

WATER PERMIT NO. 5969-3

Name of Applicant: Keith Eidam

Address: HCR 3 Box 82A, Gettysburg SD 57442

Phone: 605 765-2139

Amount of Water Claimed: no add'l

Total Acres: 7 add'l

Source of Water Supply: Missouri River

Water to be used for: irrigation , County: Potter

Type of Waste Disposal System: NA

Location: 17 west of Gettysburg

PRIORITY Date Received: 11-27-96

Fee: \$50.00

Corrected Application Received:

Period of Annual Use: April 1- October 1

Remarks: Application is based on inspection by Lynn Beck. 7 add'l acres to Permit No. 5172-3.
5172-3 & 3303-3 can be incorp. w/ this license

Diversion Point: SE 1/4 NW 1/4 Sec 25

T118N-R79W

Land to be Irrigated: SE 1/4 SE 1/4 Sec 31-T118N-
R78W

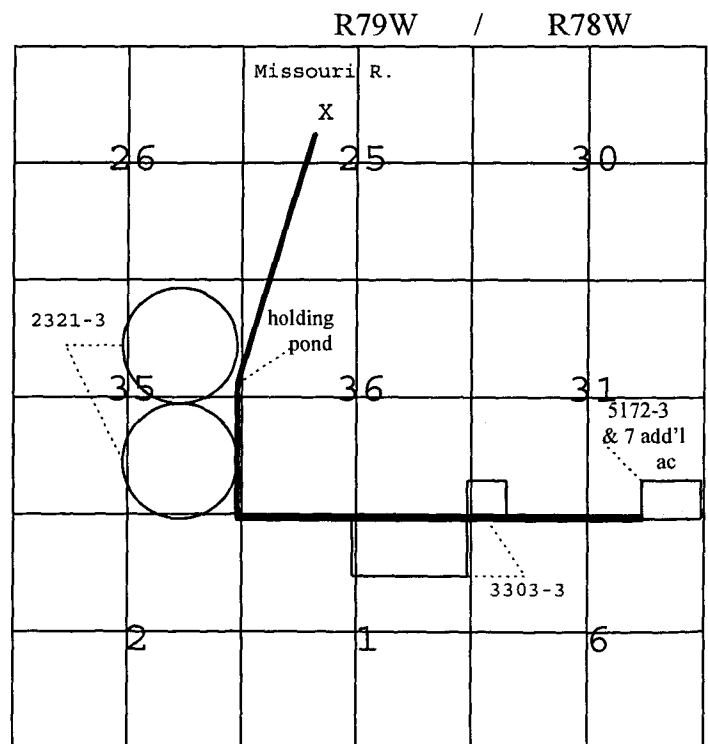
Depth of Well: NA

Well Driller: NA

Remarks:

Type of Map: topographic

Prepared by: Lynn Beck



Reviewed and the Number Assigned on: 12-2-96

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)	
	No. <u>5969-3</u>	Hydrologic Unit <u>10/30/05</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>Potter County News, Gettysburg, SD</u>	



Application For Permit To Appropriate Water For Irrigation

Type of Application: X New Vested Right Amendment/Correction to Permit No.
(check one) (Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. acreage change, change diversion point(s), add diversion point(s), etc.)

- Name of Applicant Keith Eidam
 Mailing Address HCR 3 Box 82A, Gettysburg
 (Street, RR, or Box) State SD 57442 (Zip Code)
☒ Owner ☐ Tenant/Lessee (check one) Phone 605 765-2139
- Amount of water claimed no add'l *CFS or **GPM ***AF Total Acreage 7 add'l
 (*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout if applicable)
- Source of water supply Missouri River
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) Missouri River 1360' E and 600' N of the W 1/4 corner Sec. 25, T118N, R79W holding pond 2640' N of the SE 1/4 corner Sec. 35, T118N, R79W (SE 1/4 NW 1/4) County Potter
- County or counties where water will be used Potter
- Annual period during which water is to be used April 1 to October 1
- List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
 (Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
SE 1/4 SL 1/4 Sec. 31, T118N, R79W	29.5		

8. Give a description of the project. (Attach sheet if more space is needed)

This application is for an additional 7 acres to Permit No. 5172-3. Once this application is approved it will be incorporated with 5172-3 and 3303-3 and licensed.

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

STATE OF SOUTH DAKOTA)

