

Considered: _____

WATER PERMIT NO. 5172-3

HAP No. same 765-2139

Name of Applicant Keith A. Eidam

Post Office Address HCR 3, Box 82A, Gettysburg SD 57442

Amount of Water Claimed 0.32 cfs Total Acres 22.5

Source of Water Supply Missouri River

Water to be used for irrigation County Potter

About 17 miles W of Gettysburg

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received January 12, 1988 Fee \$150⁰⁰ Remarks _____

Corrected Application Received _____ Period of Annual Use Apr 1 - Sept 30

WATER QUALITY APPROVAL RECEIVED 1/19/88 APPROVED/CONDITIONAL (Circle one)

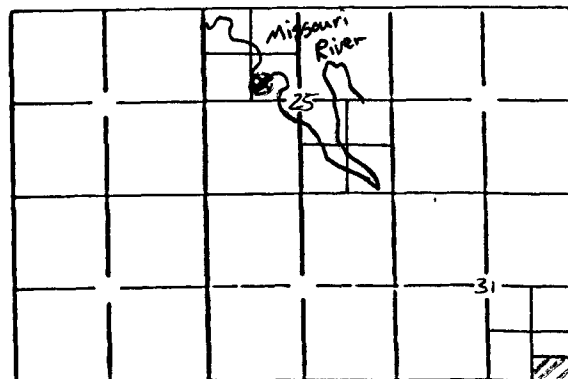
WI-1 Description same as Application YES ☒ NO _____ REMARKS _____

Diversion Point Missouri River: SE $\frac{1}{4}$ NW $\frac{1}{4}$

section 25-T118N-R79W

Land to be Irrigated SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 31 -

T118N-R78W



Well Log: Driller NA Licensed YES _____ NO _____

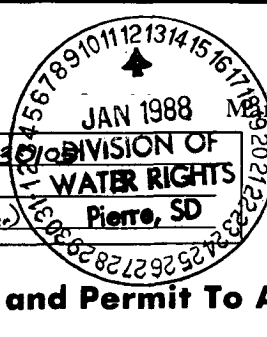
Depth of Well _____ REMARKS _____

Type of Map soils & aerial photo PREPARED BY Gary Bosanka & Ron Duvall Reviewed and the Number

assigned on January 13, 1988 By Ron Duvall

(See instructions)

No. 5172-3 Hydrologic Unit 10130
Basin Missouri River
Newspaper Potter Co. News, Box 6 (Thur)



Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

- Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
- ☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
- ☐ Add Acreage ☐ Increase diversion rate ☐ Other _____
1. Name of Applicant Reith A. Eidam Phone No. 265 7189
- Post Office Address NCD 1st A GOTHLYSHEG State S.D. 57442
(Street, RR or Box) (City) Zip Code
2. Amount of water claimed (c.f.s.) .32 Total acres irrigated 22.5
3. Source of Water supply Lake Oake Missouri River
4. Location of point of diversion Center of Section 17 N 1/2 E 1/2
on Lake Oake SE 1/4 NW 1/4
- County Potter
5. Counties where water will be used Potter
6. Annual period during which water is to be used 7 1 30
7. 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.
<u>22.5</u>	<u>22.5</u>

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____ Other: _____ (Specify) _____
9. Crops to be Irrigated: R
10. Give a description of proposed project. (Attach sheet if more space is needed) Field is 20+ acres of
land presently being irrigated. There is an established
grass field. Would possibly be used for grain or grass in
later years. Water would be drawn through present delivery
system from Lake Oake.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Hughes)^{ss}

I, Reith A. Eidam, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Reith A. Eidam

Subscribed and sworn to before me this 12th day of January 1988

Brenda Harlan
Notary Public

my commission expires 4-22-89

IRRIGATION WATER PERMIT APPROVAL

The Water Management Board hereby approves Water Permit Application No. 5172-3
 to irrigate 22.5 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 31-T118N-R78W. Water is to be
(legal description of land)
diverted from the Missouri River at a point in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ section 25
-T118N-R79W for
(diversion point, source, depth of well, etc.)

Keith A. Eidam HCR 3, Box 82A
(Applicant) (Street, RR or Box)
Gettysburg SD 57442 With the following qualifications.
(City) (State) (Zip Code)

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

Date of first receipt of application January 12, 1988.
 Date Soil/Water Compatibility Permit received January 19, 1988.
 Date of return to applicant for correction, amendments or changes required _____, 19____.
 Date of receipt of corrected application _____, 19____. Approved March 3, 1988.

