

WATER PERMIT NO. 6363-3

Name of Applicant: Hillside Colony

Address: 18248 Hillside Lane, Doland SD 57436

Phone: 605 635-6363

Amount of Water Claimed: 0.44 cfs

Total Acres: 10

Source of Water Supply: Foster Creek

Water to be used for: irrigation

County: Spink

Type of Waste Disposal System:

Location: 11 miles south of Doland

PRIORITY Date Received: 9-19-02

Application/License Fee: \$200

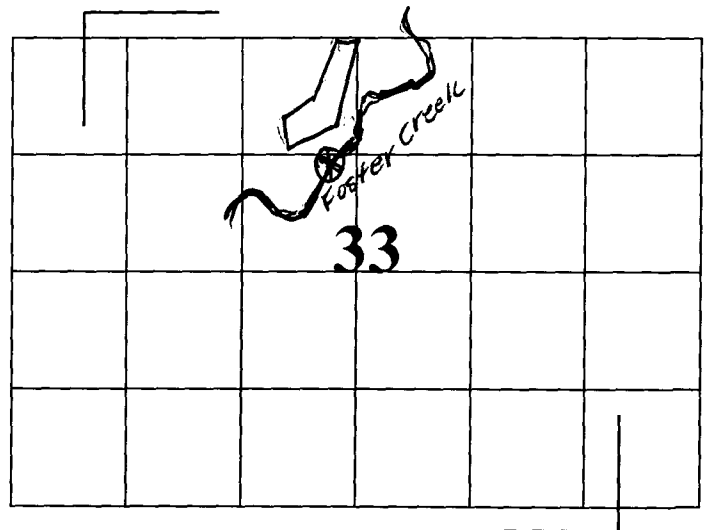
Corrected Application Received: 10-2-02

Period of Annual Use: May 1 – September 30

Remarks: irrigate garden area

Diversion Point: E ½ NW ¼ Sec 33-T115N-R60W

Land to be Irrigated: NE ¼ NW ¼ Sec 33-T115N-R60W



Depth of Well: NA

Well Driller: : NA

Remarks:

Type of Map: aerial

Prepared by: Shane Jordan, NRCS

Reviewed and the Number Assigned on: 10-2-02

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 6363-3

Date of first receipt of application September 19, 2002.

Date of return to applicant for corrections, amendments or changes September 19, 2002.

Date of receipt of corrected application October 2, 2002.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6363-3 to Hillside Colony, 18248 Hillside Lane, Doland SD 57436 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. 6363-3 appropriates 0.44 cubic feet of water per second (cfs) from Foster Creek located in the E ½ NW ¼ Section 33 to irrigate a 10 acre garden located in the NE ¼ NW ¼ Section 33; all in T115N-R60W. Water will be diverted at a small rock dam crossing presently in place. The permit holder's intent is to re-build the crossing to include a 36 inch culvert with a control gate. The storage capacity of the dam is less than 5 acre feet of water.
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: May 1 – September 30.
3. The date from which applicant may claim right is September 19, 2002.
4. The date of approval of Permit No. 6363-3 is November 18, 2002.
5. One-fifth of the construction is to be completed on or before May 18, 2005.
6. All construction is to be completed on or before November 18, 2007.
7. Water is to be put to beneficial use on or before November 18, 2011.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. Water Permit No. 6363-3 authorizes a rock dam on Foster Creek with a storage capacity of 5.0 acre feet of water.
2. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 6363-3 authorizes a maximum diversion rate of 0.44 cfs for the irrigation of 10 acres with an annual volume not to exceed 2 acre-feet of water per acre per year.
3. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be bypassed.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

MAR 19 2003

date



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6363-3</u>	(office use only) Hydrologic Unit <u>10160006</u>
	Basin <u>James River</u>	
	Newspaper <u>Doland Times Record, Turton</u>	

RECEIVED
SEP 19 2002
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____

(Use predates Mar 2, 1955)

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

- Name of Applicant Hillside Colony Phone 605-635-6363
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 18248 Hillside Lane Doland State SD 57436
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.44*CFS or 200**GPM ***AF Total Acreage 10
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply Foster creek run off (Foster Creek Dam)
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) Capitola Township
NW 33-115-60 NE 33-115-60 E 1/2 NW 1/4 Sec 33-T115N-R60W
SE 22-115-60 County Spink
- County or counties where water will be used Spink
- Annual period during which water is to be used May 1 thru September 30
- 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
NE 1/4 NW 1/4 33-115-60	10		

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

STATE OF SOUTH DAKOTA) SS
County of Spink)

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)

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

Applicant's signature Hillside Colony Timothy Blange

Subscribed and sworn to before me this 18 day of September 20 02

Ruben Blange
Notary Public signature

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well: _____

On applicants property

On property owned by others _____

Think **Cleaning & Maintenance**

if possible
the it could Be
Named Foster creek
Dam

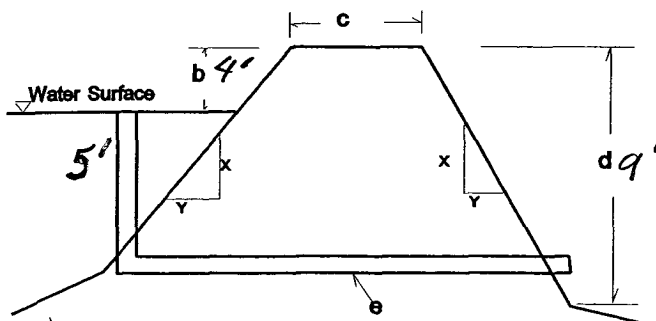
Constructed _____

Depth _____

Think **GRAINGER**

furnish the information requested below
submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