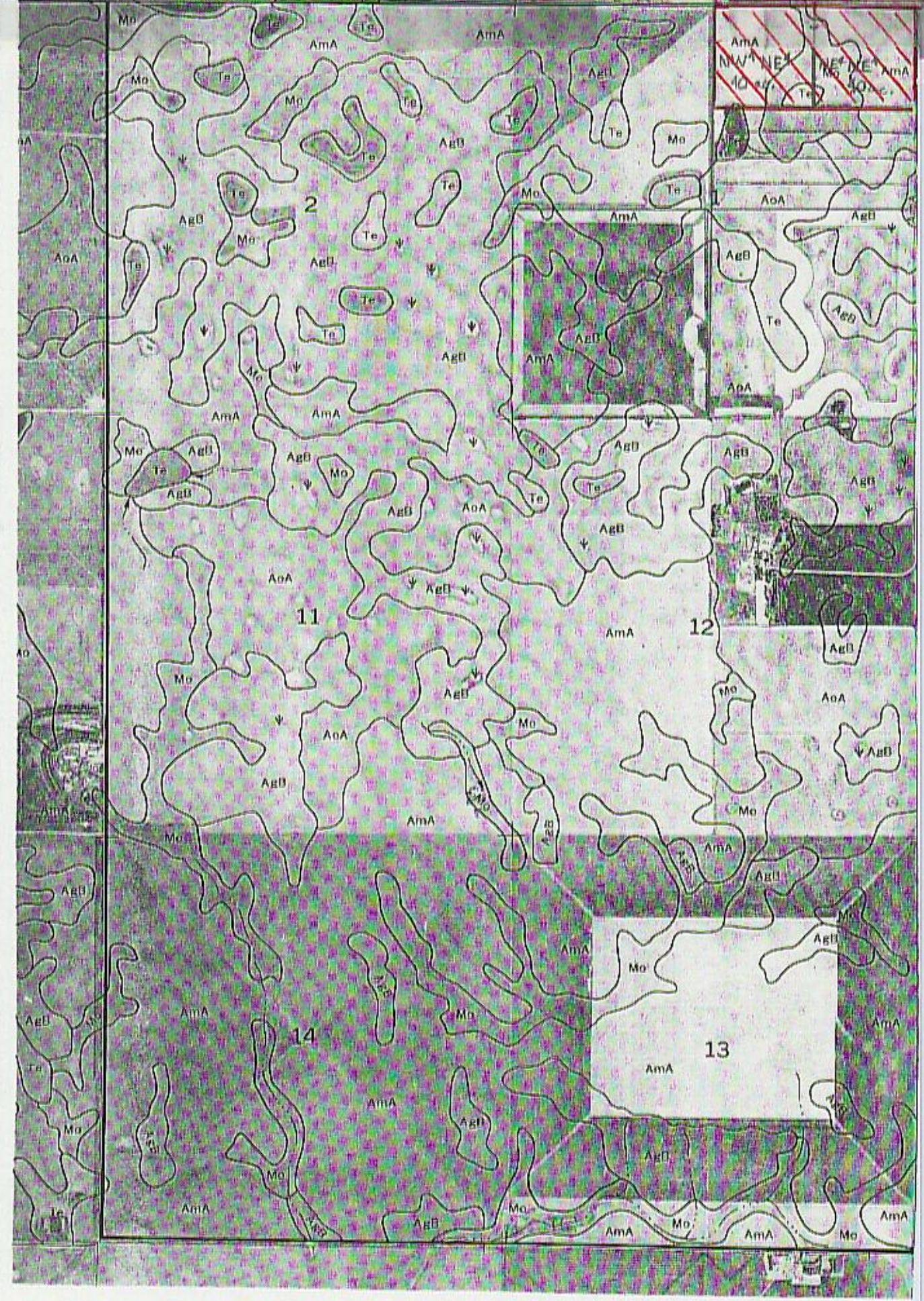
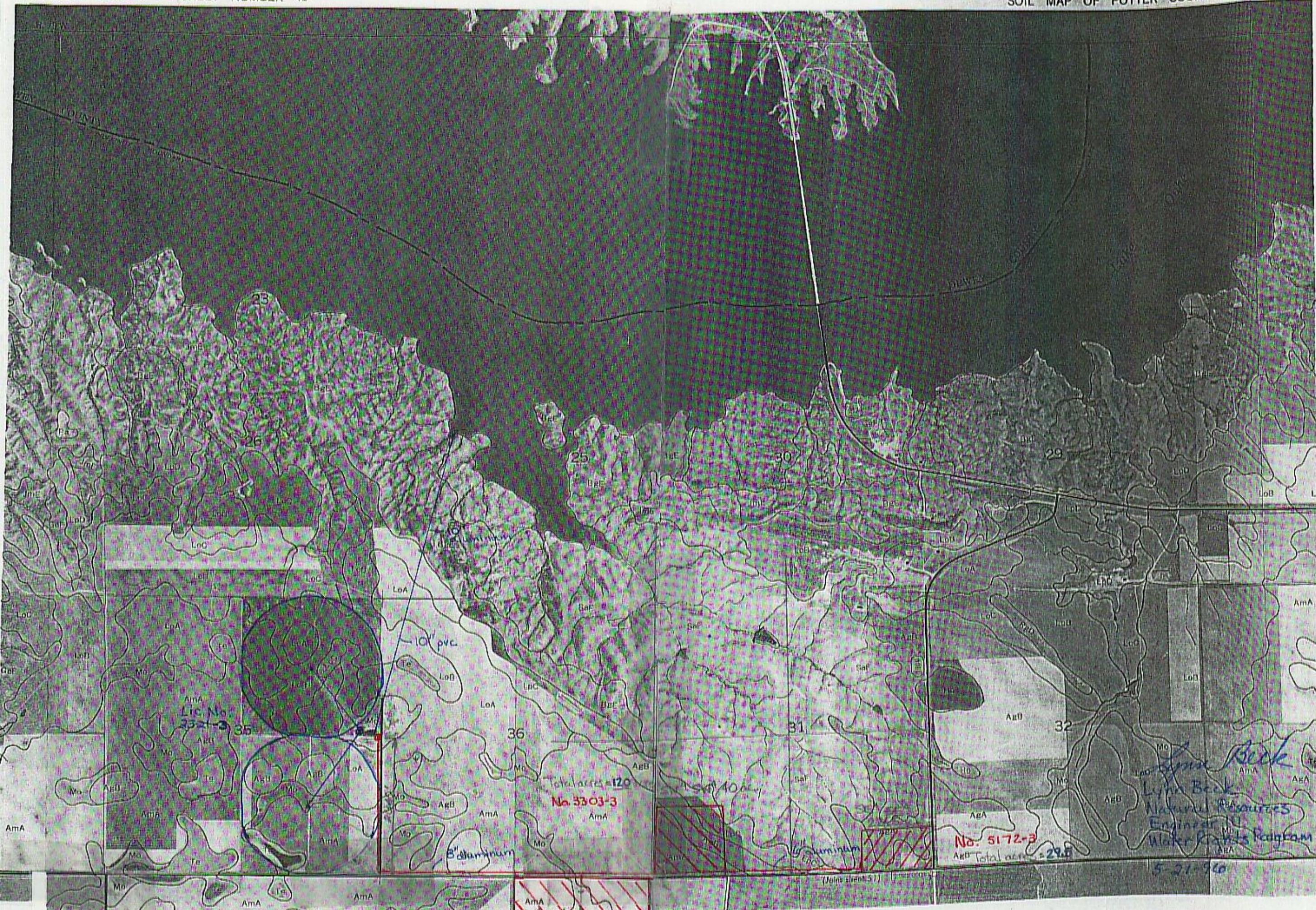
County of Potter ss