The Water Management Board approved this Water Permit No. 5172-3 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is January 12, 1988.
2. One-fifth of the work is to be completed on or before September 3, 1990.
3. The whole of said work is to be completed on or before March 3, 1993.
4. The time limit for proof of beneficial use of water is March 3, 1997.
5. 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 unlawfully impaired by this appropriation.
6. The amount of the appropriation herein granted shall not exceed 0.32 cubic feet per second; neither shall it exceed 2 acre feet per acre per year or 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 3, 1997. The water is to be used during the following described annual period: Apr 1 - Sept. 30

WATER MANAGEMENT BOARD

By: John Hatch

Chief Engineer

Division of Water Rights

Dept. of Water and Natural Resources

APR 28 1988

, 19____

NOT TO SCALE

2)

W 1/2 - 25 - 118 - 79

(D-2)

□ Diversion
Point

Transfer
to Sally
County

T442

nc

(2)
19⁵

(8)
33⁹

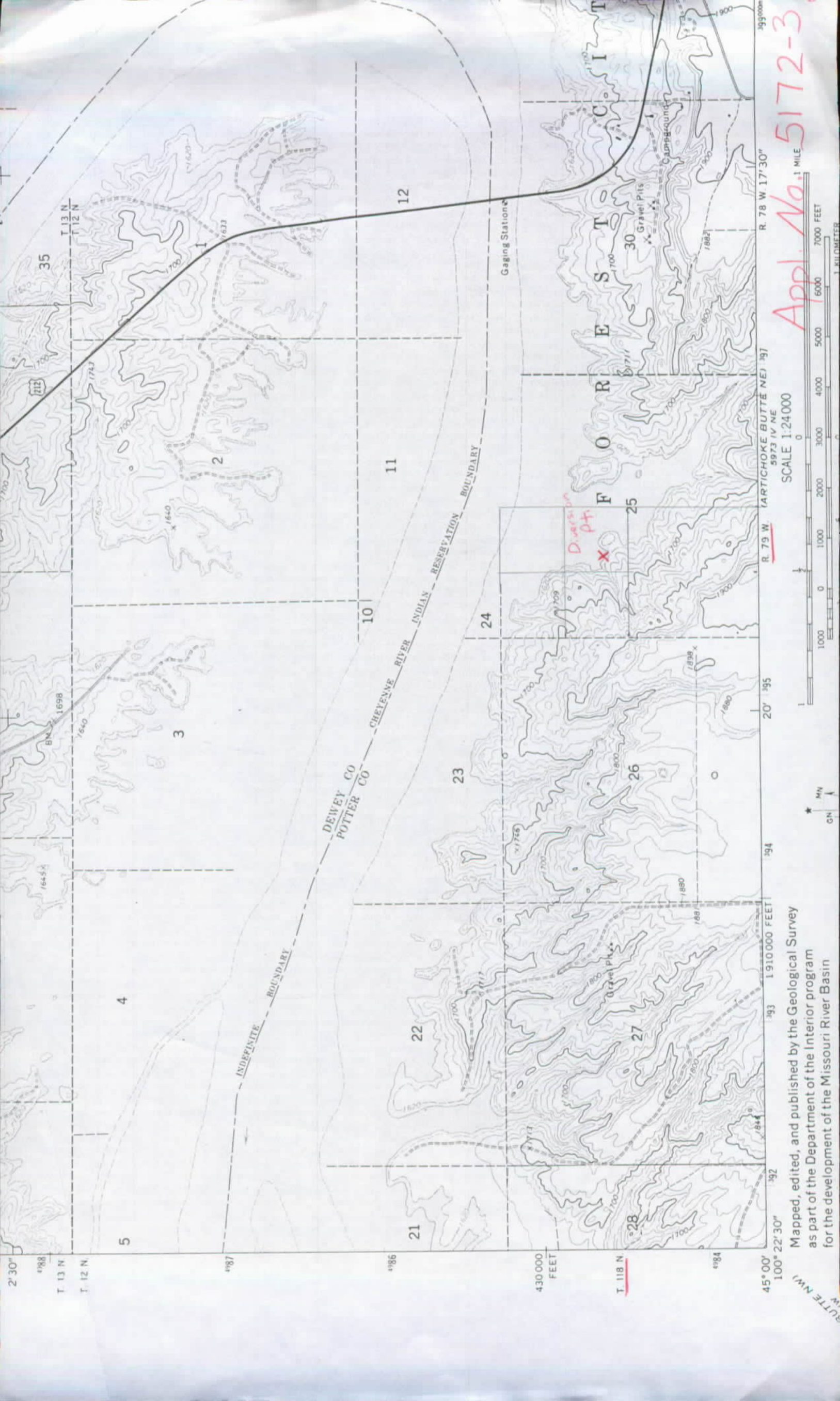
(3)
7²

ASCS Photo

Mary Bosca CED

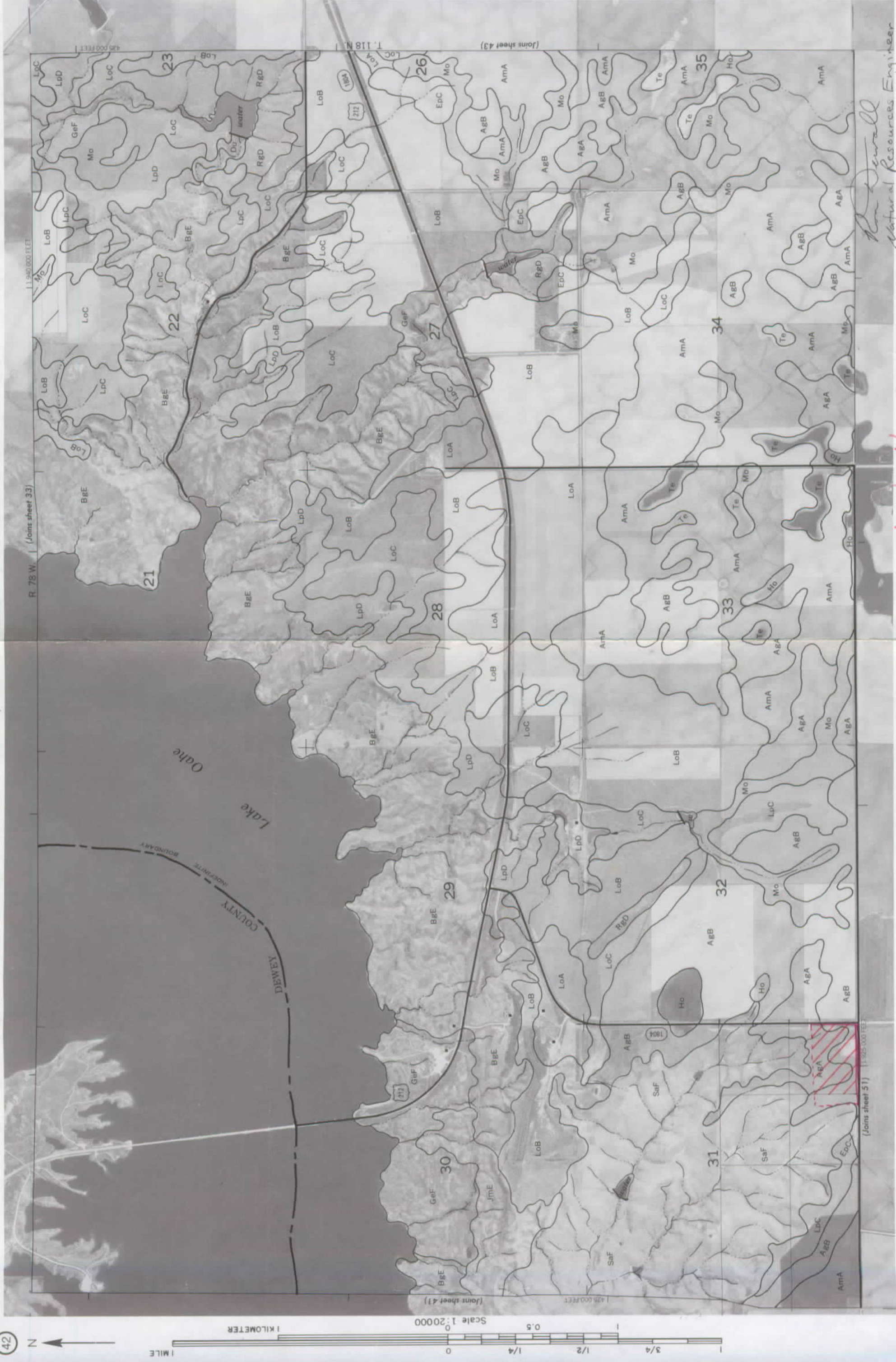
1-5-88

Appl. No. 5172-3



App. No. 5172-3

Mapped, edited, and published by the Geological Survey
as part of the Department of the Interior program
for the development of the Missouri River Basin



