

SD Water Management Board
PMB 2020
Water Rights
Joe Foss Building
523 E Capital
Pierre, SD 57501

RECEIVED
JUL 16 2015
WATER RIGHTS
PROGRAM

Tuesday, July 14, 2015

To Whom It May Concern:

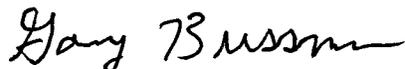
It was brought to my attention in order to get the 43-17-39 petition to delete from, list of streams requiring gates I needed to have a request form in no later than August 1, 2015. This is my formal request to delete this law requiring gates to be up on creek crossings in Davison County.

I have collected several signatures of residence that agree with this petition to delete this law. I am at my wits end with this. I have complied with the law of having gates on the streams, Firesteel Creek, yet people who chose to participate in activities, like kayaking, do not feel the need to close these gates. This leaves us landowners liable for any injuries that may occur as a result. A good example I am referring to would be from 2 years ago, on several incidences, when we had this same issue with a kayaker opening our creek crossing gates and not closing them. This resulted in our cattle get out on the road and getting hit by cars, leaving us liable. We are still dealing with this today. Our neighbors are in these same situations.

I went around to my neighbors and was not turned down once for signing this petition to change this law. I have enclosed photos to show Firesteel Creek is not a navigable creek. There are several areas that are not passable leaving the kayaker trespassing on landowners land. If the kayaker would get injured in picking up their kayak and walking on my land then I am left liable. We landowners have much more to loose.

Davison County is the only county on Firesteel Creek that has this law. We would sure like to change this. Please highly consider our request.

Respectfully,



Gary Bussmus

We the people, who have signed below, are petitioning to delete the law of requiring gates or openings across the navigable stream or portions of the stream on Firesteel Creek in Davison County.

- | | |
|------------------------|-------------------------------|
| 1.) Gary Bussmer | 22.) Gary Dief |
| 2.) Blessing | 23.) [Signature] |
| 3.) [Signature] | 24.) Larry Hays |
| 4.) [Signature] | 25.) [Signature] |
| 5.) [Signature] | 26.) Peter Thym |
| 6.) Darrel Stebley | 27.) Harvey Furberg |
| 7.) Thomas Smith | 28.) [Signature] |
| 8.) Thomas Greenway | 29.) [Signature] |
| 9.) [Signature] | 30.) [Signature] |
| 10.) Kevin Hove | 31.) [Signature] |
| 11.) Dawn Nemece | 32.) Ouellet [Signature] |
| 12.) Kim Nemece | 33.) Dal Math |
| 13.) [Signature] | 34.) Barry [Signature] |
| 14.) [Signature] | 35.) Jim [Signature] |
| 15.) [Signature] | 36.) Ken [Signature] |
| 16.) Rita Bussmer | 37.) [Signature] |
| 17.) Kenneth Bussmer | 38.) [Signature] John BLASIER |
| 18.) Betty [Signature] | 39.) Tammy [Signature] |
| 19.) Greg [Signature] | 40.) Lynn [Signature] |
| 20.) [Signature] | 41.) [Signature] |
| 21.) Ken Schockerman | 42.) [Signature] |

- 43.) ~~Durkin~~
- 44.) ~~Blairde Hanson~~
- 45.) ~~Todd A. Humm~~
- 46.) ~~Ray O. Hanson~~
- 47.) ~~A. Hanson~~
- 48.) ~~Eric Bond~~
- 49.) ~~Peggy Greenway~~
- 50.) ~~Broad Coney~~
- 51.) ~~Tommy Rich~~
- 52.) ~~Charles M. Proyer~~
- 53.) ~~Sam Peary~~
- 54.) ~~Clayton~~
- 55.) ~~John W. Jones~~
- 56.) ~~Lucas Jones~~
- 57.) ~~James J. Jensen~~
- 58.) ~~Rodney Muhs~~
- 59.) ~~Becky Muhs~~
- 60.) ~~Vonda Buson~~
61. ~~Laura Vandervulke~~
62. ~~Julie Vandervulde~~
63. ~~John S. V. Vets~~
64. ~~Harvey T. Kelley~~
65. ~~Peggy T. Kelley~~