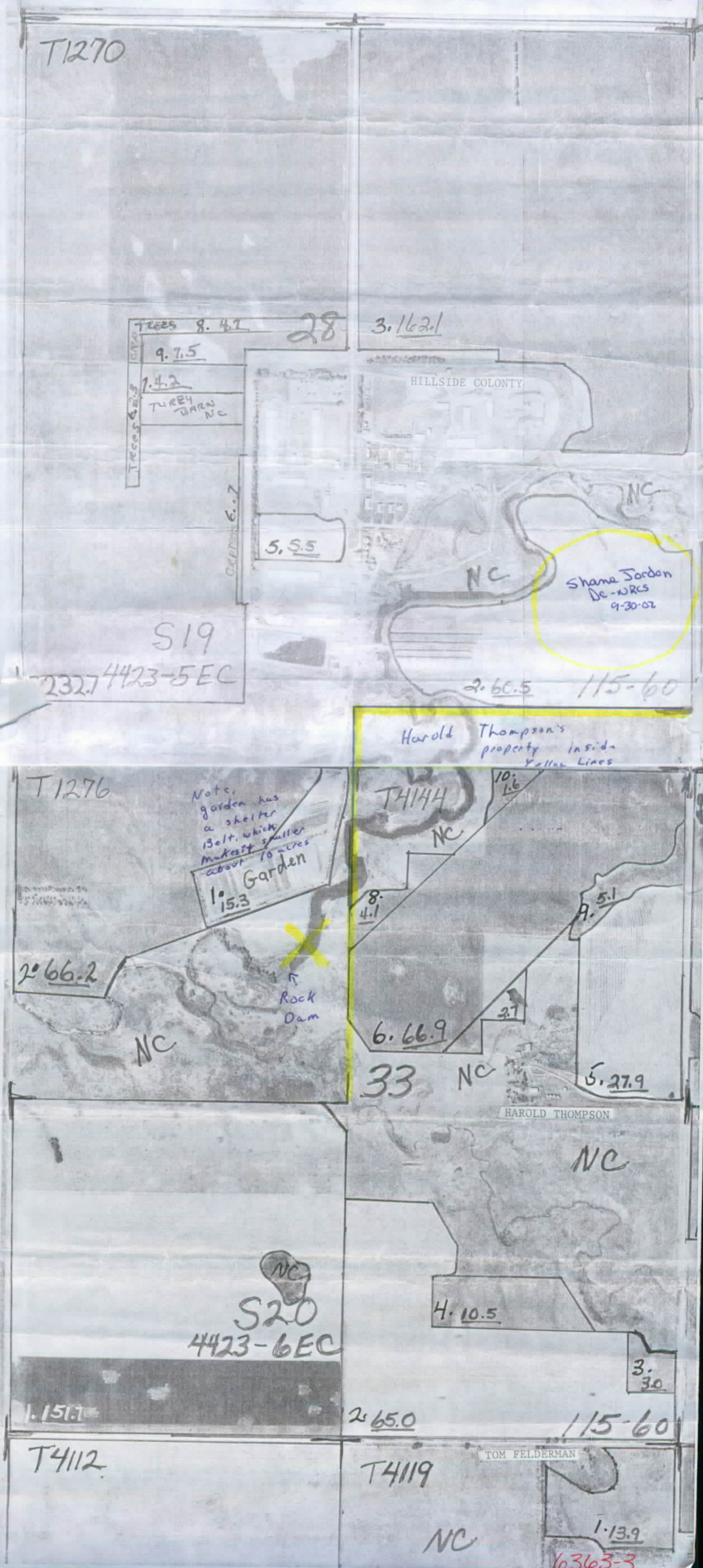
- b) Freeboard 4 feet
- c) Crest Width 100 feet
Crest Length 70 feet
- d) Height 9 feet
- e) Primary Outlet Capacity _____
If pipe, diameter 26"
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

Phone No
605-635-6363

NE-28-115-60

MAP NOT TO SCALE

THIS IS NOT AN OFFICIAL WETLAND MAP



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date September 19, 20 02

RECEIVED OF Hillside Lutheran Brethren Inc., Ruben Glanzer, 18248 Hillside Lane, Doland

SD 57436

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

Fee for Application for Permit No. <u>6363-3</u> to Appropriate Water, to construct 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. <u>6363-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	200.00

No.

000237

By

Darland Ebel
Chief Engineer am



September 19, 2002

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Hillside Colony
Timothy Glanzer
18248 Hillside Lane
Doland SD 57436

Dear Mr. Glanzer:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation. In order to complete the application the following is required.

Enclosed is the aerial photo map submitted with the application. On the map, please mark with an "x" the location of where the water will be diverted from Foster Creek. Also, the map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local NRCS office).

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

RECEIVED

OCT - 2 2002

**WATER RIGHTS
PROGRAM**

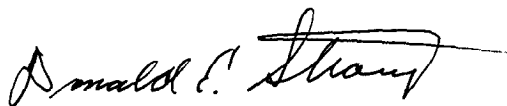
Memorandum

To: File # 6363-3

Subject: Verbal Communication with Timothy Glanzer, Hillside Colony

Date: 10/15/02

Spoke by phone with Mr. Glanzer about the availability of water from Foster Creek and the rock crossing dam. Mr. Glanzer stated they are aware that there is only flow during periodic rains and snowmelt. The Colony intends to re-build the crossing if the application is approved to include a 36-inch culvert and control gate along with a spillway to control the level of stored water in the dam. The gated culvert would prevent washout of the crossing during periods of high water flow in Foster Creek. The spillway would maintain the water level behind the dam within the existing banks of the streambed. Mr. Glanzer stated the Colony thought they had a permit for the crossing dam, but can find no record of it. Advised him that WR Program has no record of such a permit also.

A handwritten signature in cursive script, reading "Donald E. Strong". The signature is written in dark ink and includes a long horizontal flourish extending to the right.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6363-3, Hillside Colony**

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. 6363-3, Hillside Colony, c/o Timothy Glanzer, 18248 Hillside Lane, Doland SD 57436.

The Chief Engineer is recommending APPROVAL of Application No. 6363-3 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) it is in the public interest with the following qualifications:

1. Water Permit No. 6363-3 authorizes a rock dam on Foster Creek with a storage capacity of 5.0 acre feet of water.
2. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 6363-3 authorizes a maximum diversion rate of 0.44 cfs for the irrigation of 10 acres with an annual volume not to exceed 2 acre-feet of water per acre per year.
3. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
October 23, 2002

NOTE: Foster Creek can not be considered a reliable source of water and will not sustain irrigation at your location during years of diminished precipitation. Please review Mr. Stroup's report carefully.

REPORT ON WATER PERMIT APPLICATION No. 6363-3

**Hillside Colony
c/o Timothy Glanzer
18248 Hillside Lane
Doland, SD 57436
(605)635-6363**

Water Permit Application No. 6363-3, Hillside Colony, proposes to appropriate 0.44 cubic feet of water per second (197.5 gpm) from Foster Creek, Spink County, SD in the E½ NW¼ Section 33 to irrigate a 10-acre garden plot in the NE¼ NW¼ Section 33, all in T124N R63W (Attachment 1). Water would be diverted at a small stream crossing rock-dam presently in place. The period of annual use would be from May 1 to September 30. Applicant is requesting a diversion rate greater than the State of South Dakota statutory limit of 1 cubic foot per second for 70 acres.

Review of Proposed Project

If this application were approved, the Colony would re-build the existing stream crossing to include a 36-inch culvert with a control gate and a concrete spillway. This would prevent washout of the crossing during high stream flows and allow capture of periodic rainstorm runoff during the normal growing season. The spillway would control the surface elevation of the water stored in the stream crossing dam to remain within the existing banks of the streambed. Water from periodic spring and summer rainstorms stored in the stream crossing dam would then be used for irrigating the garden plot. Storage capacity of the dam would be less than 5 acre-feet.

