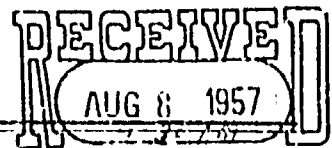


1. Considered June 6, 1990 Appl. No. 0612-2-5
2. Name of Applicant Thos. E. Riple
3. Post Office Address 1111 S. 2nd St.
4. Amount of water claimed 1000
5. Source of water supply State of Kansas
6. Water to be used for irrigation
Acres to be irrigated 1000
7. Water to be diverted and used in Butler County about 10 miles of the river.
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved ✓
Subject to Rec. of Prof. & Publ.
Not approved _____
Action deferred _____
10. Remarks: See also 0612-2-5
and 0612-2-6
1990



No. 0618-2 B

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTAWater Division No. 2 Fall River District
(Blank to be filled by the Engineer for the W. R. C.)TRANSFER
APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

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

1. Name of applicant Tom Ripke and Elizabeth E. Ripke
Postoffice address Hot Springs, County Fall River, State South Dakota

- 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

completed by former owners

(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 none

3. Amount of water claimed .03 cubic feet per second

4. Source of water supply Cold Brook

5. Location of point of diversion same as that for Ernest Oellrich—NW 1/4, SE 1/4 Sec. 11, T. 7 S., R. 11 E., B.H.M., at Cold Brook Dam on Cold Brook/East bank Fall River County.

6. Annual period or periods during which water is to be used April through September

7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? gravity and pump

(a) Number of acres to be irrigated 2 acres.

(b) Legal subdivisions to be irrigated Lots 1 to 8 inclusive, Block 3; Lot 1, Block 4, and 26 ft. strip to west of said lots, Germond's Gold Brook

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.) Addition to town (now city) of Hot Springs, South Dakota

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

household use on above property

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

(a) Nature of use household
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 none

8. Estimated cost of work:

(a) Head Gates, \$..... storage tank \$1500 (b) Pumping plant, \$.....
 (c) Fluming, \$..... (d) Canal-earth, \$ 3000 Rock, \$.....
 (e) Other structures pipeline \$ 2000 Total, \$ 6500

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

storage tank, pipe line and ditches associated with Larive Dam and Lake

owned by Ernest Oellrich.

II. Dimensions of works:

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....

material used in construction

(b) ~~Reservoir~~ Storage tank Capacity when filled 5000 gals.acre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET—ACRES	FEET	ACRE-Feet CAPACITY

(c)* Head gate: Width.....4.....feet; height.....4.....feet;
 Material wood

(d) Canal: Total length 2500 ft. water piped through 6" pipe from dam to canal for 250 feet.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work completed approximately 1900. Canal system reworked in 1948

11. Time required for complete application of water to the proposed beneficial use completed years.

12. Choice of newspaper for publication of notice of intention to appropriate

STATE OF SOUTH DAKOTA

County of Fall River } ss.

We, Tom Ripke and Elizabeth B. Ripke, 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, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed Tom Ripke

Subscribed and sworn to before me this 30th day of July 1957.

Allen G. Wilson
 Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA

County of B Hughes } ss.

Pierre, South Dakota, September 9, 1957

This is to certify that the foregoing application was received by the Commission at 9:20 o'clock
9 m. upon the 8 day of August, 1957

State Water Resources Commission

By:

J. J. Driver
Chief Engineer, Executive Officer

Number of permit 0618-23

Date of first receipt of application August 8, 1957

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 February 12, 1894

Approved October 16, 1957, Recorded in Book 4 Page 176

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 Completed, 19____

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

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

4th. The water appropriated shall be used for the purpose of irrigation and domestic use

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 0.03 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 Completed, 19____; said water to be used during the following described annual period:

April to September inclusive

Witness my hand this 18 day of November, 1957

State Water Resources Commission

By:

J. J. Driver
Chief Engineer, Executive Officer

Certificate of Construction Issued November 18, 1957

Water License Issued November 18, 1957

STATE OF SOUTH DAKOTA

WATER LICENSE No. 0618-2B.

