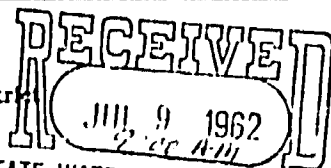


998-3

1. Considered 9-19, 1960
2. Name of Applicant Dean Brumfield
3. Post Office Address Enoch
4. Amount of water claimed 42
5. Source of water supply Surface runoff
6. Water to be used for irrigation
Acres to be irrigated 30
7. Water to be diverted and used in St. Johns County
40 60 miles of Enoch
8. Proof of Publication Received ✓
Not Received
9. Application Approved A
Subject to
Not Approved
Action deferred
10. Remarks: SEE LETTER

No. 998-3Water Division No. 3 Missouri River District
(Blanks to be filled by the Engineer for the W. R. C.)

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

(NOTE—Draw a line through items not applicable.)

1. Name of applicant Dean Schumacher
 Postoffice address RR #1, Box 61, County McPherson, State South Dakota
Eureka

I. If a corporation—

- (a) Name of same _____
 (b) Date and place of incorporation _____
 (c) Amount of capital stock _____
 (d) Amount paid in _____
 (e) Names and addresses of directors _____

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

- (b) Cash on hand, \$ _____ (c) Treasury stock, \$ _____
 (d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work—

3. Amount of water claimed 42 CFS
6.9 Acre feet cubic feet per second per storm runoff4. Source of water supply Surface Runoff5. Location of point of diversion See Attached map

_____ on _____ bank _____ County.

6. Annual period or periods during which water is to be used During periods of runoff

7. To be used for:

- I. Irrigation, or domestic use: Gravity, overhead sprinkling or combination system?
- Interspreeding

(a) Number of acres to be irrigated 30 acres.(b) Legal subdivisions to be irrigated SP4-SM-S62-31-T128N-R73W

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acres & thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) _____

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use _____
Name any of the above uses claimed

(b) Amount of power to be generated _____ horse power.