Review of Water Source and Existing Water Rights

The water source for the proposed project is Foster Creek approximately 20 stream miles north-northeast of Lake Byron. Foster Creek drainage is a source of water for Lake Byron. At the proposed diversion point, Foster Creek is classified as an intermittent stream on the U.S. Geological Survey (USGS) Topographic Map. There is no stream flow data available for Foster Creek, but USGS gaging stations were operational intermittently on Snake Creek near Ashton from 1955 to 1989 and Dry Run near Frankfort from 1955 to 1969, both in Spink County. Both of these streams have drainage areas and topography characteristics comparable to Foster Creek. Median flow in Snake Creek and Dry Run was only recorded at the 50 percentile level and greater during the normal irrigation season. (Tables 1 & 2)

Table 1. Snake Creek Monthly Median Flow (cfs)

Percentile	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
10	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
25	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
50	0.0	0.0	0.0	0.2	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
75	0.0	0.0	0.0	9.1	11.0	6.5	2.6	1.7	1.7	0.0	0.0	0.0
90	0.0	0.0	7.2	71.8	41.6	22.6	20.1	34.4	13.8	4.6	1.1	0.2

Table 2. Dry Run Monthly Median Flow (cfs)

Percentile	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
10	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
25	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
50	0.0	0.0	0.0	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
75	0.0	0.0	0.0	5.1	1.1	0.8	0.1	0.0	0.0	0.0	0.0	0.0
90	0.0	0.0	15.1	21.0	9.5	11.6	2.8	0.0	0.0	0.0	0.0	0.0

The USGS data for these comparable streams indicate Foster Creek at the Hillside Colony location would only be a source of water during spring snowmelt and periodic local rainstorms during the normal growing season. Foster Creek can not be considered a reliable source of water at the Hillside Colony location during periods of diminished precipitation.

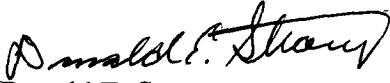
South Dakota Department of Game, Fish and Parks holds two Vested Rights (VR) for water flows from Foster Creek and local watersheds for Lake Byron and Mud Lake in Beadle County. VR587-2 authorizes 5000 acre-feet annually for fish and wildlife, recreation, and conservation purposes at Lake Byron. VR807-3 authorizes 240 acre-feet annually for recreation at Mud Lake. These are the only existing Rights for water flows from Foster Creek.

Capture of periodic high stream flows in the crossing dam should not adversely impair prior water rights or downstream domestic water use. Diverting the stored water at the rate of 0.44 cfs to irrigate a 10-acre garden plot should have minimal effect on the intermittent stream flow in Foster Creek.

Conclusions

1. Water Permit Application No. 6363-3, Hillside Colony, proposes to appropriate 0.44 cubic feet of water per second (197.5 gpm) from Foster Creek, Spink County, SD to irrigate a 10-acre garden plot. Water would be diverted at a small stream crossing rock-dam presently in place.
2. USGS data for comparable area streams indicate Foster Creek at the Hillside Colony location would only be a source of water during spring snowmelt and periodic local rainstorms during the normal growing season. Foster Creek can not be considered a reliable source of water at the Hillside Colony location during periods of diminished precipitation. The diversion rate and low volume of stored water could present irrigation problems during periods of low precipitation.
3. Capture of periodic high stream flows in the crossing dam should not adversely impair prior water rights or downstream domestic water use. Diverting the stored water at the rate of 0.44 cfs to irrigate a 10-acre garden plot should have minimal effect on the intermittent stream flow in Foster Creek.
4. If this application were approved, the existing crossing would be re-built to include a 36-inch culvert with a control gate and a concrete spillway. This would prevent washout of the crossing during high stream flows and allow capture of periodic rainstorm runoff during the

normal growing season. The surface elevation of the water stored in the dam would be controlled to remain within the banks of the existing streambed.



Donald E. Stroup
Natural Resources Project Engineer
DENR Water Rights Program

Reviewed by:



for Mark D. Rath
Natural Resources Engineering Specialist
DENR Water Rights Program

