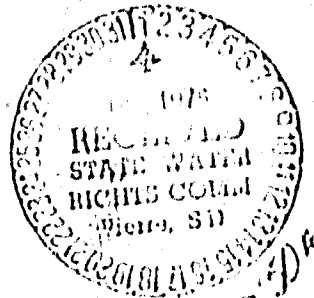


Water Right Number 3114-3

1. Considered 11-17, 1976
2. Name of Applicant ROBERT G. FREEBURG
3. Post Office Address FRANKFORT
4. Amount of water claimed 2.50
5. Source of water supply 60' DEEP WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 175
7. Water to be diverted and used in SPINK County
about 5E, 3N Miles of FRANKFORT
8. Proof of Publication
Received 11-15-76
Not received
9. Application
Approved
Subject to
Not approved
Action deferred
10. Remarks:

No. 3114-3
 Map No. 2438-3 Water Division No. 3 JAMES RIVER District _____
 (Blanks to be filled by the Engineer for the W. H. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Robert G. Freeburg
 Postoffice address Frankfort, State South Dakota 57440
 If a corporation show date and place of incorporation _____
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct Labor
 3. Name of diversion work Robert G. Freeburg, Unit #2
 4. Amount of water claimed (cubic feet per second) 2.5
 5. Source of water supply Ground Water
 6. Location of point of diversion A POINT IN THE NW¹ SE¹ SECTION 30, T71N, E11W

 _____, County Spink
 7. Annual period or periods during which water is to be used March - November
 8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
 9. For irrigation use, _____ Total number of acres to be irrigated 175

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NE $\frac{1}{4}$ of 30-117-61	85		
SE $\frac{1}{4}$ of 30-117-61	50		
SW $\frac{1}{4}$ of 30-117-61	40		
<u>29</u>			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Redfield Press, Redfield, South Dakota
 12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Pump Bowl

B. Works proposed to transport water to place of use.

Main Line

C. Works proposed to apply water to beneficial use.

Center Pivot

Estimated Total Cost \$ _____

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of Spink

I, Robert G. Freeburg the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Robert G. FreeburgSubscribed and sworn to before me this 24 day of September, 1976

Notary Public (or other qualified officer)

Carroll J. Jones 11-6-76

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3114-3

ROBERT G. FREEBURG
(Applicant)

FRANKFORT
(Post Office Address)

SOUTH DAKOTA 57440

With the following modifications:

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application OCTOBER 1, 1976
Date of return to applicant for correction, amendments or changes required _____, 19____
Date of receipt of corrected application OCTOBER 21, 1976
Approved NOVEMBER 17, 1976, Recorded in Book 16, Page 306

WATER RIGHT PERMIT NO 3114-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3114-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is OCTOBER 1, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 17, 1979
3. The whole of said work is to be completed on or before NOVEMBER 17, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 17, 1983
5. The water appropriated shall be used for the purpose of IRRIGATION
6. 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.
7. The amount of the appropriation herein granted shall not exceed 2.50 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and 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 NOVEMBER 17, 1983; said water to be used during the following described annual period: MARCH - NOVEMBER

Witness my hand this 21ST day of DECEMBER, 1976

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued APRIL 4, 1979

Water License Issued APRIL 4, 1979

PAGE NO

Lloyd Peterson
FOREMAN JR.

[illegible]

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

(1) Drill Hole, Diameter _____, Depth _____

(2) Casing, Type _____ Diameter _____ Thickness _____
(wood, concrete, steel, etc.)

(3) Perforated Screen

Type _____, Diameter _____, Length _____

(4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates

(1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout. *log will be furnished by driller

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

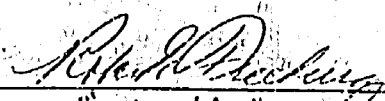
Depth to water (ground surface to water level) _____

(2) Distance to nearest existing household or livestock watering wells.

On same owner's property 240 rds. On property owned by others 150 rds.

G. Water Storage Dam

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.


Signature of Applicant



Department of Natural Resource Development

WATER RIGHTS COMMISSION
Joe Foss Building, Pierre, South Dakota 57501
Phone 605/773-3151

April 17, 1979

Mr. Robert G. Freeburg
Frankfort, SD 57440

Dear Mr. Freeburg:

Enclosed herewith are, Water License No. 3114-3 and Certificate of Construction.

Water License No. 3114-3 is the final water right document completing your process of obtaining water right.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH:bt

Enclosures

NOTE: Your pump capacity is 2.23 c.f.s. (1000 gpm) and based upon the acreage actually irrigated, you are entitled to only divert 1.95 c.f.s. (876 gpm). Any diversion in excess of 1.95 c.f.s. would be a violation of your Water Rights

Permit No. 3114-3

Water Diversion No. 3 James River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Robert Freeburg

_____ the holder _____ of
Permit No. 3114-3, issued upon Application No. 3114-3, bearing date of priority of _____
October 1, 1976 authorizing the diversion of 2.5 cu. ft. per second of the waters of _____
ground water _____ County of Spink, State of South Dakota at _____
a point 50'W and 50'S of the nw corner, section 30, T117N, R61W

_____ 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 2.23 cu. ft. per second of water.

Date April 4, 1979

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Commission

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3114-3

(1) WHEREAS, On the 1st day of October A. D. 19 76
Robert G. Freeburg

made Water Right Application No. 3114-3 for a permit to use 2.5 cubic feet per second of the waters of ground water

