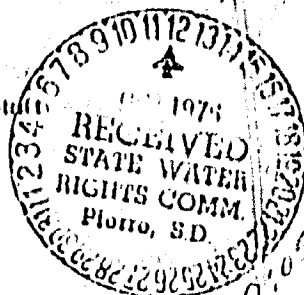


Water Right Number 750.3-3

1. Considered 1-26, 1977
2. Name of Applicant C'LOW K. EIDAM
3. Post Office Address GRETENSBURG
4. Amount of water claimed 1.70
5. Source of water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
Acres to be irrigated 120
7. Water to be diverted and used in POTTER County
about 18 MI, 2.5 Miles of GRETENSBURG
8. Proof of Publication
Received 12-30-76
Not received _____
9. Application
Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

No. 3303-3Map No. 2589-3 Water Division No. 3 MISSOURI RIVER

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



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Elton K. Eidson
 Postoffice address STR 3 Box 8-2 Bellefleur State SD
 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 Eidson Irrigation No. 2
4. Amount of water claimed (cubic feet per second) 1.7 CFS
5. Source of water supply Missouri River
6. Location of point of diversion SW 1/4 SE 1/4 NW 1/4 25-118-29
- 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 120

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.
SW 1/4 SW 1/4 31-118-28	40		
NE 1/4 NE 1/4 1-119-29	40		
NE 1/4 NE 1/4 1-117-29	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 2 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.

12" Suction Pipe from River

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

2100' 10" Alum
1600' 10" PVC
2000' 8" PVC

C. Works proposed to apply water to beneficial use.

3 - 1300' side rollsEstimated Total Cost \$ 50,000

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 Potter

I, Elton K. Eidson 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 8th day of OCTOBER 19 76

Notary Public (or other qualified officer)

My Comm. Expires Feb. 10, 1983

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 3303-3

ORLON K. EIDAM
(Applicant)

STAR ROUTE BOX 82, GETTYSBURG
(Post Office Address)

SOUTH DAKOTA 57442
(State)

With the following modifications:

Date of first receipt of application OCTOBER 12, 1976

Date of return to applicant for correction, amendments or changes required _____, 19____

Date of receipt of corrected application DECEMBER 6, 1976

Approved JANUARY 27, 1977, Recorded in Book 17 Page 92

WATER RIGHT PERMIT NO. 3303-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 3303-3 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 OCTOBER 12, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 27, 1978
3. The whole of said work is to be completed on or before JANUARY 27, 1979
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 27, 1981
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 1.7 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 JANUARY 27, 1981; said water to be used during the following described annual period: APRIL - OCTOBER

Witness my hand this 7TH day of APRIL, 1977

WATER RESOURCES COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

Form 6 - Notice of Intent to Appropriate Water

No. 3303-3

Publish first publication, on or before January 13, 1977

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

December 15, 1976

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

1.7 cubic feet of water per second of time from the Missouri River

Eldam #2 through the _____, the point of diversion of which is to be located in the _____

SE 1/4 NW 1/4

of Sec. on 25, Twp. 118N, Range 79W. Said water to be used for the purpose of providing irrigation on the following described land: SW 1/4, Section 31, T118N, R79W, NW 1/4, Section 1, T117N, R79W

This application No. 3303-3 will be considered by the Water Rights Commission at their office at Pierre upon the 26th day of January, 1977, at 10:00 A. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Orlow K. Eldam, Star Route, Box 82, Gettysburg, S.D. 57442

*7/12/77
Bates
120*

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

No. 3303-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Potter) ss.

I, Randall Howell 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 of Gettysburg

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

Dec. 23, 1976

Dec. 30, 1976

Randall Howell
(Signature)

Manager
(Title)

Dec 30, 1976
(Date Signed)

NOTICE

Intent to Appropriate

Water

Pierre, S. D. 57501

December 15, 1976

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 1.7 cubic
feet of water per second of
time from the Missouri
River through the Eldam No.
2, the point of diversion of
which is to be located in the
SE 1/4 NW 1/4 of Section 25,
Twp. 118N, Range 79W. Said
water to be used for the
purpose of providing
irrigation on portions of the
following described land:
SW 1/4 SW 1/4, Section 31,
T118N, R79W, NE 1/4, Section
1, T117N, R79W.
This application No. 3303-3
will be considered by the
Water Rights Commission at
their office at Pierre upon
the 26th day of January, 1977,
at 10:00 A.M. All interested
persons may appear and be
heard.