I, Keith Q Eidam the applicant, have read this application, examined the attached map, and certify that the matters stated are true. I intend and am able to complete the necessary construction.

Signed Keith Q Eidam

Subscribed and sworn to before me this 11th day of Nov 19 96

Judy Nagel
Notary Public



**SOUTH DAKOTA
WATER PERMIT NO. 5969-3**

Date of first receipt of application November 27, 1996.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5969-3 to Keith Eidam, HCR 3 Box 82A, Gettysburg SD 57442 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5969-3 authorizes irrigation of 7 additional acres. Water Permit No. 5172-3 appropriates 0.32 cubic feet of water per second from the Missouri River located in the SE 1/4 NW 1/4 Section 25-T118N-R79W to irrigate 22.5 acres located in the SE 1/4 SE 1/4 Section 31-T118N-R78W. A 3 acre-foot holding pond is located in the SE 1/4 NE 1/4 Section 35-T118N-R79W. This permit is to irrigate 7 additional acres located in the SE 1/4 SE 1/4 Section 31-T118N-R78W. Water Right No. 2321-3, Water Permit Nos. 3303-3 and 5172-3 and this permit all use the same diversion facility from the Missouri River.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - October 1.
3. The date from which applicant may claim right is November 27, 1996 (to irrigate the 7 additional acres).
4. The date of approval of Permit No. 5969-3 is February 3, 1997.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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

WATER MANAGEMENT BOARD

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

APR 7 1997
date



RECEIPT

415191

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ November 27 _____, 19 96

RECEIVED OF Keith Eidam, HC 3 Box 82A, Gettysburg SD 57442

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

Fee for Application for Permit No. <u>5969-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	50	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 _____		

(Any Other Work Provided by Law)	Total	50 00

By

Chief Engineer

JOHN HATCH

(K5)

RECEIPT

415321

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, April 17, 19 97

RECEIVED OF Keith Eidam, HC 3 Box 82A, Gettysburg SD 57442

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>5969-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer JOHN HATCH (ks)

REPORT ON APPLICATION No. 5969-3

Keith Eidam

December 9, 1996

Water Permit Application No. 5969-3 has been filed by Keith Eidam to irrigate 7 additional acres. Water Permit 5172-3 appropriates 0.32 cubic feet of water per second from the Missouri River located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25-T118N-R79W to irrigate 22.5 acres located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31-T118N-R78W. A three acre-feet holding pond is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35-T118N-R78W. This application is to irrigate seven additional acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31-T118N-R78W. Water Right No. 2321-3, Water Permit Nos. 3303-3 and 5172-3 and this application all use the same diversion facility from the Missouri River. This application, if approved, does not authorize any increase in the developed diversion rate.

Discussion

Water Right No. 2321-3, Water Permit Nos. 3303-3 and 5172-3 use the same Missouri River diversion point. Water is pumped from the river to a three acre-feet storage pond. Water Right No. 2321-3 uses a separate diversion point at the storage pond and is owned by Orlow Eidam. Water Permit Nos. 3303-3 and 5172-3 use the same diversion point at the storage pond and are owned by Keith Eidam.

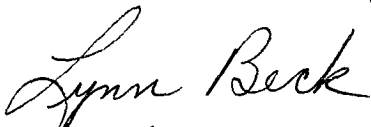
Water Permit No. 3303-3 authorizes a diversion rate of 1.7 cubic feet of water per second (cfs) to irrigate 120 acres and Water Permit No. 5172-3 authorizes 0.32 cfs to irrigate 22.5 acres. This application is for seven additional acres to Permit No. 5172-3. There are two irrigation systems on the lands authorized by Permit No. 3303-3 and one system on the lands authorized by Permit No. 5172-3. Mr. Eidam runs two systems at a time for a maximum diversion rate of 1.7 cfs. Upon approval of Water Permit Application No. 5969-3 this application and Permit Nos. 3303-3 and 5172-3 can be incorporated and licensed for a diversion rate of 1.7 cfs. This application does not authorize additional diversion from the Missouri River.

There are two water permits and one water right within a one mile radius of this application that divert water from the same source. The two water permits are 3303-3 and 5172-3 owned by Keith Eidam as mentioned above. The other is Water Right No. 2321-3 owned by Orlow Eidam as mentioned above.

Conclusions and Recommendations:

1. There are no existing water rights in this area utilizing surface water which could be adversely affected by approval of this application.
2. Water Permit Application No. 5969-3 should be approved with the qualification:

That the irrigation questionnaire be submitted each year.



Lynn Beck

Natural Resources Engineer III

Approved by:



Gale N. Selken, P.E.

Natural Resources Engineer IV

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5969-3, Keith Eidam**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 5969-3, Keith Eidam, HCR 3, Box 82A, Gettysburg, SD 57442.

The Chief Engineer is recommending APPROVAL of Application No. 5969-3 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 report on application for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", with a stylized, cursive script.

