 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. 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
and NATURAL RESOURCES**

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

February 15, 2012

2545-3

Harold Klimisch
43765 298th St
Utica SD 57067

Dear Mr. Klimisch:

I am writing to acknowledge receipt of your 2011 irrigation questionnaire.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right No. 2545-3. 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
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 18, 2013

NOTICE

TO: HAROLD KLIMISCH, 43765 298TH ST, UTICA, SD 57067

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire has not been submitted for Permit No(s) 2545-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 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 **8:30 am, March 7, 2013**, 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) 2545-3 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 4, 2013**, 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. 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
and NATURAL RESOURCES**

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

February 15, 2013

2545-3

Harold Klimisch
43765 298th St
Utica SD 57067

Dear Mr. Klimisch:

I am writing to acknowledge receipt of your 2012 irrigation questionnaire.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right No. 2545-3. 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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 14, 2025

NOTICE

TO: HAROLD KLIMISCH, 43765 298TH ST, UTICA, SD 57067

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire has not been submitted for Permit No(s) 2545-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 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 on **Wednesday, March 5, 2025, 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) 2545-3 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 5, 2025**, 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 Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: QTTHWF**

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 AGRICULTURE
and NATURAL RESOURCES**

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

January 24, 2025

2545-3

Harold Klimisch
43765 298th St
Utica SD 57067

Dear Mr. Klimisch:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 2545-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us