

1. Considered: APRIL 7, 1982 Water Right No. 4872-3
2. Name of Applicant Eldore Holzwarth
3. Post Office Address Star Route #3, Box 74, Gettysburg, SD, 57442
4. Amount of Water Claimed 1.0 maximum acre feet
5. Source of Water Supply MISSOURI RIVER
6. Water to be used for IRR acres to be irrigated 68
7. County POTTER about 14W, 1N miles of GETTYSBURG
8. PROOF OF PUBLICATION: Received 3-31-82 Not Received
- APPLICATION: Approved Subject to
- Not Approved Action Deferred

PRIORITY

Dated Received 2-16-82 Application complete-yes X no FEE \$225

Remarks add'l acreage on 2302-3

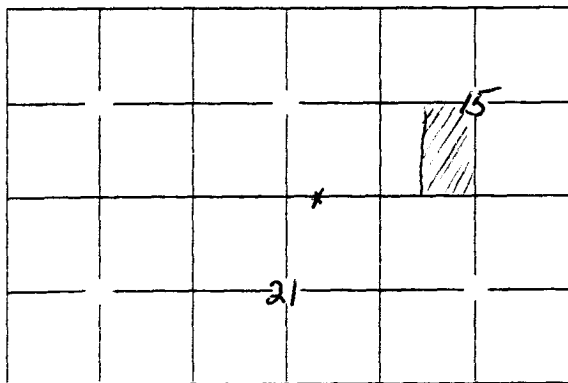
Corrected Application received Period of Annual Use April - October

WATER
QUALITY

Received yes 3/8/82 no APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application yes no Remarks

Disapproved Returned



Diversion Point NW 1/4 NE 1/4 21-118-78

Land to be irrigated E 1/2 SW 1/4
Sec. 15-T118N, R78W

WELL LOG

Driller Licensed - yes no

Depth

Remarks

N/A

MAP Map No. 4076-3 Map located in Water Right X Map file _____
Type of Map Ordnance Prepared by PE - Summerside

+++++

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:

3/8/82

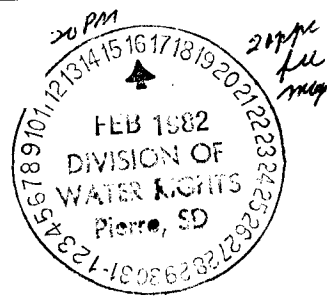
Betty Westlund By
(Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date _____
F.F. & C. Final Decision, including F.F. & C. of Law were adopted _____
OF LAW, Date _____
FINAL Final Decision mailed to parties and/or parties notified that Final Decision was
DECISIONS adopted _____
ETC. _____

Remarks _____



No. 4872-3
 Map No. 4076-3 Water Division No. 3 MISSOURI RIVER District
 Above for Office Use 10130105

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New _____ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage ☒ # 2302-3

1. Name of Applicant Eldore Holzworth Phone No. 605-765-9588
 Post Office Address Star Route 3, Box 74, Pottersburg State S.D. 57442
(Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract and Direct Labor3. Name of diversion work ELDORE HOLZWORTH IRRIGATION PROJECT #14. Amount of water claimed (cubic feet per second) 1.05. Source of water supply Missouri River6. Location of point of diversion 100 rods west of NE Corner, Sec. 21, T118N, R78WCounty Potter7. Annual period or periods during which water is to be used April through October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation9. For irrigation use, Total number of acres to be irrigated 68

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>E 1/2 SW 1/4 Sec 15</u>	<u>68 acres</u>		
<u>T118N, R78W</u>			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Potter County News

12. Principal Features of the Proposed Water Supply System.

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

Pumps

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

Pipe

C. Works proposed to apply water to beneficial use.

Overhead Sprinklers

Estimated Total Cost \$ _____

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)
)ss.
 County of Hughes)

I, Eldore Holzworth the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Eldore HolzworthSubscribed and sworn to before me this 16th day of February, 19 82

Maxine Stirling
 Notary Public (or other qualified officer)
 Maxine Stirling, Staff Assistant
 Division of Water Rights

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4872-3

ELDORE HOLZWARTH

(Applicant)

STAR Rt #3 - Box 74 - GETTYSBURG

(Post Office Address)

SOUTH DAKOTA 57442

(State)

With the following qualifications.