WHEREAS, On the 8th day of August A. D. 1957

Tom Ripke and Elizabeth B. Ripke

of Hot Springs County of Fall River and State of
South Dakota duly made application (No. 0618-2B) to us for a permit to use 0.03
cubic feet per second of the waters of Cold Brook
County of Fall River, State of South Dakota, for irrigation and domestic
purposes; and

WHEREAS, On the 18th day of November A. D. 1957
Permit No. 0618-2B was issued to said applicant S for the diversion of said water, and ~~providing for the~~ recognizing
completion of the works of diversion therein described on or before the 12th day of
February A. D. ~~1957~~ 1894 and for the application to beneficial use of said
water on or before the 12th day of February A. D. 1894
and,

WHEREAS, On the 30th day of July A. D. 1957
transfer the holder of said permit duly made proof of the completion of adequate works for the diversion of 0.03
cubic feet per second of said waters, as evidenced by our Certificate No. 0618-2B
dated November 18, 1957 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 0.03 cubic feet per second of water, with date of
priority of February 12, 1894 ~~and~~ xxx and,

WHEREAS, On the 30th day of July A. D. 1957
proof was duly made of the application to beneficial use of 0.30 cubic feet per second of said water;
on 2 acres in Lots 1-8 inclusive, Block 3; Lot 1, Block 4 and a 26
foot strip to the west of said lots, Garmond's Cold Brook addition
to Town (now City) of Hot Springs, South Dakota

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 Tom Ripke and Elizabeth B. Ripke

of Hot Springs, South Dakota the holder S and owner S of said permit No. 0618-2B

a water right, dating from February 12, 1894 to the use of 0.03

cubic feet per second of the waters of Cold Brook

In the County of Fall River and State of South Dakota, or so much thereof as may be

necessray for the purposes hereinabelow mentioned, to be diverted & in the S.W. 1/4 Sec. 11,

T 7 S, R 5 E

and conducted to and upon Lots 1-8 inclusive, Block 3; Lot 1, Block 4 and a

26 foot strip to the west of said lots, Carmord's Cold Brook Addition

to Town (now City of Hot Springs, South Dakota.

for the purpose of irrigation and domestic use

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,

this 18th day of November A. D. Nineteen

Hundred and fifty-seven

State Water Resources Commission

By:

J. W. GRIMES,

Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 0618-2BWater Division No. 2 Fall River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Tom Ripke and Elizabeth B. Ripkeof Hot Springs, County of Fall River, and State ofSouth Dakota, the holder S of Permit No. 0618-2B, Issued upon ApplicationNo. 0618-2B, bearing date of priority of February 12, 1894, authorizing the diversion of0.03 cu. ft. per second of the waters of Cold BrookCounty of Fall River, State of South Dakota, ~~in~~ in the S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11, T 7 S, R 5 E, for irrigation and domesticpurposes, has ~~fully~~ ^{va} fully complied with the provisions of the laws of the State of South Dakota relating to proof of recognizedcompletion of the works of diversion set out and described in said Permit; that said works are ~~now~~ in satisfactorycondition for diverting and conveying to the place of intended use 0.03 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,

to-wit: Lots 1-8 inclusive, Block 3; Lot 1, Block 4 and a 26 foot stripto the west of said lots, Germond's Cold Brook Addition to Town(now City) of Hot Springs, South Dakota - 2 acresWitness my hand this 18th day of November A. D. 1957

State Water Resources Commission

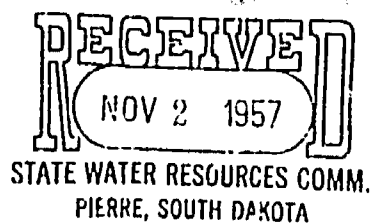
By:

J. W. GRIMES,

Chief Engineer, Executive Officer

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Fall River } ss.



Charles T. Leonard being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____

Hot Springs Star a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the _____

City of Hot Springs County of _____

Fall River and State of South Dakota; that the said notice was published in said newspaper on the following dates:

September 19, 1957

September 26, 1957

October 3, 1957

October 10, 1957

in each and every issue of the full number thereof, the first publication being made on the 19th day of September 1957 and the last publication on the 10th day of

October 1957, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was _____ the printer and publisher of the said newspaper.