Don Dewall
Natural Resources Engineer
1/13/88

Appl. No. 5172-3

This soil survey map is compiled on 1978 aerial photography by the U.S. Department of Agriculture, Soil Conservation Service and cooperating agencies.
Coordinate grid ticks and land division corners, if shown, are approximately positioned.
POTTER COUNTY, SOUTH DAKOTA NO. 42

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4240

WR#

OWNERS NAME: Keith Eidam OWNERS ADDRESS: HCR 3, Box 82A
Gettysburg, SD 57442

COUNTY LAND LOCATED IN: Potter PHONE: 765-2139

LEGAL DESCRIPTION: ☐ Well ☒ Surface

1. LOCATION Center of Sec 25-T118N-R79W
Depth: _____

Legal Description	Acres	Legal Description	Acres
<u>S₁ S₂ S₃ T1-T118N-R78W</u>	<u>22.5</u>		

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: Sideroll
(Specify)

3. CROPS TO BE IRRIGATED: Grass for Seed, small grain & Sorghum

WATER QUALITY: <u>Missouri River</u>	
4. WATER SAMPLE NUMBER: _____	7. ADJUSTED (SAR): _____
5. SALINITY (EC X 10 ⁶): _____	8. PERCENT SODIUM: _____
6. SODIUM (SAR): _____	

Requirements:

The small drainageway which is found in the NE corner of the project shall remain in grass to control runoff and reduce soil erosion.



Jack M. Bepko
Director, Division of Conservation

Date

XX APPROVED XX REQUIREMENTS
____ DISAPPROVED
____ WAIVER

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411121

Pierre, January 13, 1988

RECEIVED OF Keith Eidam, HCR 3, Box 82, Gettysburg SD

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

Fee for Application for Permit No. <u>5172-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	150	00
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 _____		
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	150 00

By John Hatch

Chief Engineer

JOHN HATCH

(ks)

Report on the Application No. 5172-3
Keith A. Eidam
January 14, 1988

Background

Water Permit Application No. 5172-3, requests appropriation of 0.32 cubic feet per second (cfs) of water from the Missouri River to irrigate 22.5 acres of land located in the SE1/4 SE1/4 Section 31, T118N-R78W, in Potter County. The diversion point is located in the SE1/4 NW1/4 Section 25, T118N-R79W, in Potter County.

Keith Eidam presently holds Water Permit No. 3303-3 for a diversion rate of 1.7 cfs from Missouri River to irrigate 120 acres. The proposed water will be conveyed through the existing piping system developed for Water Permit No. 3303-3.

Conclusions

1. Unappropriated water is available from Missouri River for Water Permit Application No. 5172-3.
2. The diversion rate of 0.32 cfs during the diversion period (April 1 through September 30) will have no adverse impacts on downstream water users.
3. Application No. 5172-3 should be approved with the irrigation questionnaire qualification.



Rassool Ahadi
Natural Resources Engineer

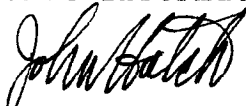
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5172-3, Keith A. Eidam

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 5172-3, Keith A Eidam, HCR 3, Box 82A, Gettysburg SD.

The Chief Engineer is recommending APPROVAL of Application No. 5172-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualification:

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

See the attached report for additional information.

A handwritten signature in dark ink, appearing to read "John Hatch", is written over the typed name.

JOHN HATCH, Chief Engineer
January 21, 1988

No. **5172-3**

Instruction to Newspaper - Publish first publication of the following Notice on or before **January 28, 1988** with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. **5172-3** to Appropriate Water
~~and/or to Amend Water Permit or Water Right~~ No. _____.

Notice is hereby given that **Keith A. Eidam** whose mailing address is
HCR 3, Box 82 A, Gettysburg, South Dakota has made an application for a permit
**to appropriate 0.32 cubic feet of water per second from the Missouri River to irrigate
 22.5 acres. The Missouri River diversion point is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25-
 T118N-R79W and the acreage to be irrigated in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31-T118N-R78W**

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends
APPROVAL of Application No. **5172-3** because 1) unappropriated water is available,
 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and
 4) is in the public interest.

This application will be considered by the Water Management Board at **room 216, Joe Foss
 Building, 523 E. Capitol, Pierre, SD, March 2** 19 **88** at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by **February 19, 1988**. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; (ground) ~~46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, (future use) 46-5-38 thru 46-5-40, (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35; (10,000 AFA) 46-5-20.1, 46-5-8.1, and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by **February 19, 1988**.