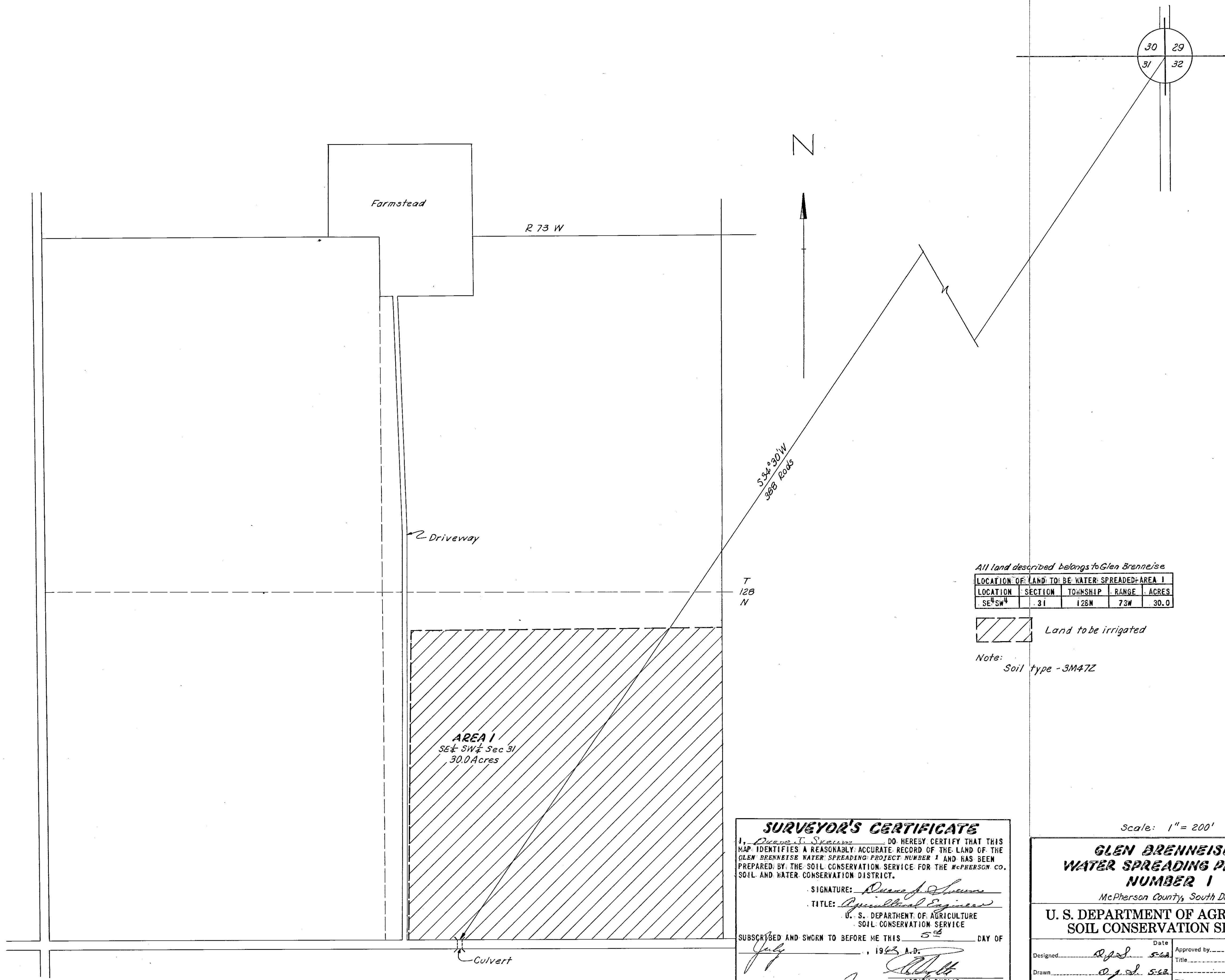
Amount claimed for engine cooling _____

(c) Location of plant _____

(d) Method of developing power _____

(e) Point where water will be returned to stream _____

MAP No 642-3



All land described belongs to Glen Brenneise

LOCATION OF LAND TO BE WATER SPREADED-AREA I				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
SE 1/4 SW 1/4	31	128N	73W	30.0

 Land to be irrigated

Note: Soil type - 3M47Z

Scale: 1" = 200'

SURVEYOR'S CERTIFICATE

I, Dennis T. Skowron DO HEREBY CERTIFY THAT THIS MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF THE GLEN BRENNIESE WATER SPREADING PROJECT NUMBER 1 AND HAS BEEN PREPARED BY THE SOIL CONSERVATION SERVICE FOR THE MCPHERSON CO. SOIL AND WATER CONSERVATION DISTRICT.

SIGNATURE: Dennis T. Skowron
TITLE: Agricultural Engineer
U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBSCRIBED AND SWORN TO BEFORE ME THIS 5th DAY OF July, 1963 A.D.
[Signature] NOTARY PUBLIC
MY COMMISSION EXPIRES July 12th, 1968.

**GLEN BRENNIESE
WATER SPREADING PROJECT
NUMBER 1**

McPherson County, South Dakota

**U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE**

Designed <u>D.T.S.</u>	Date <u>5-6-63</u>	Approved by <u>[Signature]</u>	Title <u>[Blank]</u>
Drawn <u>D.T.S.</u>	Date <u>5-6-63</u>	Title <u>[Blank]</u>	
Traced <u>[Blank]</u>	Sheet <u>No. 1</u>	Drawing No. <u>[Blank]</u>	
Checked <u>[Blank]</u>	of <u>1</u>		

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, SEPTEMBER 21, 1962

This is to certify that the foregoing application was received by the Commission at 9:00 o'clock
a.m. upon the 9TH day of JULY, 1962.

State Water Resources Commission

By:

Burt Jones
for Chief Engineer, Executive Officer

Number of permit 998-3

Date of first receipt of application JULY 9, 1962

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

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right JULY 9, 1962

Approved SEPTEMBER 19, 1962 Record Book 7 Page 179

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 19, 1963

2nd. The whole of said work is to be completed on or before SEPTEMBER 19, 1964

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 19, 1965

4th. The water appropriated shall be used for the purpose of IRRIGATION

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed .42 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

and beneficially applied for irrigation on or before SEPTEMBER 19, 1965; said water to be used during the following described annual period:

During periods of runoff
Witness my hand this 21ST day of September, 1962

State Water Resources Commission

By:

Burt Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License issued _____, 19____

Remarks by the Applicant:

The purpose of this system is to spread water on tame hay and also prevent this same water from flooding the barnyard. The watershed is about 320 acres.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 998-3

(1) WHEREAS, On the 9th day of July A. D. 19 62
Glenn Brenneise

made Water Right Application No. 998-3 for a permit to use .42 cubic feet per second of the waters
of local runoff