County of Spink, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 21st day of December A. D. 19 76
 Permit No. 3114-3, with a date of priority of October 1, 1976

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 17th day of November A. D. 19 81 and for the application to beneficial use of said water on or before the 17th day of November A. D. 19 83

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 1.95 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,

for irrigating the following lands in T117N, R61W

Section 30 NE $\frac{1}{4}$ NE $\frac{1}{4}$ 33 acres

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 38 "

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 33 "

Section 29 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 33 "

TOTAL 137 acres

(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 Robert G. Freeburg

_____ of Frankfort
the holder _____ and owner _____ of said permit No. 3114-3 a water right, dating from October 1, 1976

_____ to use of 1.05 cubic feet per second of the waters
of ground water

in the County of Spink and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinafter mentioned, to be diverted at a point 50'W and 50'S of the NW Corner,
Section 30, T117N, R61W

and conduct to and upon portions of Sections 29 and 30, T117N, R61W,
described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 3114-3 and subject to the laws of the State of South Dakota.

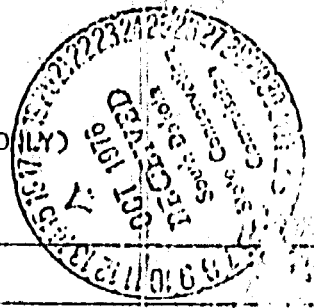
WITNESS, My hand and seal of our office at Pierre, South Dakota
this 4th day of April A.D.
Nineteen Hundred and Seventy - nine

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)



NAME Robert G. Freeburg

ADDRESS Frankfort, South Dakota 57440

COUNTY Spink

LEGAL DESCRIPTION

1. WELL LOCATION NE Corner of the SE $\frac{1}{4}$ of 30-117-61
2. LOCATION OF AREA TO BE IRRIGATED NE $\frac{1}{4}$ of 30-117-61, SW $\frac{1}{4}$ of 29-117-61
SE $\frac{1}{4}$ of 30-117-61

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X _____ GUN _____
4. CROPS TO BE IRRIGATED Corn, Alfalfa, Small Grain

WATER QUALITY

5. SAMPLE NUMBER 76-1497
6. SALINITY (EC X 10⁶) 1040
7. SODIUM (SAR) 3.64
8. RESIDUAL SODIUM CARBONATE (meq/l.) 3.73 (DANGER)

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and: the soils information has been acquired from Spink Conservation District, County Extension office or Soil Conservation Service.

and:

that the legal description for the location of the well and land to be irrigated is true and correct.

SUBSCRIBED AND SWORN BEFORE ME THIS
DAY OF _____ 19 ____.

(TITLE OR SEAL)

APPLICANT'S SIGNATURE

Approved does not imply that this project can be carried out successfully in all circumstances. Individual management will, to a large degree, determine the relative success of this venture.

APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57006

Submitted by: Robert G. Freeburg
 Address: Frankfort, SD 57440
cc: Huron Drilling, Inc.
P.O. Box 1422
Huron, SD 57350

Date Rec'd: September 29, 1976
 Sample No.: 76-1497
 Identification: #2 Well-
SE1, Sec. 3, T. 116N, R. 62W

WATER ANALYSIS

Calcium (Ca)	72	ppm*	3.60	me/l**
Magnesium (Mg)	14	ppm	1.15	me/l
Sodium (Na)	129	ppm	5.61	me/l
Potassium (K)	10	ppm	0.26	me/l
Sulfate (SO ₄)	130	ppm	2.70	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	21	ppm	0.59	me/l
Bicarbonate (HCO ₃)	517	ppm	8.48	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	424	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1040	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	3.64			
Sodium	52.82	% of cations		
Residual sodium carbonate	3.73	me/l		
pH	7.88			
Others:				

*ppm=parts per million

**me/l=millequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: Total cations 10.62 me/l
 Total anions 11.77 me/l

By: Shirley Mittan

Service Performed	Amount Due
Irrigation analysis	\$8.00 PAID

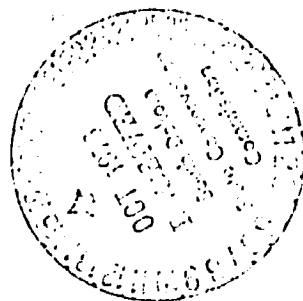
Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1497

Amount Enclosed \$

October 13, 1976



Mr. Robert G. Freeburg
Frankfort, SD 57440

Dear Mr. Freeburg:

Your water sample (Lab. No. 76-1497) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

I am also enclosing a copy of AES pamphlet #13 for your use. The quality of your water for irrigation use is plotted approximately by means of the red cross in the chart on the outside back cover.

This water is marginal for use on the soils you intend to irrigate and should be considered for use only under the following conditions:

(1) It will be used no more than 3 times (preferably less) in any growing season.

(2) The soil will be completely filled with water so natural leaching can occur, by irrigating in the late fall just before freeze-up, at least one year out of 3.

(3) Water applications will be made each irrigation to completely re-wet the entire depleted soil within the rooting zone of the crop being grown. This may require 3-5 inches of water each irrigation with fine soils.