JOHN HATCH, Chief Engineer
December 23, 1996



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.**

January 6, 1997

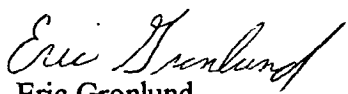
Keith Eidam
HCR 3, Box 82A
Gettysburg, SD 57442

Dear Mr. Eidam:

Water Permit Application No. 5969-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Potter County News printed at Gettysburg, SD (Ph # (605) 765-2464). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 6, 1997

Potter County News
Box 190
Gettysburg, SD 57442-0190

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5969-3 to be published twice. Please publish the first notice on January 16, 1997, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Keith Eidam, HCR 3, Box 82A, Gettysburg, SD 57442 (Ph # (605) 765-2139).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

No. 5969-3

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on January 16, 1997, with the second publication 7 days later.
The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5969-3 to Appropriate Water
and to Amend Water Permit No. 5172-3

Notice is given that Keith Eidam, HCR 3, Box 82A, Gettysburg SD 57442 has filed an application for a water permit to irrigate 7 additional acres. Water Permit No. 5172-3 appropriates 0.32 cubic feet of water per second from the Missouri River located in the SE 1/4 NW 1/4 Section 25-T118N-R79W to irrigate 22.5 acres located in the SE 1/4 SE 1/4 Section 31-T118N-R78W. A 3 acre-feet holding pond is located in the SE 1/4 NE 1/4 Section 35-T118N-R79W. This application is to irrigate 7 additional acres located in the SE 1/4 SE 1/4 Section 31-T118N-R78W. Water Right No. 2321-3, Water Permit Nos. 3303-3 and 5172-3 and this application all use the same diversion facility from the Missouri River. This application, if approved, does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5969-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 3, 1997.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Potter) SS

I, Carol D. Clausen

certify that the attached printed Notice was taken
from the Potter County News

printed and published in Gettysburg
County of Potter and

state of South Dakota. The notice was published
in the newspaper on the following two dates:

January 16, 1997 and
January 23, 1997

Cost of Printing \$44.74

Carol D. Clausen
PUBLISHER

Carol D. Clausen
(Signature)

Notary Public
(Title)

My Commission expires Oct. 15, 2004

1-24-97
(Date Signed)

16--POTTER COUNTY NEWS, JAN. 23, 1997



Public Notices

NOTICE OF APPLICATION NO. 5969-3 to Appropriate Water and to Amend Water Permit No. 5172-3

Notice is given that Keith Eidam, HCR 3, Box 82A, Gettysburg SD 57442 has filed an application for a water permit to irrigate 7 additional acres. Water Permit No. 5172-3 appropriates 0.32 cubic feet of water per second from the Missouri River located in the SE 1/4 NW 1/4 Section 25-T118N-R79W to irrigate 22.5 acres located in the SE 1/4 SE 1/4 Section 31-T118N-R78W. A 3 acre-foot holding pond is located in the SE 1/4 NE 1/4 Section 35-T118N-R79W. This application is to irrigate 7 additional acres located in the SE 1/4 SE 1/4 Section 31-T118N-R78W, Water Right No. 2321-3, Water Permit Nos. 3303-3 and 5172-3 and this application all use the same diversion facility from the Missouri River. This application, if approved, does not authorize any increase in the developed diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5969-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)* and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 3, 1997.

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(Published in the Potter County News, Jan. 16, and 23, 1997.)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 7 1997

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

Dear Mr. Eidam:

Enclosed is Water Permit No. 5969-3 authorizing your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount the Water License will be sent to you.

Very truly yours,

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

enclosures

Permit No. 5172-3 and 3303-3
Missouri River - Water District

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

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

I have this day, 7-25-95 made a thorough examination of the water use system constructed by Keith Eidam of HCR 3 Box 82A, Gettysburg, SD 57442 holder of Permit Nos. 3303-3 and 5172-3, bearing the priority of October 12, 1976 and January 12, 1988 authorizing the diversion of 1.7 and 0.32 cu. ft. per second from the waters of Missouri River for irrigation purposes, in Potter County.

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

A. Works used to divert the water:

Lic. 2123-3:

At the Missouri River there are two Cornell pumps, model no. 4YB125-2, 900 gpm capacity each. There are two Marathon Electric motors, model nos. 404TTDS7312AAWF1 and 404TTDS7309AAW1, 125 hp each.

Water is pumped to a 3 ac. ft. holding pond.

3303-3 and 5172-3:

At the holding pond there is a Cornell pump, model no. 3YB60-2, 1000 gpm capacity. There is a Marathon Electric motor, model no. EN526TTDR7320AAW-F1. 60 hp.

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

From the Missouri River to the holding pond: 2110 feet of 10 inch aluminum pipe and 3770 feet of 10 inch pvc pipe. From the holding pond to the irrigated land: 7920 feet of 8 inch aluminum pipe.

C. Works used to apply water to beneficial use:

3303-3:

In the N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 1-117-79, a Rainbird 35 sideroll system with 35 foot sprinkler spacing and a capacity of 510 gpm.

In the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31-118-⁷⁸~~80~~, a Rainbird 30 sideroll system with 35 foot sprinkler spacing and a capacity of 250 gpm.

5172-3:

In the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31-118-⁷⁸~~80~~, a Rainbird 14600 system with 35 foot sprinkler spacing and a 250 gpm capacity.