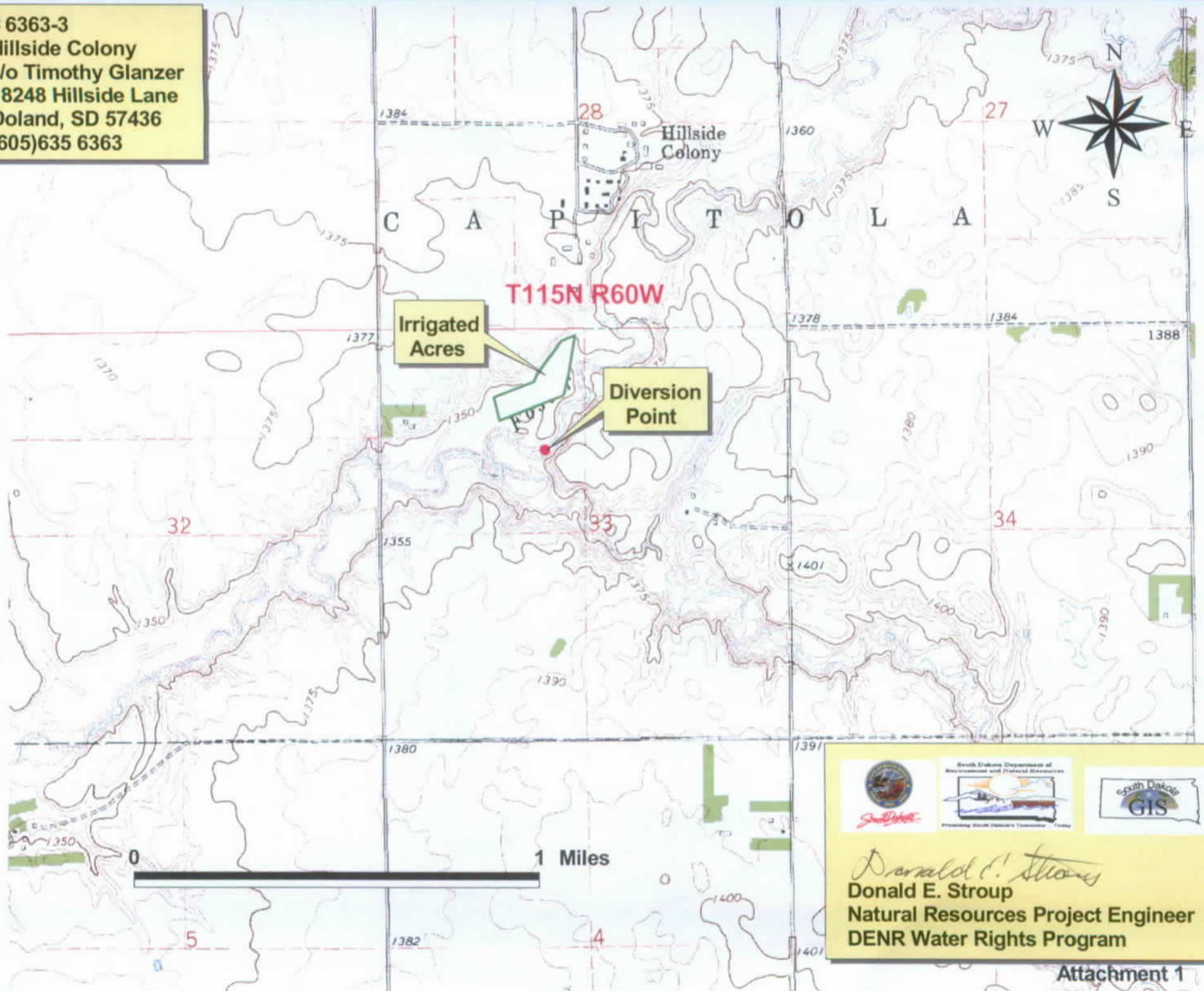
References

South Dakota Department of Environment and Natural Resources, Water Rights Program Records

USGS National NWISWeb Water Information System, Historical Stream Flow for South Dakota

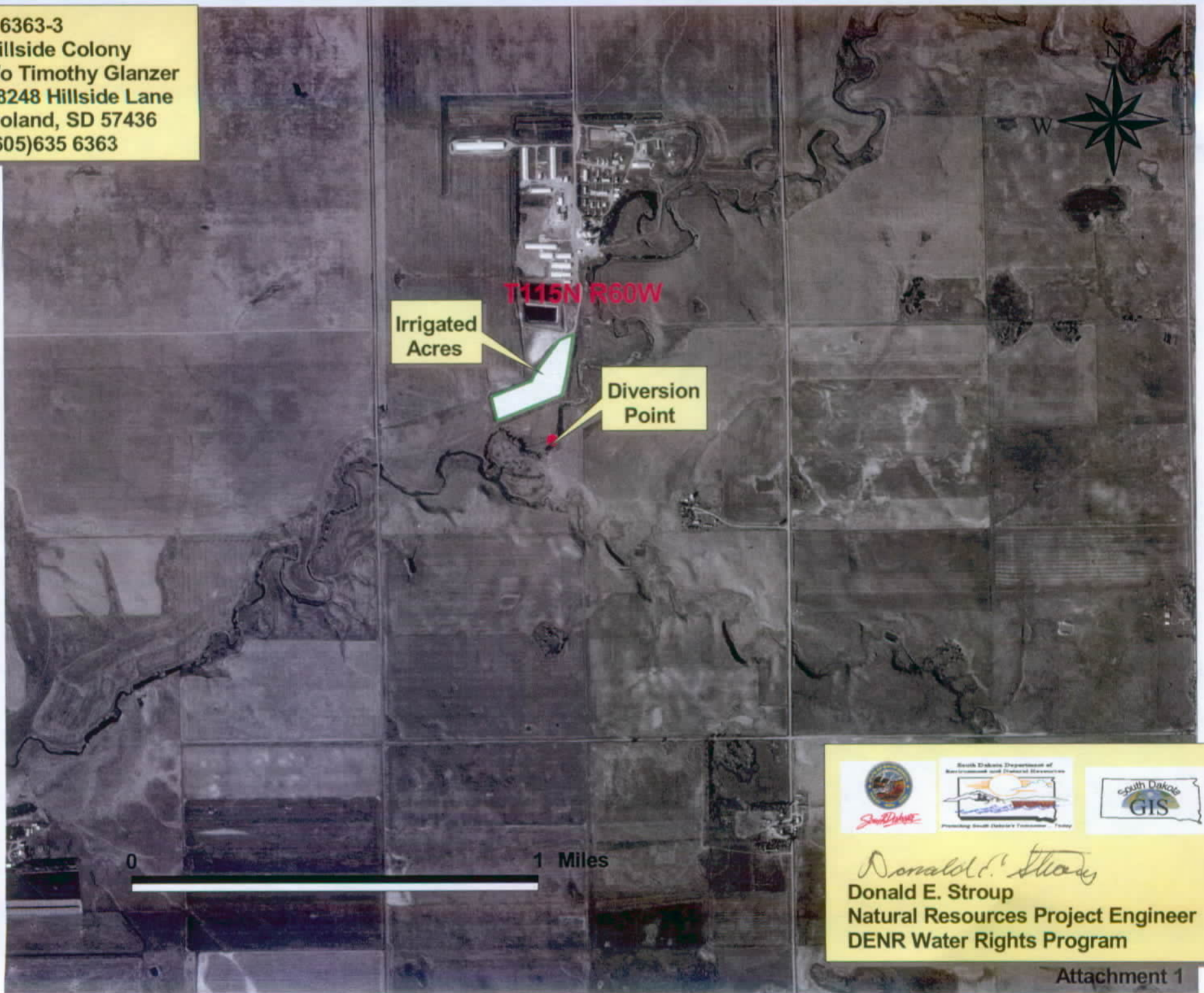
Verbal communications with Hillside Colony personnel

6363-3
Hillside Colony
c/o Timothy Glanzer
18248 Hillside Lane
Doland, SD 57436
(605)635 6363



Donald E. Stroup
Donald E. Stroup
Natural Resources Project Engineer
DENR Water Rights Program

6363-3
Hillside Colony
c/o Timothy Glanzer
18248 Hillside Lane
Doland, SD 57436
(605)635 6363



Donald E. Stroup
Donald E. Stroup
Natural Resources Project Engineer
DENR Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 23, 2002

Leslie Petersen
SD Dept. of Game, Fish and Parks
523 E. Capitol Avenue
Pierre SD 57501

Dear Leslie:

Please find enclosed a copy of the report, recommendation and notice regarding Water Permit Application No. 6363-3 filed by Hillside Colony. The application proposes to appropriate water from Foster Creek in Spink County.

If you have any question on the application, please contact Don Stroup or me.

Sincerely,

Eric Gronlund
Water Rights Program, DENR
773-4062

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 23, 2002

Doland Times Record
PO Box 223
Turton SD 57477-0223

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6363-3 to Appropriate Water to be published twice. Please publish the first notice on October 30, 2002 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 Hillside Colony, Timothy Glanzer, 18248 Hillside Lane, Doland, SD 57436 (Ph # 605-635-6363).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 6363-3

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

Date _____

We are in receipt of your letter of October 23, 2002 enclosing Notice of Hearing to Appropriate Water by Application No. 6363-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

October 23, 2002

Hillside Colony
% Timothy Glanzer
18248 Hillside Lane
Doland SD 57436

Dear Mr. Glanzer:

Water Permit Application No. 6363-3 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 Doland Times Record printed at Doland, SD (Ph # 605-897-6636). You will need to contact the newspaper and authorize publication of this notice. 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. Upon receiving authorization, 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 also 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.