(4) If a salt problem or soil dispersion occurs, contact extension personnel or this office for management recommendations.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb

Enclosures

cc: State Conservation Commission

P.S. Soil areas 92 and 100 are not irrigable with this water. Be fully advised that soil dispersion may occur on all soil areas in 8-12 years and expensive gypsum applications will be needed to put the land in usable shape.

Form 6 - Notice of Intent to Appropriate Water

No. 4443

Public first publication, on or before November 1, 1976

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

~~October 25~~, 1976

Notice is hereby given that Robert G. Freeburg
whose post office address is Freeburg, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use

2.5 cubic feet of water per second of time from the Freeburg through the
Freeburg, the point of diversion of which is to be located in the

of Section 30, Twp. 117N, Range 61W. Said water to be used for the purpose
of providing irrigation on the following described land:

E 2

Section 30, T117N, R61W

SW 1/4 Sec 29

This application No. 4443 will be considered by the Water Rights Commission at The Maylin Hughes Hotel
Huron, S.D.

~~File~~ upon the 17th day of November, 1976, at 10:00 A. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES

Water Rights Specialist

BFJ/bw

cc:

Robert G. Freeburg, Freeburg, S. D. 57440

No. 3114-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Spink) ss.

I, Harold D. Jones hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Leopold Press

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 Leopold
County of Spink and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

November 4 November 11

Harold D. Jones
(Signature)

Editor
(Title)

November 11, 1976
(Date Signed)

No. 75

No. 3114-3
Publish first publication,
on or before
November 4, 1976

NOTICE
INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
October 25, 1976

Notice is hereby given that
Robert G. Freeburg whose post
office address is Frankfort, South
Dakota, has made an application
in accordance with the provisions
of the water laws of South Dakota
for a permit to appropriate for
beneficial use 2.5 cubic feet of
water per second of time from
ground water through the
Freeburg No. 2, the point of
diversion of which is to be located
in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30,
Twp. 117N, Range 61W. Said
water to be used for the purpose
of providing irrigation on por-
tions of the following described
land:

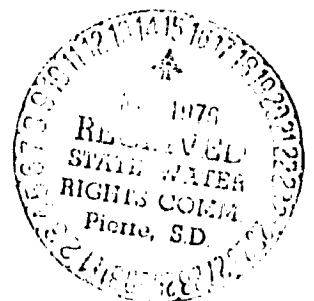
S $\frac{1}{2}$ & NE $\frac{1}{4}$, Section 30, T117N,
R61W.

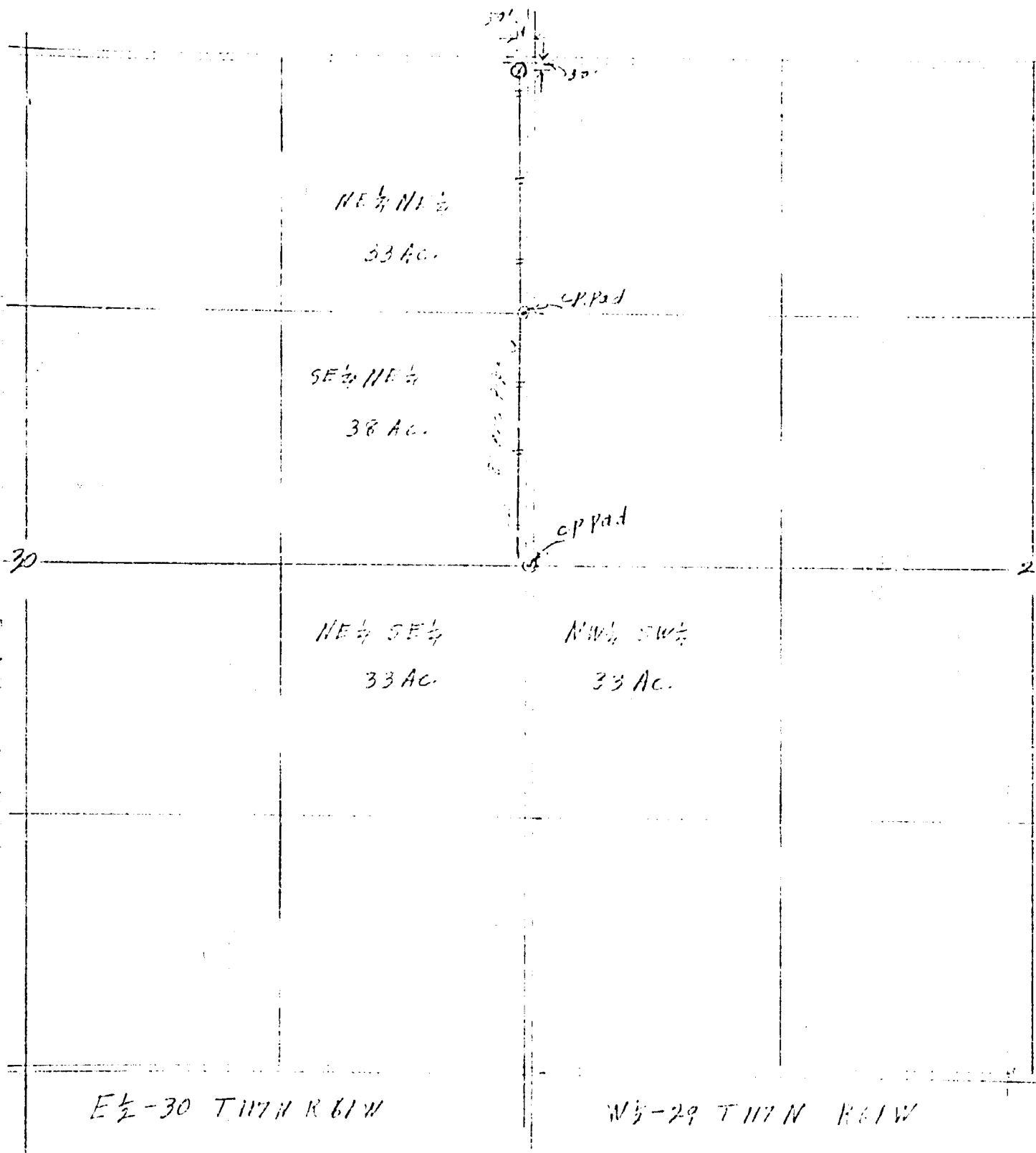
This application No. 3114-3 will
be considered by the Water
Rights Commission at The
Marvin Haglitt Hotel, Huron, S.
D., upon the 17th day of
November, 1976, at 10:00 A. M.
All interested persons may ap-
pear and be heard.