Water Rights Commission

Burton F. Jones

Water Rights Specialist
(Dec. 23, 30, 1976)



Form 10.

No. 3303-3

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

Post Office Gettysburg S.D.

Date Nov 30, 1977

TO: Water Rights Commission
Joe Foss Building
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. 3303-3.

Water Right Permit No. 3303-3 states that the diversion system is to be constructed by Jan. 27, 1979 and that the water is to be put to beneficial use by Jan 27, 1981.

The diversion system was completed on August 15, 1977.
Applying the water to beneficial use was completed on August 15, 1977.

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.

Omar K Eidam
(Signature)

72003-1
STUDY EICAM
STAT AT BOX 62 A
SITTSBURG
SD 57442

PR/M

S

This is the Water Management Board data sheet for recording 1985 SURFACE WATER source irrigation estimates.

Please fill out and return at once.

No. acres actually irrigated with surface water 120

R 0

November, 1985
For Dept. Use Only

If you did not irrigate during 1985-check this box ☐
If your system has not been constructed-check this box ☐

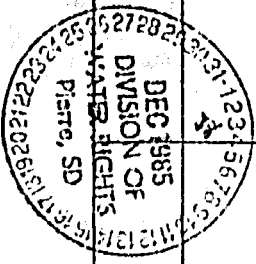
Type of Power	No. acres irrigated
1. Electric	<u>120</u>
2. Gravity	
3. Gasoline	
4. Nat. Gas pipeline	
5. Diesel	
6. Propane	
7. Other	

Type of System	
1. Hand Moved Sprinklers	
2. Portable booms	
3. Center pivots (# of)	
4. Gated pipes	
5. Sidewheel	<u>3</u>
6. Towlines	
7. Gun type	
8. Hydromatic	
9. Siphons	
10. Flood	
11. Other	

Month	# days pumped	Average # hours per day	Average pump rate (gpm)	Acres of Crop Irrigated and Estimated Water Use					
				Crop	Acres	Water Used	Crop	Acres	Water Used
April									
May	10	24	750	Route Reed Fusion Riviera	130	180000			
June	20	"	"	"	120	360000			
July	25	"	"	"	120	420000			
August	25	"	"	"	120	420000			
Sept.									
Oct.									
Other Month									

DEC 1985
DIVISION OF
WATER RIGHTS

272025-3131-1234567890



COMMENTS:

Complete and return to:

WATER MANAGEMENT BOARD
Water Rights Division
Joe Foss Building
Pierre, SD 57501

I have been the owner of this land since 1984. The water rights have been notified of this some time ago.

Owner or address change, if any:

Keith A. Eldern, Star Pt 3 Box 804, A. H. H. SD 57501



**Department of
Water & Natural Resources**

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 3303-3

December 6, 1985

Keith A. Bidam
St Rt 3, Box 80A
Wetysburg SD 57442

Dear Mr. Bidam:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

KAREN SCHLAACK
Administrative Aide

DWNR-820A-8/83

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 12-30-85

This is to notify you that the title to the lands described as follows:

120 acres - SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, T118N, R73W and NE $\frac{1}{4}$ Section 1, T117N, R79W

formerly owned by Orlow Eidam

has been transferred to Keith A Eidam, St Rt 3, Box 80A, Gettysburg SD 57442

(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 3303-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)
County of Potter) ss.

I, Keith A Eidam 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 I know of my own personal knowledge that the information herein stated is true.

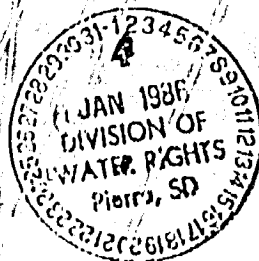
Keith A Eidam
(Signed)

Subscribed and sworn to before me this 30th Day of December, 1985.

Judi Nagel
(Notary Public)

WNR-820-9/83

Notice of Transfer of Water Permit



RECEIPT

Division of Water Rights

No. 10276

South Dakota Department of Water and Natural Resources

Pierre, January 2, 1986

RECEIVED OF Keith A. Eidam, SR43, Box 80A, 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 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. _____		
Fee for Filing Transfer Form 3303-3 _____	2	50
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	2 50

By John Hatch
Chief Engineer JOHN HATCH/ES

No. 3303-3



Department of Water & Natural Resources

Joe Foss Building

Water Rights Division

Pierre, South Dakota 57501

Phone (605) 773-3352

January 2, 1986

Keith A. Eidam
SR#3, Box 80 A
Gettysburg, South Dakota 57442

Dear Mr. Eidam:

Enclosed is receipt No. 4 10276 In the amount of \$ 2.50 which you
paid for transfer of Water Right No. 3303-3.