Instruction to Newspaper - Publish first Notice on October 30, 2002 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6363-3 to Appropriate Water

Notice is given that Hillside Colony, c/o Timothy Glanzer, 18248 Hillside Lane, Doland SD 57436 has filed an application for a water permit to appropriate 0.44 cubic feet of water per second (cfs) from Foster Creek located in the E ½ NW ¼ Section 33 to irrigate a 10 acre garden located in the NE ¼ NW ¼ Section 33; all in T115N-R60W. Water will be diverted at a small rock dam crossing presently in place. The applicant has expressed an intent to re-build the crossing to include a 36 inch culvert with a control gate. The storage capacity of the dam is less than 5 acre feet of water. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6363-3 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 November 18, 2002.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Affidavit of Publication

NOTICE OF APPLICATION NO. 6363-3 TO APPROPRIATE WATER

Notice is given that Hillside Colony, c/o Timothy Glanzer, 18248 Hillside Lane, Doland SD 57436 has filed an application for a water permit to appropriate 0.44 cubic feet of water per second (cfs) from Foster Creek located in the E 1/2 NW 1/4 Section 33 to irrigate a 10 acre garden located in the NE 1/4 NW 1/4 Section 33; all in T115N-R60W. Water will be diverted at a small rock dam crossing presently in place. The applicant has expressed an intent to re-build the crossing to include a 36 inch culvert with a control gate. The storage capacity of the dam is less than 5 acre feet of water. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6363-3 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 November 18, 2002.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources. (10-30-11-6 2t)

STATE OF SOUTH DAKOTA

SS

County of Spink

I, Alina E. Becker, of said County of Spink and State of South Dakota, being duly sworn, on her oath says: The Doland Times-Record is a weekly newspaper of general circulation printed and published in Doland, Spink County and the State of South Dakota, by Alina E. Becker and has been such newspaper during the times hereinafter mentioned: that the Doland Times-Record is a legal newspaper and has been in existence for more than one year immediately preceding the first publication herein mentioned, and has more than two hundred bonafide subscribers: that I, the undersigned, am publisher of said newspaper in charge of the advertising thereof, and have personal knowledge of all the facts stated in this affidavit: and that the advertisements headed

Notice of Application

6363-3

a printed copy of which is hereto attached, was printed and published in the said

newspaper for two successive issues.

the first publication 27-26 10-30 2002

the second publication 21-81 11-6 2002

the third publication _____ 20_____

the fourth publication _____ 20_____

the fifth publication _____ 20_____

the sixth publication 79 lines 20_____

the seventh publication _____ 20_____

the eighth publication _____ 20_____

That \$ 49.07 being the full amount of the fee of publication of the annexed notice, insures solely to the benefit of the publisher of said newspaper: that no arrangement or understanding for a division thereof has been made with any person, and that no part thereof has been agreed to pay to any other person, whomsoever.

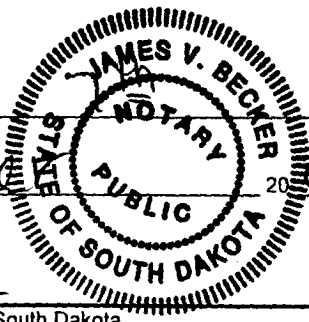
Alina E. Becker

Subscribed and sworn to before me this

day of November 2002

James V. Becker

Notary Public, Spink County, South Dakota



RECEIVED

NOV 12 2002

WATER RIGHTS PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 19 2003

Hillside Colony
% Timothy Glanzer
18248 Hillside Lane
Doland SD 57436

Dear Mr. Glanzer:

Enclosed is Water Permit No. 6363-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

6363-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 13, 2005

Timothy Glanzer
Hillside Colony
18248 Hillside Lane
Doland SD 57436

Dear Mr. Glanzer:

I am writing to inquire about the irrigation questionnaire Hillside filed for irrigation of a garden area. You included a map showing the area irrigated in 2005 as being located in Section 28, T115N, R60W. This area does not match the area authorized by Colony's Water Permit No. 6363-3.

Water Permit No. 6363-3 appropriates 200 gallons per minute from Foster Creek located in the E ½ NW ¼ Section 33 to irrigate a 10 acre garden located in the NE ¼ NW ¼ Section 33, in T115N, R60W. A copy of the permit, application and map is enclosed.

Based on your submittal it appears that Hillside is irrigating lands outside the boundaries of their permit. The enclosed map outlines the area you indicated was being irrigated in 2005 and the land authorized by Permit No. 6363-3. If you are irrigating different lands than what is authorized by Hillside's permit, an application will need to be submitted to change the location of the acres to be irrigated. If acres are being irrigated in addition to the 10 acres authorized by the existing permit, a new application is needed for the additional acres.

I have enclosed application forms. Please feel free contact me if you have any questions about water right permitting requirements.