Charles T. Leonard

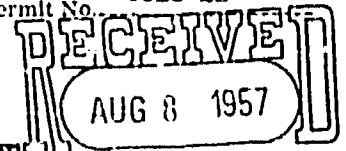
Subscribed and sworn to before me this 31st day of October A. D. 19 57

Allen G. Wilson

Notary Public Fall River County, S. D.

146
 Notice of Intention to Appropriate Water
 CHANGE IN POINT OF DIVERSION AND USE OF WATER
 Office of State Water Resources Commission, Pierre, South Dakota, September 9, 1957.
 Notice is hereby given that Tom Ripke and Elizabeth B. Ripke, whose postoffice address is Hot Springs, South Dakota, have made an application in accordance with the provisions of the water laws of South Dakota for a permit to change the point of diversion of .03 cubic feet per second of water from a point on Cold Brook near the NW Cor. of the NE 1/4 SE 1/4 to a point on said stream in the S 1/4 NW 1/4 SE 1/4 all in Section 11, Township 7 South, Range 5 East and the water use from ice making and irrigation to irrigation and domestic use.
 This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 16th day of October, 1957, at 2:00 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: Les Wyborny, Water Rights Engineer.
 Sept. 19-26, Oct. 3-10

Permit No. 0618-28



NOTICE OF TRANSFER OF WATER PERMIT

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

July 30

19 57

TO: Office of State Water Resources Commission
Pierre, South DakotaThis is to notify you that Hermosa Ice Co. and others

who previously owned the land described below has sold his interests to

Tom Ripke and Elizabeth B. Ripke of Hot Springs, South Dakotatogether with any rights to the beneficial use of water thereon as evidenced by State Water Permit No. 0618-2and as provided for in section 61.0141 of the SDC of 1939 and elsewhere for irrigation ofLots 1 to 8 inclusive, Block 3; Lot 1, Block 4 and a strip 26 feet wide immediately
west of above lots, Germond's Cold Brook Addition to the town (now city) of HotSprings, South DakotaYou are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at
the OFFICE OF WATER RESOURCES COMMISSION as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 55.1806 of the SDC of 1939.

STATE OF SOUTH DAKOTA

County of Fall River

ss.

We, Tom Ripke and Elizabeth B. Ripke being first duly sworn on ~~xxx~~oath depose and say: That ~~my~~ ^{our} relation to the above described undertaking is that of Owner, that ~~I~~ ^{we} have read the
above foregoing statement, and ~~I~~ ^{we} know of ~~my~~ ^{our} own personal knowledge that the information herein stated is true.

Signed

Tom Ripke
Elizabeth B. RipkeSubscribed and sworn to before me this 30th day of July, 19 57

Notary Public

 **Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

September 21, 1988

NOTICE

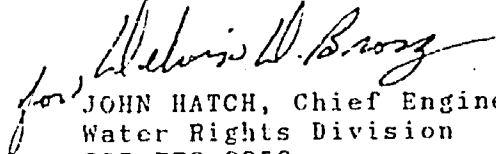
Merle Frohman
1846 Evans St
Hot Springs SD 57747

Dear Mr. Frohman:

I am writing to notify you that pursuant to the Notice of Intent to Validate Vested Water Right Claims dated June 20, 1988 that I intend to oppose validation of your water right claim No(s). 0618-2B until a field inspection has been completed. The claim has either never been inspected or an inspection was conducted so long ago that a new inspection is needed. An inspection is needed to determine the current state of your vested water right claim.

A staff member from the Division of Water Rights will be contacting you and scheduling an inspection of your water project. If we can answer any questions, please contact us.

Very truly yours,


for, JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352



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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

October 3, 1988

0618-2B

Merle Frohman
1846 Evans Street
Hot Springs, SD 57747

Dear Mr. Frohman:

Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Vested Water Right Claim No. 0618-2B. Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50. The vested water right claim will then be transferred to your name.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact us.

Sincerely,

Genny McMATH

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 10 6 - 88

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

2 acres - Lots 1-8 inclusive, Block 3; Lot 1, Block 4 and a 26 foot
strip to the west of said lots, Germond's Cold Brook Addition to
City of Hot Springs

formerly owned by Tom & Elizabeth Ripke

has been transferred to Merle & Mildred Frohman
Kub Evans, 311 Hot Springs, S.D. 57747
(please include complete mailing address)

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

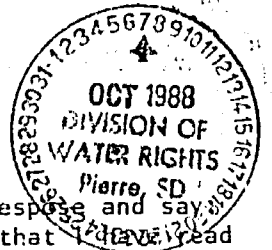
Water Right Permit No. 0618-2B ~~2618-3B~~ as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. 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.