WATER RIGHTS
COMMISSION

By:
BURTON F. JONES
Water Rights
Specialist

BFJ-bw
cc: Robert G. Freeburg,
Frankfort, S. D. 57440
(November 4, 11)





Robert G. Freeburg
Spink County
Permit # 3114-3

Permit No. 3114-3Water Division 3 James 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 Robert G Freeburg of Frankford, South Dakota 57440 holder of Permit No. 3114-3, bearing date of priority of October 1, 1976, authorizing the diversion of 2.50 cu. ft. per second of the waters of One Well for Irrigation purposes, in Spink 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:
Motor - 265. Elec. T.D. R-6326-03-24 R2113509,
7.5HP, 1770 RPM
Pump - Layne Bowler, No. 70, Model N 11706
Pumping 1000 gpm.
- B. Works used to transport water to place of use,
2600 ft 5" PVC Pipe
- C. Works used to apply water to beneficial use.
Valley Center Pivot Model 2071, Ser # 26475

The system is in the following condition: GoodThe point of diversion is located 50' West and 50 ft S. of the NW corner of Section 30, T117N R61WThe works are capable of diverting and conveying to the place of use 2.23 cu. 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: N $\frac{1}{4}$ S $\frac{1}{4}$ - Sec 29, 33Ac
T117N R61W, NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 33 Ac, SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 38 Ac, NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 33Ac
all in section 30, T117N R61W

comprising a total of 137 acres of land.

Well depth - 66 ft
 static - 21 ft
 pumping 1000 gpm
 capacity 1200 gpm. tested

DATE OF EXAMINATION: January 22, 1978
 BY: Leroy J. McNamee
 1.95

Date January 22 1978
Leroy J. McNamee
 (Signature)

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 6766

PIERRE, February 7, 1979

RECEIVED OF Robert Frachburg, RR #1, Frankfort SD 57440

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. 3114-2	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 3114-2		
Fee for Issuing Location Certificate-Dry Draw, No. _____		
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		

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer

JOHN HATCH cy 84

State of South Dakota

REISSUED Water License No. 3114-3

(1) Robert G. Freeburg
of Frankfort, South Dakota 57440 was issued Water License No. 3114-3
made Application No. _____, April 4, 1979 for a ^{right} ~~water permit~~ to appropriate
1.95 cubic feet per second of water from groundwater (one well)
Spink County, South Dakota for irrigation purposes.

Water License

Permit No. 3114-3, with a priority date of October 1, 1976

was approved _____ and issued to applicant(s) for diversion of water with construction of the described
water supply system ~~to be completed on or before~~ _____ and for the application to beneficial use of said
water ~~on or before~~ completed _____.

A review of Water License No. 3114-3 as issued on April 4, 1979 found an error in the legal description of the diversion point. The diversion point was described as being 50'W and 50'S of the NW Corner of Section 30. This description should have been 50'W and 50'S of the NE Corner of Section 30.

The Water License is being reissued to correct this error. All other portions of the original license remain the same.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 1.95 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 50' West and 50' South of the NE
Corner of Section 30, T117N-R61W

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in T117N-R61W

Section 30 NE $\frac{1}{4}$ NE $\frac{1}{4}$ 33 Acres

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 38 Acres

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 33 Acres

Section 29 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 33 Acres

TOTAL 137 ACRES

(4) Pursuant to §46-5-30.1 Robert G. Freeburg

of Frankfort, South Dakota 57440

the holder(s) and/or owner(s) of Water ^{Right} Permit No. 3114-3 is issued a license to appropriate water, the right to use 1.95 cubic feet per second of water from groundwater (one well) with a priority date of October 1, 1976

from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation

This license is subject to any limitations or qualifications listed in Water ^{Right} Permit No. 3114-3 and subject to South Dakota State Law.

Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JOHN HATCH

DEC 1 1986



Department of Water & Natural Resources

3114-3

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

WATER RIGHTS DIVISION
(605) 773-3352

DEC 1 1986

Robert G. Freeburg
Frankfort
South Dakota 57440

Dear Mr. Freeburg:

Enclosed is your Water Right License No. 3114-3. The water license has been reissued to correct an error found in the legal description when the license was reviewed.

If you have any questions concerning the enclosed Water License, please contact us.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division

JH:ms

Enc.