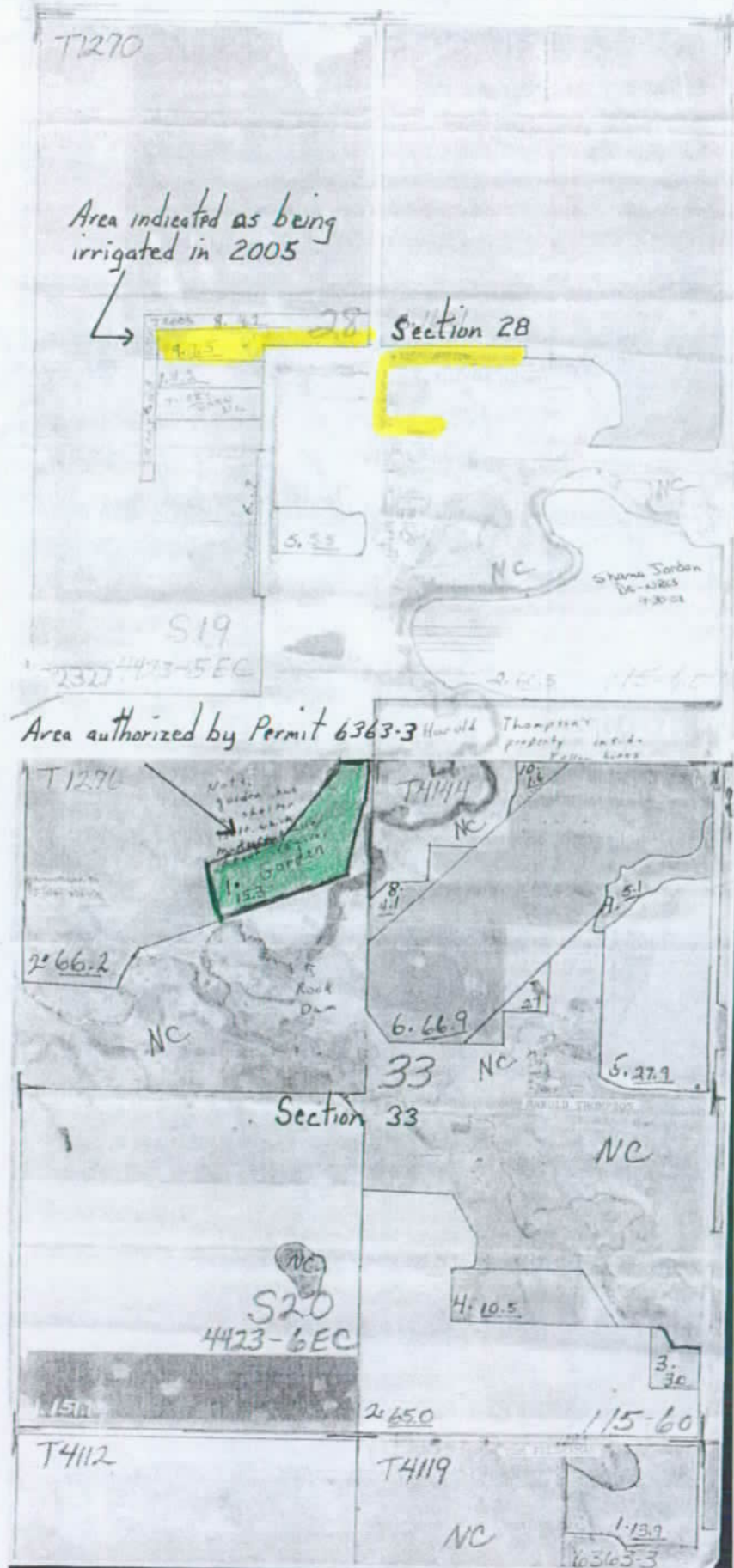
Sincerely,

Eric Gronlund
Water Rights Program, DENR
(605) 773-3352

enclosure

NE-23-115-60

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP



MAP NOT TO SCALE 6363-3
THIS IS NOT AN OFFICIAL WETLAND MAP.

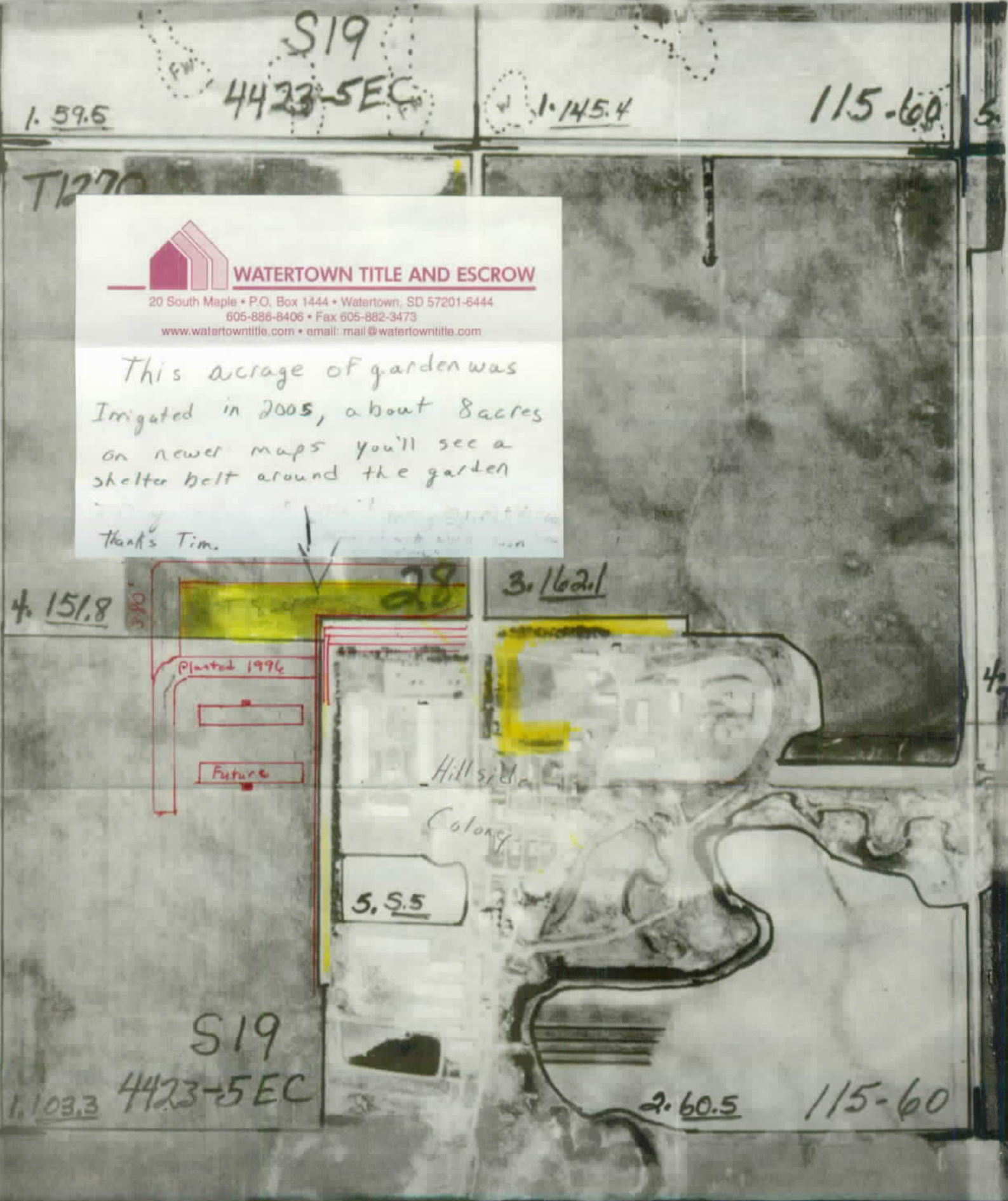


WATERTOWN TITLE AND ESCROW

20 South Maple • P.O. Box 1444 • Watertown, SD 57201-6444
605-886-8406 • Fax 605-882-3473
www.watertowntitle.com • email: mail@watertowntitle.com

This acreage of garden was
Irrigated in 2005, about 8 acres
on newer maps you'll see a
shelter belt around the garden

Thanks Tim.