STATE OF SOUTH DAKOTA)
County of Fall River) ss.

I, Merle A. Frohman being first duly sworn on my oath depose and say that
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 information herein stated is true.



Merle A. Frohman
(Signed)

Subscribed and sworn to before me this 6th Day of October, 1988

My Commission Expires
Nov. 29, 1990

[Signature]
(Notary Public)

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

411450

Pierre, October 7, 1938, 19

RECEIVED OF Merle/Mildred Frohman, 1846 Evans St., Hot Springs, SD 57747

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

Fee for Application for Permit No. <u> </u> to Appropriate Water, to construct works and to put water to beneficial use <u> </u>		
Fee for Application for Permit No. <u> </u> to Appropriate Water for Future Use <u> </u>		
Fee to retain Future Use Permit No. <u> </u> after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u> </u>		
Fee for Filing Transfer Form <u>permit no. 0613-2B</u>	2	50
Fee for Filing Extension Request <u> </u>		
Fee for Certified Copy of <u> </u>		
Fee for Print Copy of Map <u> </u>		
Fee for Certifying <u> </u>		
Fee for <u> </u>		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer JOHN HATCH 175

No. 0618-2B

SOUTH Dakota Department of
Water & Natural Resources

Joe Foss Building

Water Rights Division

Pierre, South Dakota 57501

Phone (605) 773-3352

November 7, 1988

Merle or Mildred Frohman
1846 Evans Street
Hot Springs, South Dakota 57747

Dear Mr. & Mrs. Frohman:

Enclosed is receipt No. 0618-2B in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 0618-2B.

Our records now show you as the owner of this Water Right.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

WNR-821-7/79

Receipt & Notice of filing of Transfer of Water Right



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

December 1, 1988

Vested Water Right
Claim No. 0618-2B

Merle Frohman
1846 Evans St
Hot Springs SD 57747

Dear Mr. Frohman:

Enclosed is a copy of a letter received from the U.S. Department of Interior, Bureau of Reclamation. The Bureau of Reclamation is opposing those vested water right claims in Pennington, Perkins, Butte and Fall River counties which have never been investigated by the Division of Water Rights. Earlier, you received a letter stating that I was opposing your claim until an investigation can be completed.

After the investigation has been completed, you and the Bureau of Reclamation will be notified as to the date, place and time of the hearing on your vested water right claim. At that time all parties of record will have an opportunity to testify on the validation.

If we can answer any questions, please contact us.

Very truly yours,

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

cc: Bruce Laymon, Bureau of Reclamation



File No. 0618-28

Water Rights Division - DWR
Conversation or File Documentation

NAME OF PERSON OR FILE: Merle & Mildred Frohman

ADDRESS: 1846 Evans St, Hot Springs, SD 57747 COUNTY Fall River

DATE: July 6, 1989 TELEPHONE _____

RE: Validation of 0618-28

COMMENTS:

I discussed and inspected this vested right claim with
Mr. Frohman on June 28, 1989. The claim is still
is still used as filed

File in Permit or other file as necessary. Use to document conversations and
what the other party was told; why action or decision was made.

NAME: William H. Bantz, P.E.
Hydrologist

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

October 24, 1939

0618-2P

Merle & Mildred Frohman
1846 Evans St
Hot Springs, SD 57747

Dear Mr. & Mrs. Frohman:

Enclosed is your 1989 irrigation questionnaire. In order for us to calculate the amount of water used, we need more specific information included on the form.

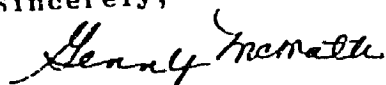
Please include the following information on the questionnaire:

1. Number of days pumped in each of the months;
2. Average hours per day; and
3. Average pump rate.

Upon completion of the form, return it to our office in the enclosed postage paid envelope. The form must be returned to our office before December 15th.