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application FEBRUARY 16, 1982

Date of return to applicant for correction, amendments or changes required FEBRUARY 17, 1982

Date of receipt of corrected application MARCH 8, 1982

Approved APRIL 7, 1982, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. 4872-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4872-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified 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 16, 1982
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before OCTOBER 7, 1984
3. The whole of said work is to be completed on or before APRIL 7, 1987
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is APRIL 7, 1991
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 1.0 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 irrigation purposes said appropriation must be limited to not more than 2 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 APRIL 7, 1991; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 13TH day of APRIL, 1982

THE WATER MANAGEMENT BOARD

By: John Hatch

Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57007

Submitted by: Eldore Holzwarth
Address: Star Route 3, Box 74
Gettysburg, SD 57442

Date Rec'd January 1979
Sample No. Missouri River at Pierre
Identification _____

WATER ANALYSIS

Calcium (Ca)	44.00	ppm*	2.20	me/l**
Magnesium (Mg)	14.40	ppm	1.20	me/l
Sodium (Na)	43.70	ppm	1.90	me/l
Potassium (K)	3.51	ppm	0.09	me/l
Sulfate (SO ₄)	129.60	ppm	2.70	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	6.30	ppm	0.18	me/l
Bicarbonate (HCO ₃)	152.50	ppm	2.50	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)		ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)		ppm (as CaCO ₃)		
Electrical Conductivity	529	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.40	Adjusted SAR	2.60	
Sodium	35.00	% of cations		
Residual sodium carbonate		me/l		

pH

Others:

*ppm=parts per million

**me/l=millequivalents per liter

***g.p.g.=grains per gallon

COMMENTS:

All values taken from AES pamphlet #13 p.4
Water Resources Institute
South Dakota State University
Brookings, SD

Transcribed By: MICHAEL H. SANDERS

Service Performed

Amount Due

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. _____

Amount Enclosed \$ _____

Signed _____

February 22, 1982



Eldore Holzwarth
Star Route 3, Box 74
Gettysburg, SD 57442

Dear Mr. Holzwarth:

Enclosed is a copy of a laboratory report of analysis for the water quality of the Missouri River at Pierre, SD.

This information was transcribed from AES pamphlet #13. You will find the approximate water quality of the Missouri River plotted in the chart located on the back of this pamphlet by means of a red cross.

The Missouri River is classified as a medium saline, low sodium water. It is suitable as a source for irrigation.

The Agar, Raber association found in the E 1/2 of the SW 1/4 of Section 15-118-78 is compatible with the quality of Missouri River water. However, this association is shallow over a clay loam glacial till. Heavy irrigation application rates could lead to a rising water table and drainage problems.

If a rising water table does develop under irrigation, please contact your county extension agent or this office for assistance.

The WI-1, soils information and water analysis are being sent to the Division of Conservation at Pierre for their action.

Sincerely yours,

Michael H. Sanders
Water Quality Lab
Division of Conservation

MHS:ckb

Enclosures

cc: Division of Conservation
Division of Water Rights
D. Pahl, Extension Service

CONDITIONAL

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Eldore Holzworth
E $\frac{1}{2}$ SW $\frac{1}{4}$ 15-118-78

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

THE SOIL(S) LISTED BELOW CAN BE IRRIGATED WITH THE FOLLOWING RESTRICTIONS:

RECOMMENDED MANAGEMENT

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION

Office Use Only

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

3023

OWNERS NAME: Marion Buckley Eldora Holzwarth OWNERS ADDRESS: State Route 3, Box 74823 NE 15 Ave.
Aberdeen, S.D. 57401Gettysburg, S.D. 57442COUNTY LAND LOCATED IN: Pottaw PHONE: 605-765-9588TENANT'S NAME AND ADDRESS: Eldora Holzwarth, State Route 3, Box 74
Gettysburg, S.D. 57442

In accordance with State Law SDCL 46-5-6.5, if a water permit is granted with a conditional Soil/Water Compatibility permit, A COPY OF SUCH CONDITIONAL SOIL/WATER COMPATIBILITY PERMIT MUST BE FILED WITH THE COUNTY REGISTER OF DEEDS. THIS ACTION MUST BE TAKEN BY THE HOLDER OF A WATER PERMIT WITHIN 6 MONTHS OF RECEIPT OF SUCH WATER PERMIT.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION N 1/4 Sec 15, T118N, R78W

2. SURFACE WATER SOURCE AND DIVERSION LOCATION:

Legal Description	Acres	Legal Description	Acres
<u>E 1/2 SW 1/4 Section 15-118-78</u>	<u>80</u>		
<u>Missouri River Water</u>			

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED 1925LEGAL DESCRIPTION: SE 1/4, Sec. 15, T118N, R78W 160 AcresIN WHAT NAME: Eldora Holzwarth

4. LOCATION OF AREA TO BE IRRIGATED NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

5. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ (Specify) _____6. CROPS TO BE IRRIGATED: Corn or alfalfa

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: Missouri River8. SALINITY (EC X 10⁶): 5299. SODIUM (SAR): 1.4010. ADJUSTED (SAR): 2.60

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____, 19____, at the following location: _____

by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

9 DAY OF Feb, 1982

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER RIGHT must be obtained from the Board of Water Management, Foss Building, Pierre.