Equal Opportunity Employer



January 16, 2002

NOTICE

3114-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: KEVIN DETTLER, HC 71 BOX 29, DOLAND, SD 57436
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaires

Our records indicate that the 2001 Irrigation Questionnaires have not been submitted for Permit Nos. 961-3, 1050-3, 1120-3 & 1223-3, 3114-3 & 3189-3. The request for the Questionnaires was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 3114-3 & 3189-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3 qualification:

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

The hearing will be held at 10:00 am, March 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 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) 961-3, 1050-3, 1120-3 & 1223-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3114-3 & 3189-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

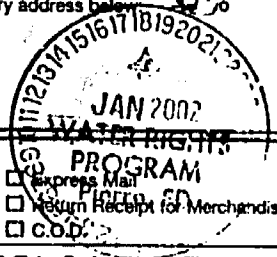
The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by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

If the questionnaires are received in this office on/or before March 8, 2002, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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

3114-3

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7001 2510 0004 4797 5811



3114-3
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and NATURAL RESOURCES

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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 8, 2002

Kevin Dettler
HIC 71 Box 29
Doland, SD 57436

RE: Water Permit or Right Nos. 961-3, 1050-3, 1120-3, 1223-3, 3114-3 and 3189-3

Dear Mr. Dettler:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Permit or Right Nos. 961-3, 1050-3, 1120-3, 1223-3, 3114-3 and 3189-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352



3114-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

January 17, 2003

NOTICE

TO: KEVIN DETTLER, 40168 173RD ST, DOLAND, SD 57436
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaires

Our records indicate that the 2002 Irrigation Questionnaires have not been submitted for Permit Nos. 961-3, 1050-3, 1120-3 & 1223-3, 3114-3 & 3189-3. The request for the Questionnaires was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 3114-3 & 3189-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3 qualification:

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

The hearing will be held at 8:30 am, March 5, 2003 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) 961-3, 1050-3, 1120-3 & 1223-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3114-3 & 3189-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before February 28, 2003, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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



3114-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 18, 2003

Kevin Dettler
40168 173RD St
Doland SD 57436

Dear Mr. Dettler:

I am writing to acknowledge receipt of the 2002 irrigation questionnaires for the following Water Rights:

- Kevin & Becky Dettler: 961-3, 1050-3, 1120-3, 1223-3, 3114-3 (Robert Freeburg) and 3189-3 (Russ Hansen Estate)
- DeWayne Hofer & K-D Trust: 1072-3, 1073-3 and 1458-3
- Michael J Silver: 1048-3, 1071-3, 1891-3 and 2613-3

You may disregard the January 17, 2003, "Notice" concerning reporting requirements. The information was received in our office prior to the Water Management Board meeting and the issue has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

c: DeWayne Hofer
Michael J Silver



January 14, 2004

3114-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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NOTICE

TO: KEVIN DETTLER, 40168 173RD ST, DOLAND, SD 57436

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaires

Our records indicate that the 2003 Irrigation Questionnaires have not been submitted for Permit Nos. 961-3, 1050-3, 1120-3 & 1223-3, 1048-3, 1071-3, 1072-3, 1073-3, 1458-3, 1891-3, 2613-3, 3114-3 & 3189-3. The request for the Questionnaires was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1048-3, 1071-3, 1072-3, 1073-3, 1458-3, 1891-3, 2613-3, 3114-3 & 3189-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 961-3, 1050-3, 1120-3 & 1223-3 qualification:

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

The hearing will be held at 8:30 am, March 3, 2004 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) 961-3, 1050-3, 1120-3 & 1223-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1048-3, 1071-3, 1072-3, 1073-3, 1458-3, 1891-3, 2613-3, 3114-3 & 3189-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before February 27, 2004, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

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

3614-3



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KEVIN DETTLER
40168 173RD ST
DOLAND SD 57436

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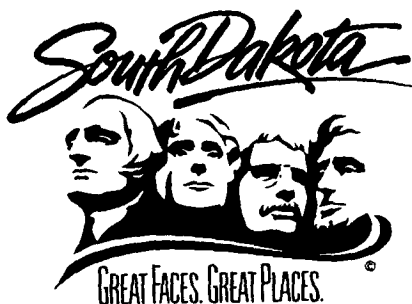
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3114-3



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www.state.sd.us/denr

March 4, 2004

Kevin Dettler
40618 173rd St
Doland SD 57436

Dear Mr. Dettler:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Permit/Right Nos. 961-3, 1048-3, 1050-3, 1071-3, 1072-3, 1073-3, 1120-3, 1223-3, 1458-3, 1891-3, 2613-3 and 3114-3.