If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosures





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 24, 1992

0618-2B

Wayne Hageman
Dakota Hills Realty
445 S 6th Street
Hot Springs, SD 57747

Dear Mr. Hageman:

Enclosed, as you discussed with Del Brosz, is a copy of Vested Water Right Claim No. 0618-2B.

The claim, currently listed in the name of Merle and Mildred Frohman, is for 0.03 cubic feet of water per second from Cold Brook, to irrigate 2 acres.

The claim has not yet been validated by the Water Management Board. As far as whether or not the claim is valid and the water is actually being used as described in the license, we do not know. The Water Management Board is the only entity who can determine the status of the claim.

If you have any questions, please contact either Del Brosz or myself at (605) 773-3352.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosure



5615-2B

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 17, 1992

John W Steffen
338 S 6th
Hot Springs, SD 57747

Dear Mr. Steffen:

Enclosed is the "Notice of Transfer of Ownership" and filing fee you submitted for transferring Vested Right No. 0618-2B. As we discussed on the phone, the legal description you wrote on the transfer form does not correspond with the legal description on Water Licence No. 0618-2B. I am enclosing a copy of No. 0618-2B for your review.

Vested Right Nos. 0618-2A and 0618-2B are the only two rights listed within the legal description you mentioned (Section 11, T7S, R5E). You indicated that after hearing the description and names on the above vested water rights, you did not think that either of those were the ones to be transferred.

If you have further documentation to show that a water right may exist for the area you purchased, please let me know. If it does not, you may be able to file a vested right claim if you choose to do so.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

SOUTH DAKOTA

VESTED WATER RIGHT NO. 0618-2B FOR IRRIGATION

Date of Receipt of Claim August 8, 1957.

Date of Validation May 6, 1992.

The Water Management Board validated Vested Water Right Claim No. 0618-2B for irrigation purposes for Merle & Mildred Frohman, 1846 Evans St, Hot Springs SD 57747 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 0618-2B appropriates 0.03 cubic feet of water per second from Cold Brook Creek located in NW 1/4 SE 1/4 Section 11-T7S-R5E for domestic use and to irrigate 2 acres located in Germond's Cold Brook Addition-Hot Springs SD.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation and domestic purposes. The appropriation may not exceed 3 acre feet per irrigated acre per year. Water is to be used during the following annual period:
April 1 - September 30 for irrigation
January 1 - December 31 for domestic use.
3. The priority date of the Vested Water Right is February 12, 1894.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer

JUN 29 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources



JUN 29 1992

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Merle & Mildred Frohman
1846 Evans St
Hot Springs SD 57747

Dear Mr. & Mrs. Frohman:

The Water Management Board has validated the enclosed Vested Water Right No. 0618-2B. This validation gives legal status to the claim and is the final document for your vested right.

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

Very truly yours,

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

enclosure

0618-213



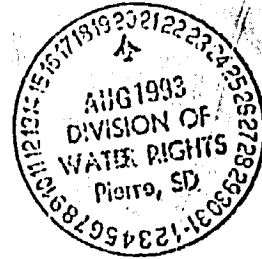
INTE
1993

WTR 4.10
BF-430

United States Department of the Interior

BUREAU OF RECLAMATION
Great Plains Region
Belle Fourche Projects Office
P.O. Box 226
Newell, South Dakota 57760 0226

AUG 18 1993



Mr. John Hatch, Chief Engineer
Water Rights Division
South Dakota Department of Water and Natural Resources
523 E. Capitol
Pierre SD 57501-3181

Subject: Vested Water Right Claims in Western South Dakota (Your Letter
Dated April 20, 1993) (Water Rights)

Dear Mr. Hatch,

We have reviewed the vested water right claims located in Perkins, Pennington, Fall River, and Butte Counties as listed in your letter dated April 20, 1993. We have also discussed these rights with contract water users. We appreciate the assistance of your staff in providing documentation of inspections and validation proceedings for specific claims as we requested.

We are satisfied with all of the actions taken by the board. Our intent in opposing validation of the water rights was to assure that all of the rights were reviewed prior to validation. That review has been completed by your staff. Thank you for notifying us of the board's actions and extending the opportunity to reconsider the actions if it would have been deemed necessary. We understand that future notification will be made in advance of board actions.