The system is in the following condition good. The point of diversion is located Missouri River 1360 feet east and 600 feet north of the W $\frac{1}{4}$ corner Section 25, T118N, R79W and at the holding pond 2640 feet north of the SE $\frac{1}{4}$ corner Section 35, T118N, R79W. The works are capable of diverting and conveying to the place of use 1.7 under 3303-3 and 0.56 under 5172-3 cu. ft. per second of water and/or storing 3 acre-feet of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

3303-3 section 1-117-79:

NE¹/₄ NE¹/₄ 40 acres

NW¹/₄ NE¹/₄ 40 acres

3303-3 Section 31-118-~~86~~: 78

SW¹/₄ SW¹/₄ 40 acres

5172-3 Section 31-118-~~86~~: 78

SE¹/₄ SE¹/₄ 29.5 acres

comprising a total of 149.5 acres of land and the license should be issued for 1.7 cfs and/or 3 acre-feet of storage.
Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none

COMMENTS: Mr. Eidam runs only two systems at a time for a maximum capacity of 1.7 cfs or 765 gpm.

Lynn Beck

Lynn Beck

Natural Resources Engineer

DENR, Water Rights Program

4-21-97
Date

REPORT ON INSPECTION OF PERMIT NO. 3303-3 and 5172-3

DATE OF INSPECTION: 7-25-95

Other permit(s) associated with the project: Lic. 2321-3

NAME & ADDRESS OF INSPECTION CONTACT: Keith Eidam, HCR 3 Box 82A, Gettysburg, SD 57442

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: na

NAME & ADDRESS OF PERMIT HOLDER: Keith Eidam, HCR 3 Box 82A, Gettysburg, SD 57442

DIVERSION POINT LEGAL LOCATION: Diversion point at the Missouri River authorized under Lic. 2321-3 is located 1360 feet east and 600 feet north of the W $\frac{1}{4}$ corner of Section 25, T118N, R79W. The diversion point at the holding pond is located 2640 feet north of the SE $\frac{1}{4}$ corner Section 35, T118N, R79W.

Pump: At the Missouri River authorized under Lic. 2321-3.

- 1) Make Two Cornells
- 2) Model 4YB125-2
- 3) Size #
- 4) Capacity 900 each GPM

Motor:

- 1) Make two Marathon Electric
- 2) Model No. 404TTDS7312AAWF1 and 7309AAW1
- 3) Horsepower rating 125 each hp

Pump: At the holding pond

- 1) Make Cornell
- 2) Model 3YB60-2
- 3) Size 8.5
- 4) Capacity 1000 GPM

Motor:

- 1) Make Marathon Electric
- 2) Model No. EN526TTDR320AAW-F1
- 3) Horsepower rating 60 hp

DISTRIBUTION LINES OR CANALS: From the Missouri River to the holding pond.

- 1) Type aluminum 2) Size 10 inches 3) Length 2110 feet
- 1) Type pvc 2) Size 10 inches 3) Length 3770 feet

DISTRIBUTION LINES OR CANALS: From the holding pond to the irrigated lands.

- 1) Type aluminum 2) Size 8 inches 3) Length 7920 feet

SYSTEM TYPE:

Side roll: N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 1-117-79 WR 3303-3

- 1) Make Rainbird 35
- 2) Overall length 2640 feet
- 3) Diameter of pipe 6 inches
- 4) Sprinkler spacing 35 feet
- 5) Capacity 510 GPM

Side roll: SW $\frac{1}{4}$ SW $\frac{1}{4}$ 31-118-80 WR 3303-3

- 1) Make Rainbird 30
- 2) Overall length 1320 feet
- 3) Diameter of pipe 6 inches
- 4) Sprinkler spacing 35 feet
- 5) Capacity 250 GPM

Side roll: SE $\frac{1}{4}$ SE $\frac{1}{4}$ 31-118-80 WR 5172-3

- 1) Make Rainbird 14600
- 2) Overall length 1320 feet
- 3) Diameter of pipe 6 inches
- 4) Sprinkler spacing 35 feet
- 5) Capacity 250 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate no

HOLDING POND INFORMATION: 190' by 75" holds approximately 3 ac. ft. Authorized under Lic. 2321-3.

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period yes

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5969-3

(1) Keith Eidam, HCR 3, Box 82A, Gettysburg SD 57442 made Application No. 5969-3, November 27, 1996 for a water permit to add acreage to the system authorized by Water Permit No. 5172-3. The project withdraws water from the Missouri River, Potter County, South Dakota for irrigation purposes. Permit No. 5969-3, with a priority date of November 27, 1996 was approved February 3, 1997 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

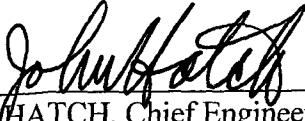
Water Permit No. 5172-3 authorizes irrigation of 22.5 acres in the SE 1/4 SE 1/4 Section 31-T118N-R78W and retains a priority date of January 12, 1988. The remaining 7 acres retains a priority date of November 27, 1996 established by 5969-3. The acreage located in Section 1-T117N-R79W and the SE 1/4 SE 1/4 Section 31-T118N-R78W retains a priority date of October 12, 1976. Water Right No. 2321-3 and Water Permit Nos. 3303-3, 5172-3 and 5969-3 all use the same diversion facility from the Missouri River. The applicable portions of Water Permit Nos. 3303-3 and 5172-3 have been incorporated into this Water License No. 5969-3

(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 1.7 cubic feet of water per second and to store 3.0 acre-feet of water for beneficial use. The location of the diversion points are: Missouri River - 1,360 feet east and 600 feet north of the west quarter corner of Section 25-T118N-R79W (SE 1/4 NW 1/4); the holding pond - 2,640 feet north of the southeast corner of Section 35-T118N-R79W (SE 1/4 NE 1/4).