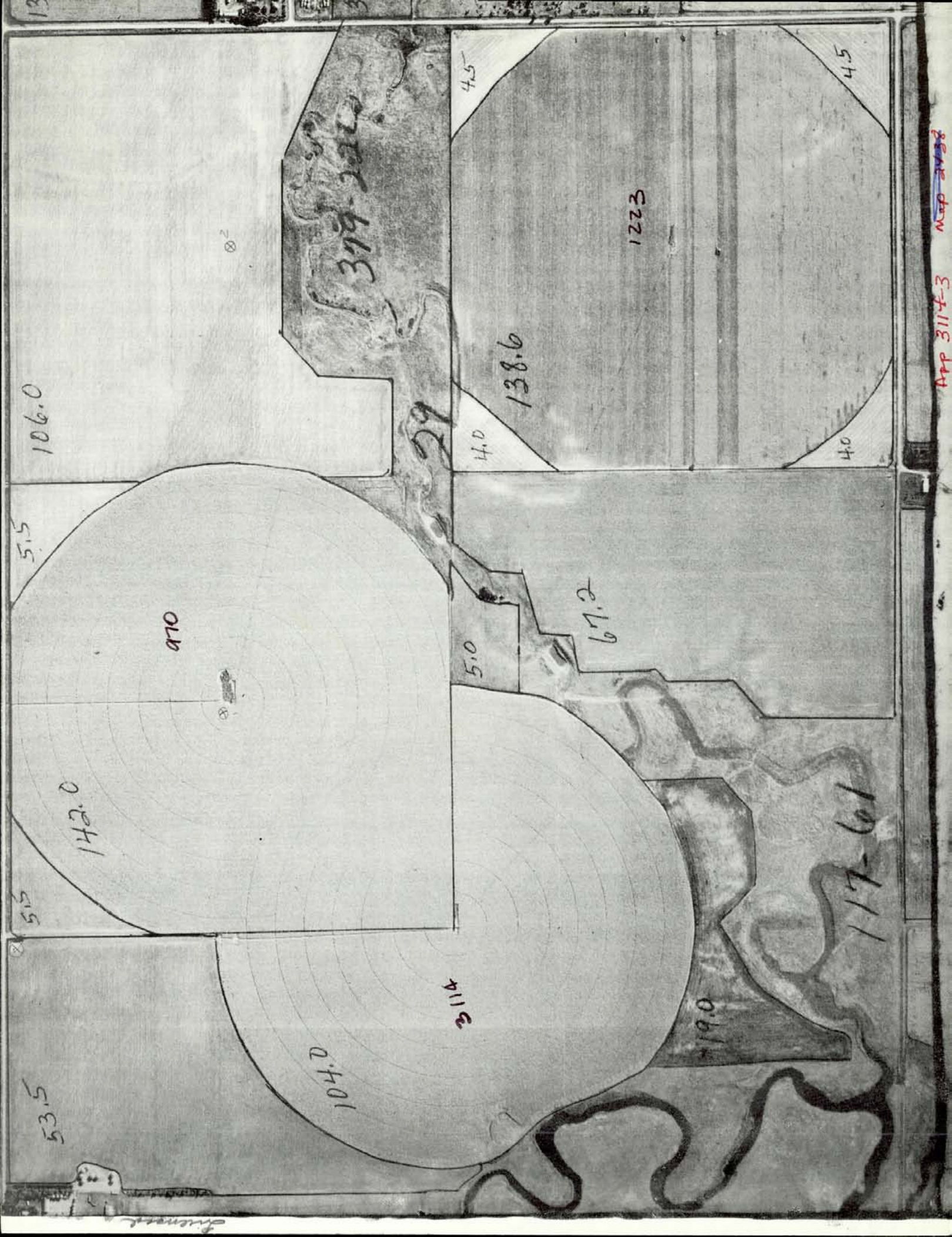
The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for letting me know that you will be farming only Robert Freeburg's land next year. I will make the changes to the files and get in contact with the owners of the other property to find out what they want to do with next years questionnaires.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352