No. 5172-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Potter) ss.

I, Jack L. Stoner hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Potter County News

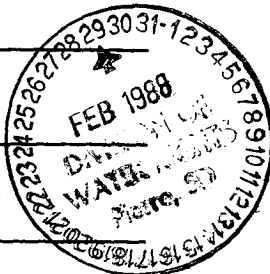
A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

Potter County News of Gettysburg

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

January 28, and
February 4, 1988

Jack L. Stoner
(Signature)
Publisher
(Title)
Feb. 26, 1988
(Date Signed)



Cost of Printing: \$40.90

NOTICE OF HEARING
on Application No. 5172-3
to Appropriate Water

Notice is hereby given that Keith A. Eidam whose mailing address is HCR 3, Box 82 A, Gettysburg, South Dakota has made an application for a permit to appropriate 0.32 cubic feet of water per second from the Missouri River to irrigate 22.5 acres. The Missouri River diversion point is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25-T118N-R79W and the acreage to be irrigated in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31-T118N-R78W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5172-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, SD, March 2, 1988 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by February 19, 1988. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons for the petitioner's opposition to or support of the ap-

provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; and the Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, 523 E. Joe Foss Bldg, Pierre SD 57501 (773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 19, 1988.

(Published in Potter County News, Jan. 28 and Feb. 4, 1988.)



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

APR 28 1988

Keith A. Eidam
HCR 3, Box 82 A
Gettysburg, South Dakota 57442

Dear Mr. Eidam:

Enclosed herewith is your Water Permit No. 5172-3 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 5172-3.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.



**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 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation 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.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

KEITH A EIDAM
HCR 3 BOX 82A
GETTYSBURG SD 57442

4a. Article Number

2161984114

4b. Service Type

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

7. Date of Delivery

2-2-96

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)

X Keith A Eidam

Domestic Return Receipt

PS Form 3811, December 1994

Thank you for using Return Receipt Service.



5172-3

**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

May 8, 1996

REGARDING PERMITS 3303-3 AND 5172-3, KEITH EIDAM:

Permit No. 5172-3 needs an additional 7 acres. Mr. Eidam runs only two systems at a time for a maximum cfs of 1.7. Once application is received and approved 5172-3 could be incorporated into 3303-3 and licensed.


Lynn Beck



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 21, 1996

Keith Eidam
HCR 3 Box 82A
Gettysburg, SD 57442

Dear Mr. Eidam:

Please find enclosed a partially completed application form and instruction sheet for seven additional acres located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, T118N, R79W. You will not have to provide a map with your application as I have already prepared one.

Inspection of Permit No 5172-3 found that 29.5 acres are being irrigated in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31. Permit No. 5172-3 authorizes the irrigation of 22.5 acres. After the application is sent in and approved it will be incorporated with Permit nos. 3303-3 and 5172-3. The application fee for seven additional acres is \$50.00. The permits will be licensed once the inspection fee of \$50.00 is received.

If you have any questions, please feel free to contact me at phone (605) 773-3352.

Sincerely,

Lynn Beck
Natural Resources Engineer
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 6, 1996

Keith Eidam
HCR 3, Box 82A
Gettysburg SD 57442

Dear Mr. Eidam:

On May 21, 1996, we sent applications forms for a *Permit to Appropriate Water for Irrigation* based on an investigation of Water Permit Nos. 3303-3 and 5172-3 by Lynn Beck, an engineer with this office. This inspection showed No. 5172-3 was not developed as originally permitted. This application is necessary to obtain a permit which will reflect your water use. To date, we have not received a response regarding this application.

Enclosed is another set of partially completed application forms. Please review the application, have it signed and notarized and return the application with required \$50.00 fee. After the permit for the additional 7 acres is approved, then the water license can be issued incorporating all the permits. The fee for the water license will be \$50.00.

Obtaining water permits that accurately reflect your water use ultimately benefits you by protecting your right to use water. Water Permit Nos. 3303-3 and 5172-3 can not be licensed until this application is processed and a permit obtained to reflect your current water use in accordance with state statutes. Pursuant to South Dakota Codified Laws 46-1-15, 46-5-9, 46-5-10 and 46-2-18, you must have a water permit prior to using water.

Sincerely,

Karen Schlaak
Environmental Scientist
Phone: (605) 773-3352

enclosures



**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

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enclosures

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