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

Section 1 -T117N-R79W	NE 1/4 NE 1/4	40 acres
	NW 1/4 NE 1/4	40 acres
Section 31-T118N-R78W	SW 1/4 SW 1/4	40 acres
	SE 1/4 SE 1/4	29.5 acres
Total		149.5 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Keith Eidam, HCR 3 Box 82A, Gettysburg SD 57442 the holder and/or owner of Incorporated Water Permit No. 5969-3 is issued a license to appropriate water, the right to use 1.7 cubic feet of water per second and 3.0 acre-feet of storage from the Missouri River with priority dates of October 12, 1976, January 12, 1988, November 27, 1996 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 Incorporated Water Permit No. 5969-3 and subject to South Dakota State Law.


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

JUN 11 1997

date





**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.



5969-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 14, 2000

NOTICE

TO: KEITH A EIDAM, HCR 3 BOX 82A, GETTYSBURG, SD 57442
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5969-3. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5969-3 qualification:

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

The hearing will be held at 1:30 pm, March 1, 2000 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. 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) 5969-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 2000, 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 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.

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 the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

KEITH A EIDAM
HCR 3 BOX 82A
GETTYSBURG SD 57442

COMPLETE THIS SECTION ON DELIVERY

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

Andrea Eidam 1/15/2000

C. Signature

x Andrea Eidam

☐ 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)

227670448

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 20, 2000

5969-3

Keith Eidam
HCR 3 Box 82A
Gettysburg, SD 57442

Dear Mr. Eidam:

Thank you for calling in about your 1999 irrigation questionnaire. I completed a questionnaire for you based on our phone conversation.

You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit No. 5969-3. 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

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Keith A Eidam, 16496 293rd Ave., Gettysburg SD 57442

DATE: November 7, 2002

RE: 2002 irrigation questionnaire

COMMENTS:

Water Right No. 5969-3 authorizes irrigation of land in the N ½ Section 1, T117N, R79W and the SW ¼ SW ¼, SE ¼ SE ¼ Section 31, T118N, R78W (total of 149.5 acres)

Mr. Eidam submitted his 2002 irrigation questionnaire marked "No" (meaning he did not irrigate) with a notation that he had lost some of his land to G, F & P.

I checked with Leslie Petersen with Game, Fish and Parks to see if they had any information on this. She indicated the land in Section 31 is a game production area and is not irrigated. Evidently, Mr. Eidam has been informed that he should remove all his equipment from the area but to date has refused to do so. G, F & P have given him a deadline somewhere around the end of the calendar year to have the pipe and system removed.

RECOMMENDED ACTION:

The water right may need to be reduced to what he actually still owns and irrigates.



Genny McMath
Environmental Scientist

**DIVISION OF NO. 5969-3
INTO 5969A-3 & 5969B-3**

The water right is being divided and reissued to reflect separate ownership.

- **No. 5969A-3 – Keith Eidam:** authorizing diversion of 1.14 cfs to irrigate 80 acres located in the N ½ NE ¼ Sec 1-T117N-R79W with a priority date of October 12, 1976.
- **No. 5969B-3 – SD Department of Game, Fish & Parks:** authorizing 0.56 cfs to irrigate 69.5 acres located in the SW ¼ SW ¼, SE ¼ SE ¼ Sec 31-T118N-R78W. Issuance of No. 5969B-3 is being withheld until a determination is made by the Water Management Board on whether or not the water right has been abandoned and/or forfeited and subject to cancellation.

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Keith A Eidam, 16496 293rd Ave., Gettysburg SD 57442

DATE: November 7, 2002

RE: 2002 irrigation questionnaire

COMMENTS:

Water Right No. 5969-3 authorizes irrigation of land in the N ½ Section 1, T117N, R79W and the SW ¼ SW ¼, SE ¼ SE ¼ Section 31, T118N, R78W (total of 149.5 acres)

Mr. Eidam submitted his 2002 irrigation questionnaire marked "No" (meaning he did not irrigate) with a notation that he had lost some of his land to G, F & P.

I checked with Leslie Petersen with Game, Fish and Parks to see if they had any information on this. She indicated the land in Section 31 is a game production area and is not irrigated. Evidently, Mr. Eidam has been informed that he should remove all his equipment from the area but to date has refused to do so. G, F & P have given him a deadline somewhere around the end of the calendar year to have the pipe and system removed.

RECOMMENDED ACTION:

The water right may need to be reduced to what he actually still owns and irrigates.



Genny McMath
Environmental Scientist

STATE OF SOUTH DAKOTA
REISSUED WATER LICENSE NO. 5969B-3
DIVISION OF NO. 5969-3 INTO 5969A-3 & 5969B-3

(1) Keith Eidam, 16496 293rd Ave, Gettysburg SD 57442 was issued Water License No. 5969-3, June 11, 1997 for a water right to divert 1.7 cubic feet of water per second (cfs) and 3.0 acre-feet of storage from the Missouri River, Potter County, South Dakota for irrigation purposes. Water Right No. 5969-3, with priority dates of October 12, 1976, January 12, 1988 and November 27, 1996 was issued to the permit holder for diversion of water with the described water supply system and the application to beneficial use of water completed.

The original license authorized irrigation of 149.5 acres in portions of Sec 1-T117N-R79W and Sec 31-T118N-R78W. Due to ownership changes, the water right is being divided and reissued to reflect separate ownership.

- **No. 5969A-3 – Keith Eidam:** authorizing diversion of 1.14 cfs to irrigate 80 acres located in the N ½ NE ¼ Sec 1-T117N-R79W with a priority date of October 12, 1976.
- **No. 5969B-3 – SD Department of Game, Fish & Parks:** authorizing 0.56 cfs to irrigate 69.5 acres located in the SW ¼ SW ¼, SE ¼ SE ¼ Sec 31-T118N-R78W. Issuance of No. 5969B-3 is being withheld until a determination is made by the Water Management Board on whether or not the water right has been abandoned and/or forfeited and subject to cancellation.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 5969B-3 is reissued a license, bearing priority dates of October 12, 1976, January 12, 1988 and November 27, 1996 to appropriate 0.56 cubic feet of water per second and 3.0 acre-feet of storage from the Missouri River to irrigate 69.5 acres.