HURON DRILLING INC.
WELL LOCATION MAP

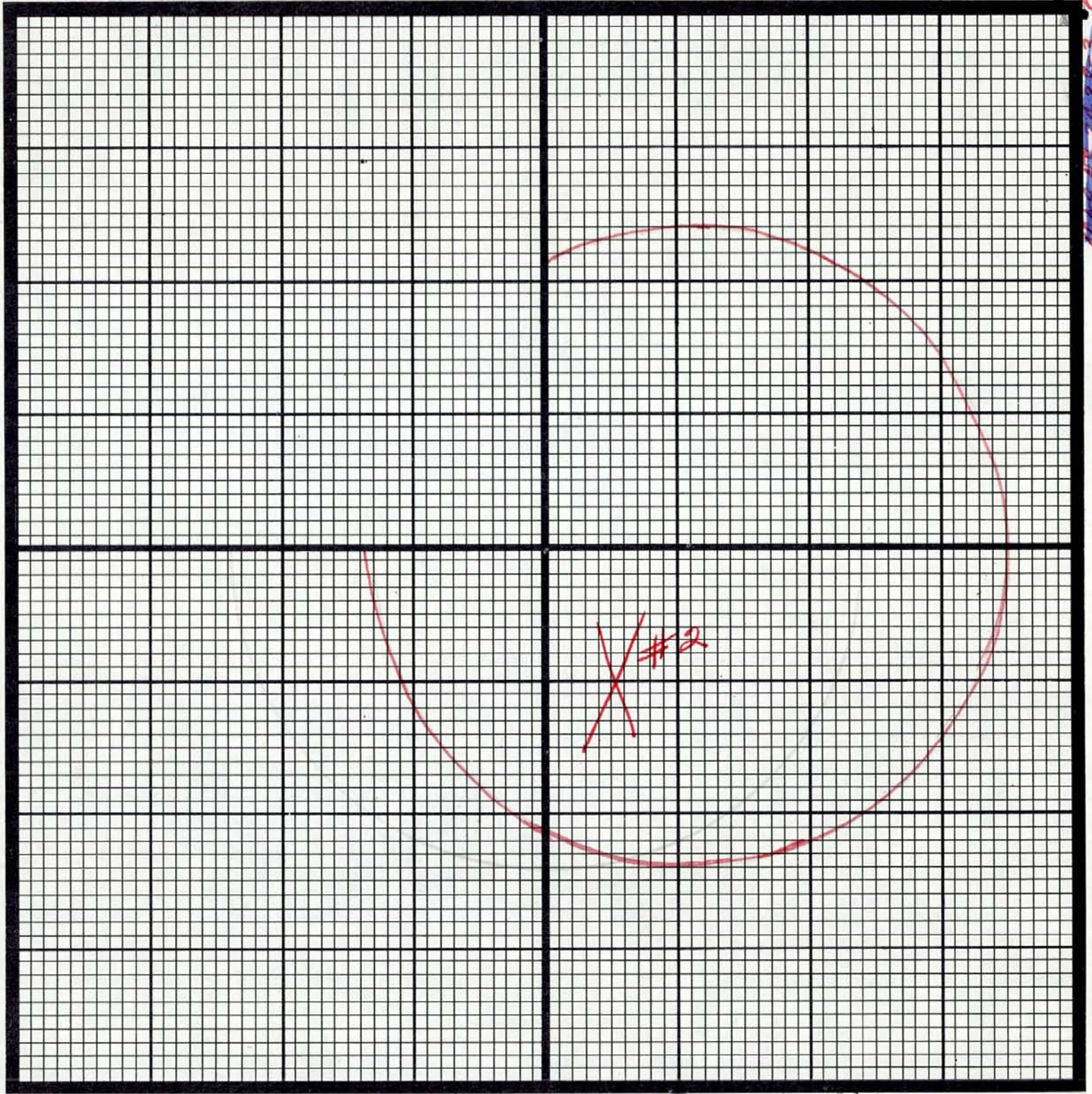
NAME Robert G. Freeburg - Unit #2

DATE September 24 19 76

WELL NO. #2

SE QUARTER, SECTION 30

TWP. 117 RANGE 61 IN Spink COUNTY



X — PROPOSED LOCATION

Prepared By

Dick Fadgen

Dick Fadgen

Beadle County Extension Agent

*1-22-79 See map in folder
for area irrigated*

*1-3114-3
App
Beadle Co. 2438-3*



DEPARTMENT of ENVIRONMENT
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January 18, 2008

NOTICE

TO: KEVIN DETTLER, LEASOR, 40168 173RD ST, DOLAND, SD 57436

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire has not been submitted for Permit No(s) 3114-3. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 11, 2008**, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3114-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **March 3, 2008**, you will no longer be in violation of your permit and your name will be deleted 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. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

c: ROBERT G FREEBURG, 515 OAK ST, FRANKFORT, SD 57440

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.

3114-3

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To : Genny McMath

From: Kevin Dettler

Date: 2/15/2008

Total Pages: 3

RF 2007 Irrigation Questionnaire

Phone # 480-588-5997

Our address in SD is

Dettler Farms
40151 17th ST
Doland, SD
57436

Thank You Genny

Sincerely

Becky Dettler



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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523 EAST CAPITOL
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www.state.sd.us/denr

February 19, 2008

3114-3

Kevin Dettler
Dettler Farms
40151 171st St
Doland SD 57436

Dear Mr. Dettler:

I am writing to acknowledge receipt of the 2007 irrigation questionnaire for land you rent from Robert Freeburg. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right No. 3114-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

c: Robert Freeburg



31143
DEPARTMENT of ENVIRONMENT
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January 23, 2009

NOTICE

TO: DETTLER FARMS, LEASOR, KEVIN DETTLER, 40151 171ST ST, DOLAND, SD 57436

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire has not been submitted for Permit No(s) 3114-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 11, 2009**, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3114-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted 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. If you prefer, you can complete the questionnaire on-line at the following link:
<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pd>

c: **ROBERT G FREEBURG, 515 OAK ST, FRANKFORT, SD 57440**

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.



3114-3

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KEVIN DETTLER
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DOLAND SD 57436

Waiver of Signature ☐ YES ☐ NO

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PS Form 163, May 2002

3114-3

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ROBERT G FREEBURG
515 OAK ST
FRANKFORT SD 57440

Waiver of Signature ☐ YES ☐ NOPostmark
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PS Form 453, May 2002

(See Reverse)



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PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 25, 2009

3114-3

Kevin Dettler
Dettler Farms
40151 171st St
Doland SD 57436

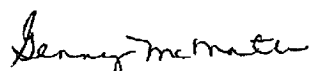
Dear Mr. Dettler:

I am writing to acknowledge receipt of your 2008 irrigation questionnaire. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right No. 3114-3

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,


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

c: Robert Freeburg



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2010

NOTICE

TO: DETTLER FARMS, LEASOR, KEVIN DETTLER, 40151 171ST ST, DOLAND, SD 57436

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire has not been submitted for Permit No(s) 3114-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 10, 2010**, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3114-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 5, 2010**, you will no longer be in violation of your permit and your name will be deleted 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://denr.sd.gov/iq.aspx>

cc: ROBERT G FREEBURG, 515 OAK ST, FRANKFORT, SD 57440

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.