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8720

PIERRE, February 16, 1982

RECEIVED OF Eldore Holzworth, Star Route #3, Box 74, Gettysburg, SD 57412

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

Fee for Application for Permit to Appropriate Water No. 4872-3 (examination, processing, recording and filing) -----	150	00
Fee for inspecting Construction, and issuing Cert. of Construction No.-----		
Fee for inspecting Beneficial Use, and issuing Water License No.-----		
Fee for issuing Location Certificate-Dry Draw, No.-----		
Fee for filing -----		
Fee for certified copy of -----		
Fee for Print copy of map -----		
Fee for Certifying -----		
Fee for ----- (any other work as provided by law)		
TOTAL	150	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH ms

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8759

PIERRE, March 8, 1982

RECEIVED OF Eldore Holzwarth, Star Route #3, Box 74, Gettysburg, SD 57542

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

Fee for Application for Permit to Appropriate Water No. 4872-3	Add'l fee (examination, processing, recording and filing)	75	00
Fee for inspecting Construction, and issuing Cert. of Construction No.			
Fee for inspecting Beneficial Use, and issuing Water License No.			
Fee for issuing Location Certificate-Dry Draw, No.			
Fee for filing			
Fee for certified copy of			
Fee for Print copy of map			
Fee for Certifying			
Fee for (any other work as provided by law)			
TOTAL		75	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Publish first publication, on or before March 13, 1982

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 9, 1982Notice is hereby given Eldore Holzworth whose post office

address is Star Route #3, Box 74, Cottesburg, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-25, 46-5-41 (ground) ~~46-6-3 thru 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, (future use) 46-5-38; (transfer lands) 46-5-33 thru 46-5-35 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, (future use) 74:02:01:23 thru 74:02:01:26 (10,000 AFA) 74:02:07:01 thru 74:02:07:03~~, for a permit to appropriate for beneficial use

1.0 cubic feet of water per second of time from the Missouri River through the Eldore Holzworth Irrigation Proj #1, the points(s) of diversion which is ~~(are) to be~~ located in the NW 1/4 NE 1/4

of Section 21, Twp. 119N, Range 78W. Said water to be used for purpose of providing irrigation on portions of the following described land:

E. SW 1/4, Section 15, T119N, R78W (additional acreage on an existing Permit)

This Application No. 4872-3 will be considered by the Water Management Board at Meeting Room #1, Kneip Bldg. Church & Illinois, Pierre SD upon the 7th day of April, 1982.

at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNr, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board

cc: applicant

BETTY WESTLUND, Water Rights Specialist

WNR-806-2/82

No. 4872-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Potter) ss.

I, Jerri E. Stoner 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 Hot Springs
County of Potter and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

March 18, 1982

March 25, 1982

Jerri E. Stoner
(Signature)

Publisher
(Title)

March 26, 1982
(Date Signed)

Cost of Printing: \$26.73



versary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre, S.D., prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board
Betty Westlund,
Water Rights Specialist
(Published in the Potter County News, March 18 and 25, 1982.)

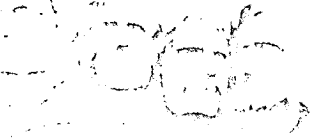
purpose of providing irrigation on portions of the following described land: E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 15, T118N, R78W (additional acreage on an existing Permit).

This Application No. 4872-3 will be considered by the Water Management Board at Meeting Room 1, Kneip Bldg. Church & Illinois, Pierre, S.D. upon the 7th day of April, 1982 at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing. This hearing is an ad-

NOTICE OF
HEARING ON
APPLICATION TO
APPROPRIATE WATER
Pierre, South Dakota 57501

March 9, 1982
Notice is hereby given Eldore Holzwarth whose post office address is Star Route 3, Box 74, Gettysburg, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-25, 46-5-41, for permit to appropriate for beneficial use 1.0 cubic feet of water per second of time from the Missouri River through the Eldore Holzwarth Irrigation Proj. 1, the point of diversion which is located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, Twp. 118N, Range 78W. Said water to be used for

South Dakota



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 25, 1992

Eldore Holzwarth
RR 3, Box 74
Gettysburg, SD 57442

Dear Mr. Holzwarth:

Please find enclosed a partially completed application form and instruction sheet for the storage dam located in the W 1/2 of Section 23-118-78. You will not have to provide a map, as I have already prepared one.