The diversion points are located: Missouri River – 1,360 feet east and 600 feet north of the west quarter corner of Section 25-T118N-R79W (SE ¼ NW ¼); holding pond – 2,640 feet north of the southeast corner of Section 35-T118N-R79W (SE ¼ NE ¼). The acres authorized for irrigation are as follows:

Section 31 –T118N-R78W	SW ¼ SW ¼	40.0 acres
	SE ¼ SE ¼	29.5 acres
Total 69.5 acres		

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 5969-3 including the following now applicable qualification:

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

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

date





OCT 10 2003

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

5969A-3

Keith A Eidam
16496 293rd Ave
Gettysburg SD 57442

Dear Mr. Eidam:

Enclosed is Reissued Water License No. 5969A-3. The original license authorized irrigation of 149.5 acres in portions of Sec 1-T117N-R79W and Sec 31-T118N-R78W. The water right is being divided and reissued to reflect separate ownership.

- **No. 5969A-3 – Keith Eidam:** authorizing diversion of 1.14 cfs to irrigate 80 acres located in the N ½ NE ¼ Sec 1-T117N-R79W with a priority date of October 12, 1976.
- **No. 5969B-3 – SD Department of Game, Fish & Parks:** authorizing 0.56 cfs to irrigate 69.5 acres located in the SW ¼ SW ¼, SE ¼ SE ¼ Sec 31-T118N-R78W. Issuance of No. 5969B-3 is being withheld until a determination is made by the Water Management Board on whether or not the water right has been abandoned and/or forfeited and subject to cancellation.

As long as the water is used beneficially, as stated in the reissued Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosure



January 15, 2004

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE OF CANCELLATION

TO: John Cooper, Secretary SD Dept of Game, Fish & Parks, 523 E Capitol, Pierre, SD 57501
Leslie Petersen, SD Dept of Game, Fish & Parks, 523 E Capitol, Pierre, SD 57501
John Kirk, SD Dept of Game, Fish & Parks, 523 E Capitol, Pierre, SD 57501

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

SUBJECT: Cancellation of Water Right No. 5969B-3

Water Right No. 5969-3 for Keith Eidam, Gettysburg SD was divided and reissued to reflect separate ownership. No. 5969B-3, now owned by SD Game Fish & Parks authorizes diversion of water from the Missouri River for irrigation of 69.5 acres in portions of the S ½ Section 31, T118N, R78W. Information obtained from Mr. Eidam and from Leslie Petersen indicates that the land is now a game production area and will no longer be irrigated. The Chief Engineer of the Water Rights Program is recommending cancellation of Water Right No. 5969B-3 due to abandonment and/or forfeiture.

The Water Management Board will consider cancellation of Water Right No. 5969B-3 at 10:00 am, March 3, 2004, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD.

The recommendation of the Chief Engineer is not final or binding upon the Board. The Board is authorized to 1) cancel, 2) cancel portions of, 3) delay action on, or 4) take no action on Water Right No. 5969B-3 based upon facts presented at the public hearing. Our records show you to be the owner of property covered by this water right. If you wish to oppose the cancellation and if you intend to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, you must file a written petition with the Chief Engineer by February 20, 2004. The petition may be informal, but it must include a statement describing the reasons for your opposition to the cancellation, and your signature and mailing address or your legal counsel if legal counsel is obtained. The Board may consider any abandoned or forfeited water to be available for appropriation subject to the provisions of SDCL 46-1, 46-2, 46-2A and 46-5.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-1 thru 46-1-10, 46-1-14 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-5-36, 46-5-37, 46-5-37.1; 46-2A-1 thru 46-2A-7; and Board Rules ARSD 74:02:01:36 thru 74:02:01:41. These are contested cases pursuant to procedures contained in SDCL 1-26.

These hearings may be adversarial proceedings. Any party 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 State Supreme Court as provided by law.

The time of the hearing will be automatically extended for at least twenty days upon your written request to the Chief Engineer after a petition has been filed to oppose the cancellation. If an extension is requested, the hearing on the cancellation will be continued until the next regular Board Meeting. Any request for extension must be filed with the Chief Engineer by February 20, 2004.

Prior to February 20, 2004, contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) if assistance is needed with the following: 1) further information on the proposed cancellation; 2) to assure access to the meeting room for the handicapped; or 3) to obtain an interpreter for the hearing impaired.

Please note:

According to SDCL 1-26-18.3, parties to a contested case may use the Office of Hearing Examiners to conduct a hearing if either a property right is being terminated or the dollar amount in controversy exceeds \$2,500.00. If you choose to use the Office of Hearing Examiners rather than the hearing procedure described above, then you need to notify the Chief Engineer (Water Rights Program, 523 E. Capitol Avenue, Pierre SD) by February 20, 2004.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

RECOMMENDATION OF CHIEF ENGINEER

FOR WATER RIGHT NO. 5969B-3, SD DEPARTMENT OF GAME, FISH & PARKS

Pursuant to SDCL 46-2A-2 and 46-5-37.1, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Right No. 5969B-3.

The Chief Engineer is recommending cancellation of the above Water Right due to abandonment and/or forfeiture. The original water right was divided and reissued to reflect separate ownership. The portion transferred to Game, Fish & Parks is now a game production area and no longer irrigated.