31143

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 7842

Service(s): **Signature Confirmation™**Status: **Delivered**

Your item was delivered at 2:20 PM on January 25, 2010 in MESA, AZ 85209. The item was signed for by M FREEBURG.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Detailed Results:

- Delivered, January 25, 2010, 2:20 pm, MESA, AZ 85209
- Processed through Sort Facility, January 24, 2010, 10:03 pm, PHOENIX, AZ 85043
- Forwarded, January 23, 2010, 9:19 am, FRANKFORT, SD
- Arrival at Post Office, January 23, 2010, 9:06 am, FRANKFORT, SD 57440

Notification Options

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Verify who signed for your item by email, fax, or mail. [Go >](#)[Site Map](#)[Customer Service](#)[Forms](#)[Gov't Services](#)[Careers](#)[Privacy Policy](#)[Terms of Use](#)[Business Customer Gateway](#)

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No FEAR Act EEO Data

FOIA

U.S. POSTAL SERVICE

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 7842

ROBERT G FREEBURG
515 OAK ST
FRANKFORT SD 57440

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:
Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com®
or call 1-800-222-1811

☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 7835

Service(s): **Signature Confirmation™**Status: **Delivered**

Your item was delivered at 1:42 PM on February 1, 2010 in GILBERT, AZ 85297. The item was signed for by D DETTLER.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Detailed Results:

- **Delivered, February 01, 2010, 1:42 pm, GILBERT, AZ 85297**
- **Processed through Sort Facility, January 30, 2010, 11:47 pm, MINNEAPOLIS, MN 55413**
- **Forwarded, January 25, 2010, 10:11 am, DOLAND, SD**
- **Forwarded, January 23, 2010, 9:39 am, DOLAND, SD**
- **Arrival at Post Office, January 23, 2010, 8:20 am, DOLAND, SD 57436**

Notification Options

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No FEAR Act EEO Data

FOIA

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 7835

DETTLE FARM, LEASOR
KEVIN DETTLER
40151 171ST ST
DOLAND SD 57436

ing.

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:
Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

☐ Priority Mail™ Service
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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 9, 2010

3114-3

Kevin Dettler
Dettler Farms
40151 171st St
Doland SD 57436

Dear Mr. Dettler:

I am writing to acknowledge receipt of your 2009 irrigation questionnaire. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right No. 3114-3.

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,

A handwritten signature in cursive script that reads "Genny McMath".

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

c: Robert Freeburg



3114-3

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 24, 2014

NOTICE

TO: DETTLER FARMS, LEASOR, KEVIN DETTLER, 515 OAK ST, FRANKFORT, SD 57440

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaire(s)

Our records indicate that the 2013 Irrigation Questionnaire has not been submitted for Permit No(s) 3114-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 18, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **9:00 am, March 6, 2014**, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3114-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 3, 2014**, 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.



**DEPARTMENT of ENVIRONMENT
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JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

February 3, 2014

3114-3

Kevin Dettler
Dettler Farms
515 Oak St
Frankfort SD 57440

Dear Mr. Dettler:

I am writing to acknowledge receipt of your 2013 irrigation questionnaire.

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Right No. 3114-3. 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,

A handwritten signature in cursive script that reads "Genny McMath".

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



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov



October 29, 2014

3114-3

Kevin Dettler
Dettler Farms
525 N Needles Dr
Brandon SD 57005 1553

RE: Water Right No 3114-3, Robert Freeburg

Dear Mr. Dettler:

Enclosed is a "Notice" dated October 17, 2014 concerning the 2014 irrigation questionnaire.

The notice was originally mailed to you in Frankfort SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 28, 2015

3114-3

Kevin Dettler
Dettler Farms
PO Box 236
Doland SD 57436-0236

Dear Mr. Dettler:

Enclosed is a "Notice" dated October 23, 2015 concerning the 2015 irrigation questionnaire.

The notice was originally mailed to 525 N Needles Dr., Brandon SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosures

3114-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

August 15, 2019

3114-3

Kevin Dettler
Dettler Farms
506 SD Hwy 37 N
Doland SD 57436-2010

Dear Mr. Dettler:

I am writing regarding Water Right No. 3114-3 listed in the name of Robert Freeburg. A copy of the water right is enclosed.

We have been mailing you the annual irrigation questionnaires for this property for several years with a notation that you are the renter. In reviewing the file, it looks like the water right should be transferred to reflect current ownership.

Would you call or email me with the ownership information (name and address) so I can get ahold of them to file an ownership change. This will not affect the questionnaire mailing but will at least help with current ownership records.

Thank you in advance for your help.

Sincerely,

A handwritten signature in black ink, appearing to read "Genny McMath". The signature is fluid and cursive, with the first name "Genny" being more prominent.

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

enclosure

3114-3



DENR
SOUTH DAKOTA

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

October 27, 2020

3114-3

Kevin Dettler
40067 170th St
Frankfort SD 57440

Dear Mr. Dettler:

Enclosed is a "Notice" dated October 23, 2020 concerning the 2020 irrigation questionnaire.

The notice was originally mailed to 505 SD Hwy 37 N, Doland SD. Thank you for visiting with me and updating your address. I will make sure our records are updated accordingly.

Also, I note from the file that the water right is still listed in the name of Robert Freeburg. If you now own the land or if it should be transferred to someone else, let me know. Thanks Kevin.

Sincerely,

A handwritten signature in cursive script, appearing to read "Genny McMath".

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

enclosures