If we can be of further assistance, please contact Craig Kjar or me at (605) 456-2695.

Sincerely,

Bruce M. Laymon
Bruce M. Laymon
Project Manager

cc: Mr. Joe Kramer, Manager
Angostura Irrigation District
PO Box 346
Oral SD 57766

Mr. James E. Winterton, Project Manager
Belle Fourche Irrigation District
PO Box 225
Newell SD 57760

0618-2B

2004 Water Management Board Irrigation Questionnaire

Please fill out and return before **December 3, 2004**

REMEMBER! Return of this questionnaire is required whether or not you irrigated this year.

Return the completed form(s) to the Water Rights Program at 523 E Capitol, Pierre, SD 57501-3181 (605) 773-3352 or send your form(s) electronically over the internet at <https://www.state.sd.us/eforms/secure/eforms/E0455V3-IQ.pdf>

No. 0618-2B

MERLE/MILDRED FROHMAN
1846 EVANS ST
HOT SPRINGS SD 57747

Any address/ownership corrections?

Gregory/Mildred Frohman
1846 Evans St
Hot Springs SD 57747
Telephone No. 605-745-3565

1. Is the system constructed? *yes X no

*Type of system used (check all that apply):

center pivots towlines big gun
flood X sprinklers X other

2. Did you irrigate in 2004? *yes X **no

*If yes, number of acres irrigated 2

**If no, list reason(s) in comment box and answer No. 3:

Comment Box

3. Is the land enrolled in CRP? *yes no ✓

*If yes, through what year?

4. Did you apply chemicals or fertilizer through the system in 2004? yes no ✓

5. If permitted for more than one water source, circle each source used. A COLD BROOK

B.

C.



BB	BA	AB	AA
<u>B</u>		<u>A</u>	
BC	BD	AC	AD
CB	CA	DB	DA
<u>C</u>		<u>D</u>	
CC	CD	DC	DD

1 square mile

Office use only

RECEIVED

DEC - 2 2004

WATER RIGHTS
PROGRAM

Acreage permitted for irrigation under No. 0618-2B (see above section map for help reading legal descriptions)

sec 11-T007S-R05E, DB -- 2.00 acres

Please provide your 2004 water use to irrigate the above acreage on the REVERSE side of this form.

For an updated example questionnaire, please refer to the reverse side of your cover letter.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 29, 2004

No. 0618-2B

Gregory/Mildred Frohman
1846 Evans St
Hot Springs SD 57747

Dear Sir:

Thanks for returning the 2004 Irrigation Questionnaire. The form indicates that a possible ownership change may have occurred. Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 0618-2B. The water right is currently listed in the name of Merle/Mildred Forhman.

The transfer form should be checked over for accuracy and **signed by the new owner(s)**. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR.
523 E. Capitol
Pierre, SD 57501-3181

No. 0618-2B

Date: 15 Jan 05

I/We request that Water Right No. 0618-2B

formerly owned by: Merle/Mildred Frohman

be transferred to: (name & address) Gregory/Mildred Frohman

(Greg) 1909 Hampton RD (Mildred) 1846 Evans St
Hot Springs SD 57247 Hot Springs SD 57247 Telephone No. 605-745-6076
745-3565

Title to the following described land(s)/property has been transferred as described above:

2 acres located in the NW 1/4 SE 1/4 Section 11-T7S-R5E

I/We understand that the validity of Water Right/Permit No. 0618-2B has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Gregory L. Frohman, the new owner, certify that the above information is true and correct.

Gregory L. Frohman
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIVED
JAN 19 2005
WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date JANUARY 19, 20 05

RECEIVED OF Greg Frohman, 1909 Hampton Rd, Hot Springs SD 57747

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	2.50	
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 <u>0618-LE</u>		
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	2.50

No.

004353

By

Darland Ebele
Chief Engineer
gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 20, 2005

0618-2B

Gregory Frohman
1909 Hampton Rd
Hot Springs SD 57747

Mildred Frohman
1846 Evans St
Hot Springs SD 57747

Dear Mr. Frohman and Mrs. Frohman:

Thank you for following up on the ownership change for Vested Water Right No. 0618-2B. The transfer has been completed. The vested water right is now listed in both of your names.