6363-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2017

NOTICE

TO: HILLSIDE COLONY, TIMOTHY GLANZER, 18248 HILLSIDE LANE, DOLAND, SD 57436
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program 
SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6363-3 & 6692-3. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 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) 6363-3 & 6692-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 6363-3 & 6692-3 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 before the **March 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



6363-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 1, 2017

6363-3
6692-3

Thomas Glanzer
Hillside Colony
18248 Hillside Lane
Doland SD 57436

Dear Mr. Glanzer:

Thank you for stopping by the office with Mr. Waldner on Monday to talk about the colony's water permits and also to submit the 2016 irrigation questionnaires.

You may disregard the January 20, 2017, "Notice" concerning the irrigation questionnaire annual reporting requirements for Water Permit Nos. 6363-3 and 6692-3. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

Water Rights Program - DENR
Conversation File Documentation

Nos. 6363-3 & 6692-3

NAME OF PERSON OR FILE: Hillside Colony, Water Permit Nos. 6363-3 & 6692-3

ADDRESS: COUNTY: Spink County

DATE: January 31, 2017 TELEPHONE:

RE: Office visit by Thomas Glanzer and Henry Waldner

Mr. Glanzer and Mr. Waldner stopped in the office to discuss Hillside Colony's water rights.

Hillside holds two water permits to divert water from Foster Creek for irrigation of garden areas. The area authorized by Permit No. 6363-3 is no longer a garden area since it is susceptible to flooding. The area authorized by No. 6692-3 is supplied by a well. Foster Creek has not been used as a source for irrigation since about 2006. Mr. Glanzer believes the reason Foster Creek is not used as a water supply is that too many weeds occurred in the garden area as a result of using this source.

Mr. Glanzer and Mr. Waldner were agreeable to cancellation of the irrigation portion of the Permit Nos. 6363-3 and 6692-3. However, both permits authorize the existing dam with a storage capacity of up to 5 acre feet of water on Foster Creek. The impounded water is used for livestock watering. I explained SDCL 46-5-31.3 which allows when the irrigation use from a storage dam is abandoned or forfeited but the storage dam is used for stock watering, stock watering may be added to the license or permit upon the request of the permit or license holder. They indicated a desire to retain the storage dam on the permit. I explained they'd receive notice of cancellation of the irrigation portion and once the irrigation component is cancelled, the permit will be reissued for solely the dam for livestock watering.

There is continuing dialogue regarding the use of the well for drip irrigation. If the diversion does not exceed 18 gpm by drip irrigation for noncommercial purposes, a permit is not required.

NAME: Eric Hendrickson



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2022

NOTICE

TO: HILLSIDE COLONY, THOMAS A GLANZER, 18248 HILLSIDE LANE, DOLAND, SD 57436

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

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6363-3, 6692-3 & 8266-3. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 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) 6363-3, 6692-3 & 8266-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 6363-3, 6692-3 & 8266-3 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 before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: PWYDGW**

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.

6363-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 24, 2022

6363-3
6692-3
8266-3

Thomas A Glanzer
Hillside Colony
18248 Hillside Ln
Doland SD 57436

Dear Mr. Glanzer:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Permit Nos. 6363-3, 6692-3 and 8266-3. 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
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

**Report of Examination of Works and/or Application of Water to
Beneficial Use
For Permit No. 6363-3**

I have this day, November 5, 2025, made a thorough examination of the water use system constructed by Hillside Colony, 18248 Hillside Ln, Doland, SD 57436 of Permit No. 6363-3, bearing the priority of September 19, 2002 authorizing the diversion of 0.44 cu. ft. per second of the waters of the Foster Creek for irrigation purposes, in Spink County.

F. Comments or other permit(s) associated with the project:

The irrigated garden acreage has been moved from Section 33 to Section 28 (See Permit 8266-3) due to Foster Creek flooding issues.

This Permit should be terminated.



Darrell DeBoer
Water Rights Inspector
DENR, Water Rights Program

Date report completed: November 14, 2025

File No. 6363-3, 6692-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Hillside Colony, C/O Tim Glanzer, 18248 Hillside Lane, Doland, SD 57436

DATE: June 11, 2026

TELEPHONE: 605-460-1136

RE: Cancellation

COMMENTS:

I reached out and spoke with Mr. Glanzer about these two properties after receiving the Inspection report from one of our field engineers. Mr. Glanzer stated that both properties have been moved due to Foster Creek flooding and the water is very dirty. He is now using his well water for irrigation. He stated he would like to cancel both of these permits because he has no intention of ever using Foster Creek for irrigation purposes.

Shannon Konst

Shannon Konst
Water Rights Program



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

September 4, 2026

NOTICE OF CANCELLATION

TO: Hillside Colony, C/O Timothy Glanzer, 18248 Hillside Lane, Doland, SD 57436

FROM: Amanda Dewell, Permitting Administrator
SD DANR – Water Rights Program 

SUBJECT: Cancellation of Water Permit Nos. 6363-3 & 6692-3

Water Permit No. 6363-3, authorizes the diversion of 0.44 cubic feet of water per second from Foster Creek for irrigation of a 10-acre garden. Water Permit No. 6692-3 authorizes an additional 10 acres to what was authorized by Water Permit No. 6363-3. The gardens were to be located in portions of Sections 28 & 33; all in T115N-R60W. During a recent phone conversation with Water Rights Program staff, you confirmed that both above-mentioned permits could be cancelled since you are now irrigating from a well, with no intention of resuming use of Foster Creek for irrigation. The Chief Engineer of the Water Rights Program is recommending cancellation of Water Permit Nos. 6363-3 & 6692-3 due to abandonment.

The Water Management Board will consider cancellation of Water Permit Nos. 6363-3, 6692-3 at **9:30 am, Wednesday, October 7, 2026 (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD (*the agenda time is an estimate, and the actual time of hearing may be later*).

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 Permit Nos. 6363-3, 6692-3, based upon facts presented at the public hearing. Our records show you to be the owner of the property covered by these water permits. 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 **September 14, 2026**. 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 hearing 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-8; 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.

September 4, 2026
Water Permit Nos. 6363-3 & 6692-3

This hearing is an adversarial proceeding. 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 **September 14, 2026**.

Prior to **September 14, 2026**, 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.

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 **September 14, 2026**.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

RECOMMENDATION OF THE CHIEF ENGINEER

FOR WATER PERMIT NOS. 6363-3 & 6692-3, HILLSIDE COLONY

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 Agriculture and Natural Resources concerning Water Permit Nos. 6363-3 & 6692-3.

Water Rights Program staff reached out and spoke with Mr. Glanzer regarding Water Permit Nos. 6363-3 and 6692-3. He stated that due to Foster Creek flooding and how dirty the water is, he is now using a well for irrigation. He agreed to the cancellation of both Permit Nos. 6363-3 & 6692-3 and has no intention of using Foster Creek for irrigation.