The dam mentioned above was not on the original permit; therefore it requires a new permit. South Dakota Codified Law states that a water permit is required to construct a dam across a nonnavigable watercourse, except for storing 25 acre-feet or less of water for domestic use. Since this dam stores 285 acre-feet and is for irrigation purposes, a permit is required.

After the application has been sent in and approved, the permit will be licensed, as per no. 9 on the instruction sheet.

If you have any questions, please feel free to contact me.

Sincerely,

Lynn Beck

Lynn Beck
Natural Resource Engineer
Water Rights Division
(605) 773-3352

encl

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5721-3

(1) Eldore Holzwarth of Gettysburg, SD 57442 made Application No. 5721-3, September 25, 1992 for a water permit to authorize storage of 285 acre feet of water annually from the Missouri River, Potter County, South Dakota for irrigation purposes. Permit No. 5721-3, was approved March 13, 1995. The storage dam had been constructed as part of the water use system authorized under Water Permit Nos. 2302-3 and 4872-3. Water Permit No. 5721-3 did not allow for an increase in the developed diversion rate or number of acres being irrigated under Nos. 2302-3 and 4872-3.

Water Permit No. 2302-3, with a priority date of June 19, 1975, authorized diversion of 17.2 cubic feet of water per second (cfs) from the Missouri River to irrigate 1200 acres. Water Permit No. 4872-3, with a priority date of February 16, 1982, authorized diversion of 1.00 cfs from the Missouri River to irrigate 68 acres not covered under No. 2302-3. The applicable portions of Nos. 2302-3 and 4872-3 are incorporated into this Water License No. 5721-3.

On March 18, 1996, Water Permit No. 5721-3 was transferred from Eldore Holzwarth to Holzwarth Brothers, Larry and Melvin Holzwarth.

(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 4.00 cubic feet of water per second from the Missouri River for beneficial use. The permit holder diverts from the Missouri River directly for irrigation or to a 285 acre feet storage dam. The system is capable of diverting 4.00 cfs from the Missouri River and at the same time diverting 2.44 cfs from the 285 acre feet storage dam for irrigation purposes. At no time may the combined diversion rate exceed the statutory limit of one cubic foot per second for each 70 acres irrigated. The statutory limit authorized for irrigation of the 366 acres (listed below) is 5.23 cfs. The location of the diversion points are at the Missouri River - 1580'W of the SE corner of Section 16 and at the storage dam - 1885'E and 1620'N of the SW corner of Section 23, all in T118N, R78W.

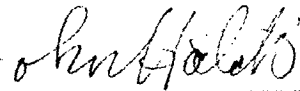
(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following: **366 acres - all in T118N, R78W**

Section 15	NE $\frac{1}{4}$ SW $\frac{1}{4}$	24 acres	Section 22	NW $\frac{1}{4}$ NE $\frac{1}{4}$	18.5 acres	Section 23	NE $\frac{1}{4}$ SW $\frac{1}{4}$	3.5 acres
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	24 acres		NE $\frac{1}{4}$ NE $\frac{1}{4}$	18.5 acres		SE $\frac{1}{4}$ SW $\frac{1}{4}$	3.5 acres
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	38 acres					NW $\frac{1}{4}$ SE $\frac{1}{4}$	36.0 acres
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	35 acres					NE $\frac{1}{4}$ SE $\frac{1}{4}$	28.0 acres
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	38 acres					SW $\frac{1}{4}$ SE $\frac{1}{4}$	36.0 acres
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	35 acres					SE $\frac{1}{4}$ SE $\frac{1}{4}$	28.0 acres

Page 2

Water License No. 5721-3

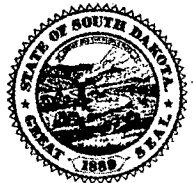
(4) Pursuant to South Dakota Water Law 46-5-30.1 Holzwarth Brothers, Larry & Melvin Holzwarth of Box 145, Gettysburg, SD 57442 the holders and/or owners of Incorporated Water Permit No. 5721-3 are issued a license to appropriate water, the right to use 4.00 cubic feet of water per second from the Missouri River with priority dates of June 19, 1975 (3.00 cfs) and February 16, 1982 (1.00 cfs) and to store 285 acre feet annually in a storage dam from the location specified in (2) of this license. The statutory application rate of water for irrigation of the 366 acres from the Missouri River and storage dam is limited to a combined rate of 5.23 cfs. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 5721-3 and subject to South Dakota State Law.