County of DePhorson State of South Dakota, for Irrigation

purposes; and
(2) WHEREAS, On the 19th day of September A. D. 19 62
Permit No. 998-3, with a date of priority of July 9, 1962

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 19th day of September A. D. 19 64 and for the
application to beneficial use of said water on or before the 19th day of September A. D. 19 65

WHEREAS, on the 16th day of March 1981 this Permit No. 998-3 was transferred to
Dean Schumacher, RR #1, Box 61, Bureka SD

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert .42 cubic feet
per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to the application of water to beneficial use of the following extent,

to irrigate 30 acres in the SE 1/4, Section 31, T128N, R73W

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Dean Schumacher

_____ of Eureka SD

the holder _____ and owner _____ of said permit No. 999-3 a water right, dating from _____

July 9, 1962 to use of .42 cubic feet per second of the waters of local runoff

in the County of McPherson and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point south 34° 30' west, 300 rods from the NE corner, Section 31, T128N, R73W

and conducted to and upon 30 acres of land in the SE 1/4 Section 31, T128N, R73W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 999-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 16th day of March A. D.
Nineteen Hundred and Eighty-one

WATER MANAGEMENT BOARD

By:

John Patch
Chief Engineer, Executive Officer
JOHN PATCH

Permit No. 998-3

Water Diversion No. 3 Missouri River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Dean Schumacher

_____ the holder _____ of
Permit No. 998-3, issued upon Application No. 998-3, bearing date of priority of July 9, 1962
_____ authorizing the diversion of .42 cu. ft. per second of the waters of _____
local runoff _____ County of McPherson, State of South Dakota at _____
a point south 34° 30' west, 388 rods from the NE corner, Section 31,
T128N, R73W
_____, for _____ irrigation

purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 10 cu. ft. per second of water.

Date March 16, 1981

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF McPHERSON

Kenneth G. Herr of said county being first duly sworn, on oath says that he is the publisher of The Northwest Blade, a weekly newspaper printed and published in Eureka in said County of McPherson and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least 200 copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the advertisement, a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for four successive weeks, on the day of each week on which said newspaper was regularly published, to wit:

August 16	1962;	19....
August 23	1962;	19....
August 30	1962;	19....
September 6	62	19....
.....	19....;	19....
.....	19....;	19....
.....	19....;	19....

that the full amount of the fees for the publication of the annexed notice is \$4.84

Subscribed and sworn to before me this 6th day of September 1962

County of McPherson, South Dakota

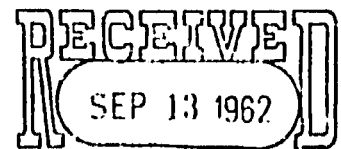
APPROPRIATION OF WATER

Office of State Water Resources Commission,
Pierre, S. Dak., July 31, 1962.
Notice is hereby given that Glenn Brenneise whose postoffice address is Eureka, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use .12 cubic feet of water per second of time from the surface runoff through his waterspreading project, the point of diversion of which is to be located in the SE 1/4 of the SW 1/4 of Section 31 Twp. 128N Range 73W. Said water to be used for the purpose of providing irrigation on the following described land: SE 1/4 SW 1/4, Section 31, T 128N, R 73W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 19th day of September, 1962, at 2 p. m. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission
By: BURTON F. JONES
Water Right Specialist
S-16-23-30-3-6-62



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

(First publication ~~on or before~~ August 23, 1962)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., July 31, 1962

Notice is hereby given that Glenn Erenneise whose postoffice address is Eureka S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 112 cubic feet of water per second of time from the surface runoff through the his ~~waterspreading project~~, the point of diversion of which is to be located on the ~~bank of said stream in the~~ SE 1/4 of the SW 1/4 of Section 31 Twp. 128N Range 73W. Said water to be used for the purpose of providing irrigation on the following described land:

SE 1/4, SW 1/4, Section 31, T. 128N, R. 73W

and for DURDES

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 19th day of September, 1962 at 2 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

cc: Kenneth S. Herr - Publisher
Northwest Blade
Eureka, South Dakota

State Water Resources Commission

By:

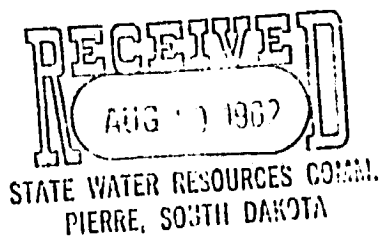
Chief Engineer, Executive Officer
~~XXXXXXXXXXXXXXXXXXXX~~
BURTON F. JONES
Water Right Specialist

Furber, S. Dak
August 23, 1962

Dear Sirs;

In connection with the notice in our local newspaper for the appropriation of water rights which is enclosed. We have land which touches this land described. We would like to know if it will affect us in any way for water right in years to come. We would like this information as if at all possible sent an answer before the application is taken up at your meeting. As it is very inconvenient for us to appear in person.