Receipt No. 001653 in the amount of \$2.50 is being forwarded to Greg. If I can answer any questions for you, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosure

Book Addition
 1 plat
 1 Brook Addition and
 said plat
 & by
 ked on

1890
 Seeds

COLD BROOK

ADDITION TO THE TOWN OF

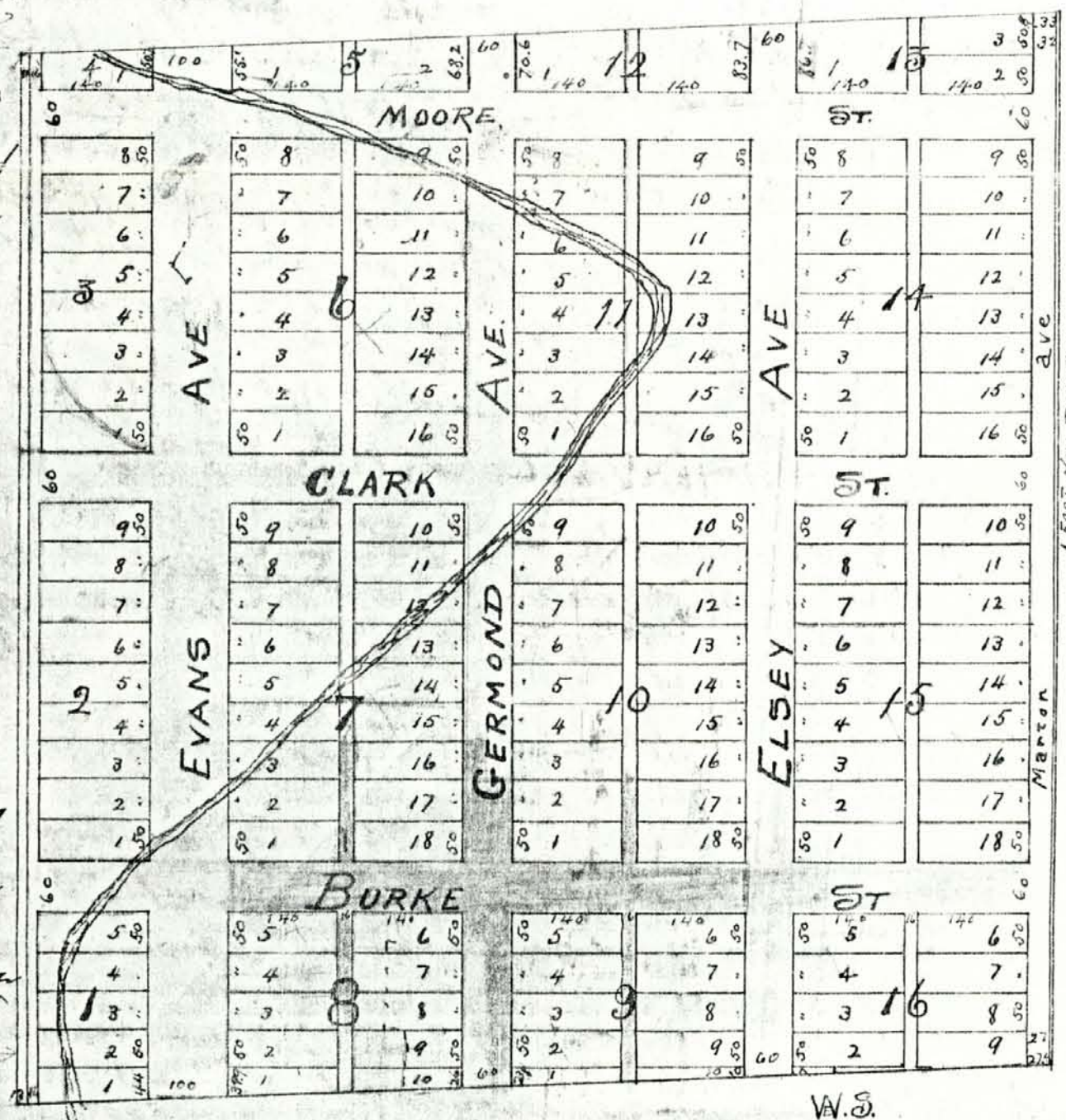
HOT SPRINGS

FALL RIVER CO.