The Chief Engineer is recommending cancellation of the above water permits due to abandonment.

Adam Mathiowetz, PE
Chief Engineer, Water Rights Program
SD Department of Agriculture and Natural Resources
September 4, 2026

Note:

Cancellation of these water permits does not prohibit a new application for this project in the future.

CERTIFICATION

The undersigned hereby certifies under the penalty of perjury that I have personally deposited a true and correct NOTICE OF CANCELLATION & RECOMMENDATION dated September 4, 2026, into the United States Mail in Pierre, South Dakota, first class postage prepaid to the following Water Permit and Right holders on September 4, 2026.

WP No. 8165-3

Silver Lake Hutterian Brethren
c/o John Grosz
17354 430th Ave
Clark SD 57225

WP No. 6468-3

Town of Alpena
c/o Finance Officer
PO Box 75
Alpena SD 57312

WR Nos. 293-2 & 294-2

GCC Dacotah Inc
c/o Steve Zellmer
PO Box 360
Rapid City SD 57709

WR No. 5577-3

Curtis Foster
42430 116th St
Britton SD 57430

WR No. 881-2

Ryan Edwards
749 W 5th St
Winner SD 57580

WP No. 2800-2

Janice Tetherow
105 W 2nd St
Valentine NE 69201

WR No. 2482-3 & WP No. 6789-3

Allen & Becky Walth
13640 Walth Bay Rd
Glenham SD 57631

WP No. 7846A-3

Marvin Czech
45848 176th St
Watertown SD 57201

WR No. 950-2

Malon Burtz
30310 Pahapesto Buttes Rd
Winner SD 57580

WR No. 2370-2

KW Holding LLC
c/o Kory Weisbeck
2453 S Plaza Dr
Rapid City SD 57702

WR No. 5579-3

Nels J Sorensen
c/o Grant Sorensen
200 Mickelson Ave
Vermillion SD 57069

WP No. 7429-3

Sorensen Family Farm LLC
c/o Grant Sorensen
2903 Sorensen Ave
Vermillion SD 57069

WP Nos. 6363-3 & 6692-3

Hillside Colony
c/o Timothy Glanzer
18248 Hillside Ln
Doland SD 57436

WP No. 8886-3

Pronghorn Land LLC
c/o Brian Top
2132 32nd Ave
Brookings SD 57706

WR No. 2130-2

Sandee & Tom Yordy
21436 297th St
Martin SD 57551

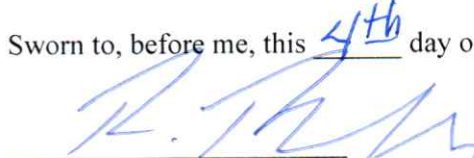

Laura Laufenberg
Senior Secretary

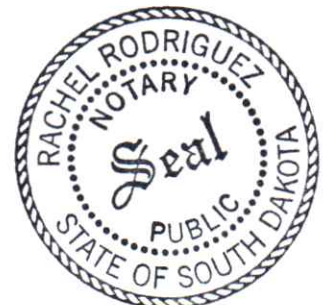
STATE OF SOUTH DAKOTA)

) SS

COUNTY OF HUGHES)

Sworn to, before me, this 4th day of September, 2026.


Rachel Rodriguez Notary Public
My Commission expires May 16, 2029





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

October 8, 2026

No. 6363-3 & No. 6692-3

NOTICE OF ENTRY OF ORDER

Hillside Colony
C/O Timothy Glanzer
18248 Hillside Lane
Hitchcock, SD 57348

Dear Mr. Glanzer:

This will notify you that on October 7, 2026, the Water Management Board cancelled your Water Permit Nos. 6363-3 & 6692-3 . This action was taken under the conditions outlined in our notice to you dated September 4, 2026.

If you have any questions concerning the Board action, please contact Amanda Dewell, with our program, at (605) 773-3352.

Sincerely,

Adam Mathiowetz, PE, Chief Engineer
SD DANR – Water Rights

CERTIFICATION

The undersigned hereby certifies under the penalty of perjury that I have personally deposited a true and correct NOTICE OF ENTRY OF ORDER dated October 8, 2026, into the United States Mail in Pierre, South Dakota, first class postage prepaid to the following Water Permit and Right holders on October 8, 2026.

WP No. 8165-3

Silver Lake Hutterian Brethren
c/o John Grosz
17354 430th Ave
Clark SD 57225

WP No. 6468-3

Town of Alpena
c/o Finance Officer
PO Box 75
Alpena SD 57312

WR Nos. 293-2 & 294-2

GCC Dacotah Inc
c/o Steve Zellmer
PO Box 360
Rapid City SD 57709

WR No. 5577-3

Curtis Foster
42430 116th St
Britton SD 57430

WR No. 881-2

Ryan Edwards
749 W 5th St
Winner SD 57580

WP No. 2800-2

Janice Tetherow
105 W 2nd St
Valentine NE 69201

WR No. 2482-3 & WP No. 6789-3

Allen & Becky Walth
13640 Walth Bay Rd
Glenham SD 57631

WP No. 7846A-3

Marvin Czech
45848 176th St
Watertown SD 57201

WR No. 950-2

Malon Burtz
30310 Pahapesto Buttes Rd
Winner SD 57580

WR No. 2370-2

KW Holding LLC
c/o Kory Weisbeck
2453 S Plaza Dr
Rapid City SD 57702

WR No. 5579-3

Nels J Sorensen
c/o Grant Sorensen
200 Mickelson Ave
Vermillion SD 57069

WP No. 7429-3

Sorensen Family Farm LLC
c/o Grant Sorensen
2903 Sorensen Ave
Vermillion SD 57069

WP Nos. 6363-3 & 6692-3

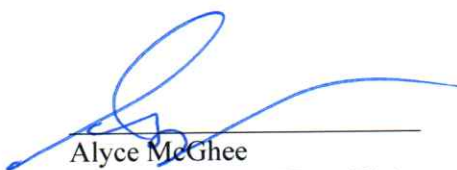
Hillside Colony
c/o Timothy Glanzer
18248 Hillside Ln
Doland SD 57436

WP No. 8886-3

Pronghorn Land LLC
c/o Brian Top
2132 32nd Ave
Brookings SD 57706

WR No. 2130-2

Sandee & Tom Yordy
21436 297th St
Martin SD 57551


Alyce McGhee
Senior Secretary-Water Rights

STATE OF SOUTH DAKOTA)

) SS

COUNTY OF HUGHES)

Sworn to, before me, this 8th day of Oct, 2026


Rachel Rodriguez Notary Public
My Commission expires May 16, 2029