Sincerely yours,
Leo Hruschka
Furber, S. Dak



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

Joe Foss Building Water Rights Division (605) 773-3352
Pierre, South Dakota 57501

March 5, 1981

Dean Schumacher
RR #1, Box 61
Eureka, SD 57437

Dear Mr. Schumacher:

Per our telephone conversation of this date, enclosed please find a Form 20, Notice of Transfer of Water Permit". The form should be checked over, signed, dated and notarized before returning it to this office with the required filing fee of \$2.50. The Permit will then be transferred to your name.

In checking over the file, it was found that the Permit system was inspected November 29, 1972 and has been ready to be issued a Water License since that time. State Statutes require that a \$12.00 fee be charged for issuance and inspection of the Water License. Several attempts were made to obtain the fee from Mr. Brenneise in order to issue the License, but the fee was never received. Please remit this amount and the Water License can be issued.

Enclosed for your information is a copy of the Water Right Permit. If you have any questions, do not hesitate to contact this office. Thank you for your assistance in this matter.

Sincerely,

GENNY YOUNG
Staff Assistant

gy

encl: Form 20
Permit No. 998-3

Equal Opportunity Employer

NR-101-9/79

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 8078

RECEIVED OF Dean Schumacher, RR #1, Box 61, Eureka, SD 57437 PIERRE, March 16, 1991
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____		
Fee for inspecting Construction, and Issuing Cert. of Construction No. _____		
Fee for inspecting Beneficial Use, and Issuing Water License No. _____		
Fee for issuing Location Certificate-Dry Draw, No. _____		
Fee for filing <u>transfer of WR #998-3</u>		2.50
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL		2.50

WATER RIGHTS COMMISSION

By (John Hatch)
Chief Engineer, Executive Officer
JOHN HATCH / (E)

4
DIVISION OF
WATER RIGHTS
Tierre, SD

Date: 2/26/81

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

formerly owned by Glenn Brenneise

has been transferred to Dean Schumacher, RR #1, Box 61, Eureka, SD 57437

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

Water Right Permit No. 998-3 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

[illegible]

1. Dean J. Schumacher being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read
the above foregoing statement, and I know of my own personal knowledge that the infor-
mation herein stated is true.

(Signed)

Subscribed and sworn to before me this 11 Day of March, 1981.

Arthur Schmaechel
(Notary Public)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8079

PIERRE, March 16, 1981

RECEIVED OF Dean Schumacher, RR #1, Box 61, Eureka, SD 57437

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

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____		
Fee for Inspecting Construction, and Issuing Cert. of Construction No. _____		
Fee for inspecting Beneficial Use, and Issuing Water License No. 998-3	12	00
Fee for issuing Location Certificate-Dry Draw, No. 998-3		
Fee for filing _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL	12	00

WATER RIGHTS COMMISSION

By *(Signature)*
Chief Engineer, Executive Officer
JOHN HATCH / CE

Permit No. 998-3Water Division 3 MISSOURI RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by GLENN
BRENNEISE of EUREKA holder_____
 of Permit No. 998-3, bearing date of priority of JULY 9, 1962
 authorizing the diversion of .42 cu. ft. per second of the waters of LOCAL RUNOFF
 for IRRIGATION purposes, in MCPHERSON County.

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

The Water Use System consists of,

A. Works used to divert the water:

EXISTING COUNTY ROAD W/ 30" CMP CULVERT

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

INTERCEPTING DIKES

C. Works used to apply water to beneficial use.

WATER SPREAD ON RELATIVELY LEVEL LAND
BY SERIES OF SPREADER DIKESThe system is in the following condition: VERY GOODThe point of diversion is located S 34° 30' W, 388 RODS FROM THE
NE CORNER, SECTION 31, T128N, R73WThe works are capable of diverting and conveying to the place of use 112 CFScu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows: _____

30 ACRES IN THE SE¹SW⁴, SECTION 31, T128N, R73Wcomprising a total of 30 acres of land.Date NOVEMBER 29, 1972Auston [Signature]
(Signature)WATER RIGHT SPECIALIST
WATER RESOURCES COMMISSION