Our records now show you as the owner of this Water Right.

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

WNR-821-7/79

Receipt & Notice of filing of Transfer of Water Right

SOUTH DAKOTA

3303-3

Department of Water & Natural Resources

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

January 29, 1988

KEITH A EIDAM
SR #3 BOX 80A
GETTYSBURG, SD 57442

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

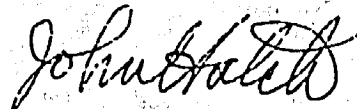
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 3303-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given 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). 3303-3 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.

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3101

March 15, 1988

3363 3

Keith Eidam
RR #3 Box 80A
Gettysburg, SD 57442

Dear Mr. Eidam:

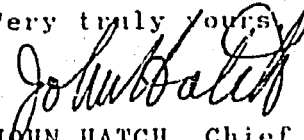
I am writing to advise you that our records now show that a 1987 irrigation questionnaire has been completed for your water permit. During a March 14, 1988, telephone conversation with Genny McMath, of this office, Orlow Eidam indicated he had included the irrigation data for your permit on his 1987 irrigation questionnaire. He stated that since you share a common pump station, it was easier to combine the questionnaire data on one form.

The Water Management Board did take action to amend your permit at their March 2, 1988 meeting, however, since the questionnaire data was in our office prior to the hearing, your name has been deleted from the list of permits amended at the hearing.

It is satisfactory to include irrigation data for more than one permit on one form, however, to avoid future misunderstandings, please return all forms. This will insure that all permit numbers receive proper credit.

If you have any questions, please contact us.

Very truly yours,



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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 30, 1996

NOTICE

TO: KEITH A EIDAM, HCR 3 BOX 82A, GETTYSBURG, SD 57442

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

SUBJECT: Violation of Water Permit No(s) 5172-3, 3303-3 and 1995 Irrigation Questionnaire Requirements

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 5172-3, 3303-3. The request for the Questionnaires 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 permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 3303-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 5172-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 9:45 am, March 6, 1996 in 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 1-25. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a 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) 5172-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3303-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on or before March 1, 1996, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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 57501-3181

February 7, 1996

3303-3
5172-3

Keith A Eidam
HCR 3 Box 82A
Gettysburg, SD 57442

Dear Mr. Eidam:

I am writing to acknowledge receipt of your 1995 irrigation questionnaires. You may disregard the January 30, 1996, Notice of Violation of Water Permit No. 5172-3 and Violation of the Requirement to Submit the 1995 Irrigation Questionnaire for Water Permit No. 3303-3.

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



3303-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 11 1997

5969-3

Keith Eidam
HCR 3, Box 82A
Gettysburg, SD 57442

Dear Mr. Eidam:

Enclosed is Water License No. 5969-3 and Receipt No. 415321 for \$50.00 which was assessed for an investigation and issuance of the license. Water License No. 5969-3 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 Program
(605) 773-3352

ks
enclosures

NOTE: The applicable portions of Water Permit Nos. 3303-3 and 5172-3 have been incorporated into this Water License No. 5969-3.

NOT TO SCALE

W 1/2 - 25-118-79
(D-2)

Diversion
Point

Transfer
to Sully
County

T442

nc

(2)
19⁵

(8)
33⁹

(3)
7⁹

ASCS Photo

Mary Bosas CED

1-5-88

April 11/ 5172-3

3303-3

NOT TO SCALE

118-78

(1-166)

Orlow Eidam

5.5

29.0

MAP NO. 2589.3 (APP. 3303-3)

31

Alan Storing
ASCS CED

32.0

19.0

30.0

118-78

NOT TO SCALE

3303-3

1590

^{34.60}
J. W. Coppersmith (1-91)

17.1

OrLow Eidam

19.1

18.3

19.2

20 y 15.3

16.2

18.6

19.2

1

160.0

Lester Wagner

Olav Stenberg
ASCS CED

40.0

40.00

2
29.60

1540

117-79

80.0

John Coppersmith (1-91)

180

Lester Wagner

y