John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 4 1996

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 4 1996

5721-3

Holzwarth Brothers
Larry & Melvin Holzwarth
Box 145
Gettysburg, SD 57442

Dear Sirs:

Enclosed is Water License No. 5721-3 and Receipt No. 414615 for \$50.00 which was assessed for an inspection and issuance of the license. Water License No. 5721-3 is the final document which completes the process of obtaining a water right. Also enclosed is Receipt No. 414861 for the transfer of ownership of this Water License.

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

gm
enclosures

NOTE: The applicable portions of Nos. 2302-3 and 4872-3 are incorporated into this Water License No. 5721-3.

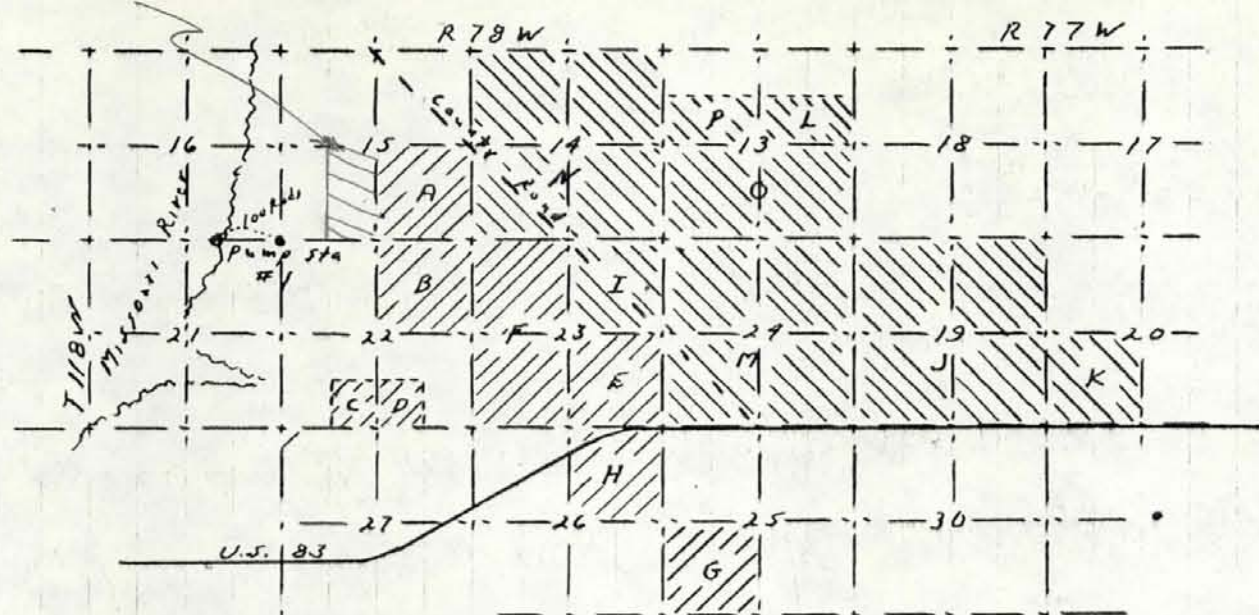
ELDORF HOLZWORTH IRRIGATION PROJECT NO. 1

4

RALPH HOLZWORTH IRRIGATION PROJECT NO. 2

ACREAGE TO BE
ADDED

POTTER COUNTY, SOUTH DAKOTA



Land To Be Irrigated by Eldorf Holzworth

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



Scale ~ 1 inch = 1 mile

Land To Be Irrigated by Ralph Holzworth

Area	Location	Acres
I	NE $\frac{1}{4}$ Section 23 - T118N - R78W	160
J	All of Section 19 - T118N - R77W	640
K	SW $\frac{1}{4}$ Section 20 - T118N - R77W	160
L	SE $\frac{1}{2}$ NE $\frac{1}{4}$ Section 13 - T118N - R78W	80
M	All of Section 24 - " "	640
N	All of Section 14 - " "	640
O	SE $\frac{1}{2}$ Section 13 - " "	320
P	SE $\frac{1}{2}$ NW $\frac{1}{4}$ Section 13 - " "	80
Total		2720

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

I, R.V. Summerside, Registered Land Surveyor, State of South Dakota,
do hereby certify that, at the direction of Eldorf Holzworth and Ralph Holzworth
I have surveyed the tract of land as shown, and that the above drawn plat is a
reasonably accurate description of the land of the proposed irrigation
projects. In witness whereof I have set my hand and seal this
18th day of June, 1975, A.D.

R.V. Summerside
Registered Land Surveyor

~~App # 4076-3~~
App # 4872-3