RON DUVALL, Natural Resources Engineer
for Garland Erbele, Chief Engineer
January 15, 2004

CERTIFICATION

I hereby certify that on January 15, 2004, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated January 15, 2004 regarding Notice of Cancellation of Water Permit Nos. 1649-1, 1634-1 and Water Permit Nos. 1336-3, 5467B-3, 5969B-3 addressed as stated below:

1336-3
Charles Olson
1421 Wisconsin
Brookings SD 57006

5467B-3
Terrance A Hill
47670 US Hwy 14
Aurora SD 57002

1634-1
Cris D & Dianne Miller
10164 W Hwy 14
Spearfish SD 57783

1649-1
Greg Dittman
Black Hills Spring Water
19682 Fish Lake
Spearfish SD 57783

2995-3
Roland Kleinschmidt
20841 318th Ave
Harrold SD 57536

2995-3
Lee Kleinschmidt
20831 318th Avenue
Harrold SD 57536

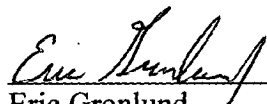
5969B-3

~~4968B-3~~

Hand carried to John Cooper, Secretary SD Dept of Game Fish & Parks, Foss Building, Pierre

Hand carried to Leslie Petersen, SD Dept of Game Fish & Parks, Foss Building, Pierre

Hand carried to John Kirk, SD Dept of Game Fish & Parks, Foss Building, Pierre



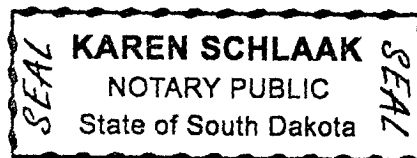
Eric Gronlund
Natural Resource Engineer
Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 16th day of January, 2004.



Karen Schlaak
Notary Public
My Commission expires April 1, 2007





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 8, 2004

NOTICE

TO: John Cooper, Secretary SD Dept of Game, Fish & Parks, 523 E Capitol, Pierre, SD 57501
Leslie Petersen, SD Dept of Game, Fish & Parks, 523 E Capitol, Pierre, SD 57501
John Kirk, SD Dept of Game, Fish & Parks, 523 E Capitol, Pierre, SD 57501

FROM: Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Water Right No. 5969B-3

This will notify you that the Water Management Board cancelled Water Right No. 5969B-3 on March 3, 2004.

The land described in Water Right No. 5969B-3 was originally authorized under a water right held by Keith Eidam, Gettysburg, SD. The water right had been divided and reissued to reflect separate ownership. The portion held by Game, Fish and Parks is now a game production area and will no longer be irrigated.

The action to cancel the water right was taken under the conditions outlined in our notice to you dated January 15, 2004. If you have any questions concerning the Board action, please contact Genny McMath, with our program, at (605) 773-3352.

CERTIFICATION

5969B-3

I hereby certify that on March 8, 2004, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 8, 2004 regarding Notice of Cancelled Water Permit # 1634-1, 1616-1, 1649-1, 2193-2, 2430-2, 987-2, Water Right # 731-2, 92-3, 93-3, 94-3, 1028-3, 1336-3, 1439-3, 2542-3, 2737-3, 4724-3, 4931-3, 5467B-3, 5575-3, 5969B-3, 92-2 addressed as stated below:

1634-1
Cris D & Dianne Miller
10164 W Hwy 14
Spearfish SD 57783

2193-2
Steve Van Tassel
Golden Willow Seeds
21400 Ottumwa Rd
Midland SD 57552

92-3, 93-3, 94-3
Dennis Ellwein
Ellwein Company
25045 410th Ave
Mitchell SD 57301

1439-3
Helen Zoss
40360 235th St
Forestburg SD 57314

4724-3
Randy Eden
21821 398th Ave
Alpena SD 57312

5575-3
Blaine Martian
Big Sioux Nursery Inc.
16613 Sioux Conifer Rd
Watertown SD 57201

1616-1
Alan Crago
One Diamond Inc
PO Box 943
Spearfish SD 57783-0943
2430-2
Reclining G Game Farm
% Sam Zimiga
1719 W Main St
Rapid City SD 57702-2564

1028-3
John C Smith
For William M Smith Estate
2204 Valley Rd
Yankton SD 57078

2542-3
Darrel Jongeling
18877 461st Ave
Castlewood SD 57223

4931-3
Bill Makens
Makens Oak Tree Lodge
RR 3 Box 87
Clark SD 57225

92-2 & 987-2
Courtney R Clayborne
Johnson Eisland Law Firm
PO Box 6900
Rapid City SD 57709-6900

1649-1
Greg Dittman
Black Hills Spring Water
19682 Fish Lake
Spearfish SD 57783
731-2
Dave Sletnikofs
US Forest Service
803 Soo San Dr
Rapid City SD 57702

1336-3
Charles Olson
1421 Wisconsin
Brookings SD 57006

2737-3
Richard Strasburg
Strasburg Inc
18150 366th Ave
Rockham SD 57470

5467B-3
Terrance A Hill
47670 US Hwy 14
Aurora SD 57002

92-2 & 987-2
Bob Akers
Akers Hospitality
625 E Disk Dr
Rapid City SD 57701

5969B-3 was sent Inter-office to:

John Cooper, Secretary SD Dept of Game Fish & Parks, 523 E Capitol, Pierre
Leslie Petersen, SD Dept of Game Fish & Parks, 523 E Capitol, Pierre
John Kirk, SD Dept of Game, Fish & Parks, 523 E Capitol, Pierre


Eric Gronlund
Natural Resource Engineer
Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 9th day of March, 2004.


Karen Schlaak
Notary Public
My Commission expires April 1, 2007