S.D.

Scale 200 feet 1 inch

mond Single of
 escribed in the
 vied laid out
 is certified thereto
 the same to be
 Addition to
 Dakota that is
 above described
 as shown by
 desire
 by dedicated
 my hand
 1890
 and
 Dec in the year
 Register of Deeds
 W. W. Gemond
 in appears above
 instrument and
 freely
 my hand
 the last
 court
 of Deeds



State of South Dakota
 Fall River County
 Filed for record this 13th day of May A.D. 1891
 at 9 am and recorded in Book 1 of State page 2
 E. J. Dainoff
 Register of Deeds



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 2, 2025

0618-2B

Gregory & Mildred Frohman
1909 Hampton Rd
Hot Springs, SD 57747

Dear Mr. & Ms. Frohman:

Each year, the State of South Dakota sends out Water Management Irrigation Questionnaires to collect information based on annual water use from our state's waters.

This year we received word that you would like to change the ownership of WR 0618-2B. For your convenience I have enclosed a partially completed "Transfer of Ownership" form for you to complete and return in the pre-paid envelope.

Please return the form with a check for \$50.00 made payable to "SD Water Rights Program" to cover the transfer fee. If you would prefer to pay by card you may call our Fiscal Office at 605.773.5559. This form will still need to be returned even if you are submitting payment over the phone.

Should you decide you wish to discontinue the irrigation on this piece of land, we would ask that you let us know.

If you have any questions or concerns, please give me a call. My direct number is 605.773.8204

Sincerely,

Shannon Konst

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

enclosures

RECEIVED

JAN 02 2026

PAID

DEC 31 2025

CK# 4026

Rec't#

OFFICE OF
WATER
NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 0618-2B

Date: 7 DEC 2025

I/We request that Water Right/Permit No. 0618-2B formerly owned by:
Gregory & Mildred Frohman

be transferred to:

New Owner Name: Greg Frohman and Lynnsey Evans
Address: 1909 Hampton Rd mobile: 605 890 0364
City, State, Zip Hot Springs SD 57747 email: greg.frohman@aol.com

Title to the following described land(s)/property has been transferred as described above:

Section 11, T7S, R11E

2 acres located in the NW1/4 SE1/4

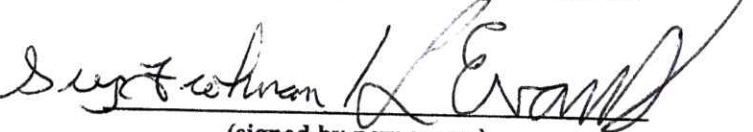
(2 acres in Lots 1/8 inclusive, Block 3; Lot 1, Block 4 and a 26 foot strip to the west of
said lots, Garmond's Cold Brook addition to Town(now city) of Hot Springs, South
Dakota)

☒ I understand that the validity of Water Right/Permit No. 0618-2B has not been determined by this
transfer action. If I have any questions on validity, I understand that only the Water Management Board has the
authority to determine if a water right/permit is valid (see note below).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program,
as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Greg Frohman / Lynnsey Evans, the new owner, certify that the above information
is true and correct.


(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five-year construction period has expired.
Once a water permit is developed, an inspection is conducted to issue a water right license for the
project as developed. A water permit/right may be cancelled for one or more of the following reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three-year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date December 31, 2025

RECEIVED OF Greg Frohman & Lynnsey Evans 1909 Hampton Rd Hot Springs SD 57747

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. _____	\$ _____
Fee for Filing Transfer Form #0618-2B _____	\$50.00
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	TOTAL
	\$50.00

By 
Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 5th, 2026

0618-2B

Greg Frohman & Lynnsey Evans
1909 Hampton Rd
Hot Springs, SD 57747

Dear Mr. Frohman & Ms. Evans,

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" form and the required fees you submitted for Water Right No. 0618-2B. Enclosed is a receipt of payment for your records.

Water Right No. 0618-2B, previously held by Gregory & Mildred Frohman is now listed under Greg Frohman & Lynnsey Evans. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the License (copy enclosed), State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the License will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

NOTE: The validity of Water Right No. 0618-2B has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosure