

1. Considered: Feb. 13, 19 81 Water Right No. 3490-3A
2. Name of Applicant DAN WILSON
3. Post Office Address RR #1, Box 49 Frankfort, S.D. 57440
4. Amount of Water Claimed no add'l (2.2 on 3490-3 & 2.28 on 4772-3)
maximum acre feet
5. Source of Water Supply 118' new well and one 118' existing
6. Water to be used for IRR acres to be irrigated no add'l
7. County Spink about 2 miles east of Frankfort (320)
8. PROOF OF PUBLICATION: Received 1-14-81 Not Received _____
APPLICATION: Approved 7/28/82 Subject to _____
Not Approved Action Deferred 2/4/82

PRIORITY
12/27/76

Dated Received 12/28/81 Application complete-yes x no _____ FEE 150.00
Remarks Add'l Diversion on 3490-3 and will also irrigate lands under 4772-3

Corrected Application received _____ Period of Annual Use March - November

WATER
QUALITY

Received yes x no _____ APPROVED/CONDITIONAL (Circle one)

W-1 Description same as application-yes _____ no _____ Remarks _____

Water Quality approved under 3490-3, within SCC rules and Regs

Disapproved _____ Returned _____

Diversion Point _____

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 10-116-62

Land to be irrigated _____

S $\frac{1}{2}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$, Sec.10-116-62

lands covered under existing permits

WELL LOG

Driller Huron Drilling Licensed - yes x x no _____

Depth 118 feet deep

Remarks _____

MAP Map No. 2770-3A Map located In Water Right xx Map file _____
 Type of Map Aerial Prepared by SCS

+++++

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:

12/28/81

Dee W. Hunsick
 (Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date
 F.F. & C. Final Decision, including F.F. & C. of Law were adopted _____
 OF LAW, Date
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision was
 DECISIONS adopted _____
 ETC. Remarks _____

No. 3490-3A

Map No. 2770-3A Water Division No. _____ District _____
Above for Office Use



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

Check one of the following:

New ☐ Vested Right ☐ Future Use ☐

Change In Diversion _____ Additional Diversion ☒

Change In Acreage _____ Additional Acreage _____

1. Name of Applicant Dan Wilson Phone No. (605) 472-1513
Post Office Address R.R. #1, Box 49, Frankfort State South Dakota 57440
(Street, RR, or Box) (Town) (Zip Code)
If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract

3. Name of diversion work Dan Wilson - Unit # 1, Permit #3490-3 & 4772-3

4. Amount of water claimed (cubic feet per second) (No ADD'L)

5. Source of water supply Ground Water

6. Location of point of diversion SW $\frac{1}{4}$ -NW $\frac{1}{4}$ -SE $\frac{1}{4}$ -10-116-62

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, (No ADD'L) Total number of acres to be irrigated 320

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.
SE $\frac{1}{4}$ -NE $\frac{1}{4}$ -10-116-62	40
SW $\frac{1}{4}$ -NE $\frac{1}{4}$ -10-116-62	40
NE $\frac{1}{4}$ -SE $\frac{1}{4}$ -10-116-62	40
N $\frac{1}{2}$ -SE $\frac{1}{4}$ -10-116-62	40

Land Description	No. Acres Irr.
NW $\frac{1}{4}$ -SW $\frac{1}{4}$ -10-116-62	40
NE $\frac{1}{4}$ -SW $\frac{1}{4}$ -10-116-62	40
SE $\frac{1}{4}$ -SW $\frac{1}{4}$ -10-116-62	40
SW $\frac{1}{4}$ -SW $\frac{1}{4}$ -10-116-62	40

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 county newspaper for publication of Notice of Intent to appropriate Water PRESS - RENO, S.D.

12. Principal Features of the Proposed Water Supply System. Daily Plainsman, Huron, SD 57350

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) ss.

I, Dan Wilson 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 Dan Wilson

Subscribed and sworn to before me this 14th day of December, 19 81

Dennis A. Osberg
Notary Public (or other qualified officer)

WNR-802-7/79

MY COMMISSION
EXPIRES NOV. 4, 1984

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No

3490-3A

DAN WILSON

(Applicant)

RR # 1, Box 49, FRANKFORT

(Post Office Address)

SOUTH DAKOTA 57440

(State)

With the following qualifications.

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 adequate domestic wells or in irrigation wells having prior water rights.

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application

December 28, 1981

Date of return to applicant for correction, amendments or changes required

1981

Date of receipt of corrected application

1981

Approved

July 28

1982

Recorded in Book

Page

WATER RIGHT PERMIT NO.

3490-3A

The Water Management Board hereby grants and issues this Water Right Permit No. 3490-3A authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is December 27, 1976 (3490-3) May 6, 1981 (4772-3)
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before 1981
3. The whole of said work is to be completed on or before May 1, 1986
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is May 1, 1988
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 No add'l 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 irrigation purposes said appropriation must be limited to not more than 2 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 May 1, 1988; said water to be used during the following described annual period: March - November

Witness my hand this

4

day of

April

1983

THE WATER MANAGEMENT BOARD

By:

John K. Kitch
Chief Engineer, Water Rights

Certificate of Construction Issued

19

D. Well Information

- (1) Drill Hole, Diameter 30", Depth 118 ft.
- (2) Casing, Type Plastic (wood, concrete, steel, etc.), Diameter 16", Thickness .500
- (3) Screen, Type Slotted, Diameter 16", Length 30 ft.
- (4) Gravel Pack, Thickness 7", Length of gravel pack Top to Bottom

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material 57'

Depth to bottom of water bearing material 118'

Depth to water (ground surface to water level) 21'

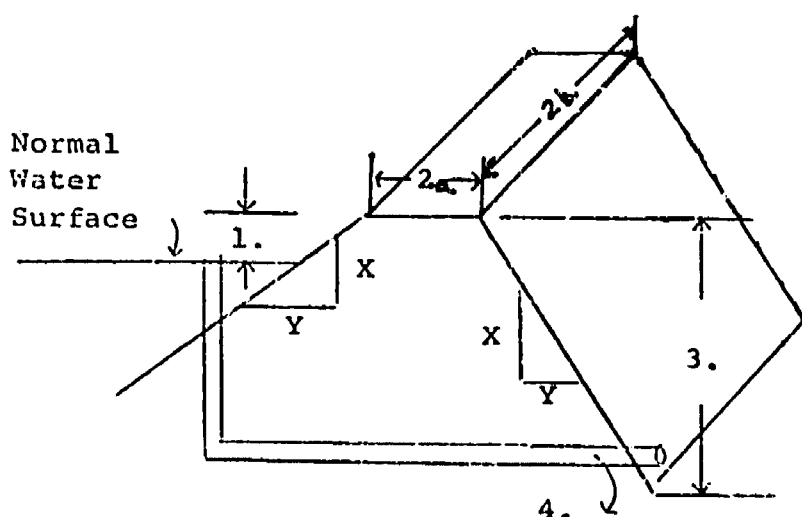
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property 1120 rds.

Or property owned by others 320 rds.

G Water Storage Dams

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



1. Freeboard _____
- 2a Crest width _____ b. length _____
3. Height of Dam _____
4. Outlet dimensions:
- Pipe diameter _____
- Spillway width _____
- X & Y slope:
- Upstream _____
- Downstream _____
- Surface area of impoundment _____
- Drainage area above dam _____

PAGE NO.

Everett Lodmel

FOREMAN

Henson Spelling Book
Henson & Astor

CONSERVATION COMMISSION
W111 FORM
3/80

ADDITIONAL DIVISION POINT OR
PERMIT # 3490-3

Office Use Only
2993

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM
STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: Dan Wilson OWNERS ADDRESS: W.R.#1, Box 49
Frankfort, SD 57440

COUNTY LAND LOCATED IN: Spink PHONE: (605) 472-1513

TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

In accordance with State Law SDCL 46-5-6.5, if a water permit is granted with a conditional Soil/Water Compatibility permit, a copy of such conditional soil/water compatibility permit must be filed with the County Register of Deeds. This action must be taken by the holder of a water permit within 6 months of receipt of such water permit.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

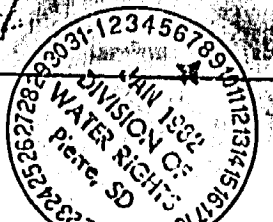
1. WELL LOCATION OR DIVERSION POINT: SW1-NW1-SE1-10-116-62
2. SURFACE WATER SOURCE: Ground Water
3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

Legal Description	Acres	Legal Description	Acres
SE1-NE1-10-116-62	40	NE1-SW1-10-116-62	40
SW1-NE1-10-116-62	40	NW1-SW1-10-116-62	40
NE1-SE1-10-116-62	40	SE1-SW1-10-116-62	40
NW1-SE1-10-116-62	40	SW1-SW1-10-116-62	40

4. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: x GUN: _____ OTHER: _____ (Specify)
5. CROPS TO BE IRRIGATED: Potatoes, Edible Beans, Small Grain
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT; YEAR OBTAINED: 1981
LEGAL DESCRIPTION: SE1-NE1-10-116-62, NW1-SE1-10-116-62, SW1-10-116-62
IN WHAT NAME: Dan Wilson

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 81-1431
8. SALINITY (EC X 10⁶): 1100
9. SODIUM (SAR): 3.07
10. ADJUSTED (SAR): 6.52



I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at 1:00 a.m./p.m., on Dec. 14, 19 81, at the following location: SE1-10-116-62-Spink County, by Dan Wilson (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

14th DAY OF December, 19 81.

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

IMPORTANT
Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER PERMIT must be obtained from the Board of Water Management.

APPROVED

DISAPPROVED

X CONDITIONALLY APPROVED

CONDITIONAL APPROVAL

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Dan Wilson

SOIL RESTRICTIONS: Portions of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ of 10-116-02 =
320 acres

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

#1 Aberdeen & 94 Zell Great Bend = These are sodium and salt bearing soils.
These soils are indicated by red hatch marks.

THE SOIL(S) LISTED BELOW CAN BE IRRIGATED WITH THE FOLLOWING RESTRICTIONS:

RECOMMENDED MANAGEMENT

December 30, 1981

Don Wilson
R.R. #1, Box 49
Frankfort, SD 57440

Dear Mr. Wilson:

Enclosed is your copy of the laboratory report of analysis for water sample No. 81-1431.

I have plotted the approximate quality of your water by means of a red cross in the chart located on the back cover of the accompanying AAS pamphlet #13.

Sample No. 81-1431 is classified as a high saline, medium sodic water. It is marginally suitable as a source for irrigation due to the presence of a substantial amount of sodium salt.

Irrigation application rates should exceed crop requirements. This will force the sodium salts through the soil rooting zone (top two feet)* and prevent structural damage to the top soil.

The Beotia silt loam, Great Bend silt loam and the Harmony silty clay loams are compatible with the quality of your water. However, the Aberdeen silty clay loam found in the NW 1/4 of the SE 1/4 of Section 10-116-62 is a sodium bearing soil. Also, the Zell-Great Bend silt loams located in the SE 1/4 of the NE 1/4 is a shallow soil and contains salts in the subsoil. These two soil series are poor prospects for irrigation development. Persistent wet spots that develop in these areas should be kept in grass or a grass/alfalfa mixture.

If a salt build-up or a rising water table occurs under irrigation, please contact your county extension agent or this office for assistance.

The W1-1, soils information, and a copy of the water analysis are being forwarded to the Division of Conservation for their action.

Sincerely yours,

Michael H. Sanders
Water Quality Lab
Division of Conservation

MHS:ckb
Enclosures

cc: Division of Conservation, Division of Water Rights, D. Pahl (Extension)

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57007

Name:	DON WILSON	Date Rec'd	Dec 17, 1981
Address	RR 1, BOX 49	Sample No.	81-1431
	FRANKFORT SD 57440	Identification	WELL- 118.00ft.
	cc: HURON DRILLING	116N 62W 10 d	

WATER ANALYSIS

Calcium (Ca)	30	ppm*	3.99	me/l**
Magnesium (Mg)	38	ppm	3.13	me/l
Sodium (Na)	133	ppm	5.78	me/l
Potassium (K)	10	ppm	0.26	me/l
Sulfate (SO4)	400	ppm	3.33	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	34	ppm	0.96	me/l
Bicarbonate (HCO3)	185	ppm	3.04	me/l
Carbonate (CO3)	0	ppm	0.00	me/l
Iron (Fe)		ppm		me/l
Flouride (F)		ppm		me/l
Manganese (Mn)		ppm		
Boron (B)	0.20	ppm		
Hardness (EDTA as CaCO3)		ppm		g.p.g.***
Total solids		ppm		
Total Cations			13.16	me/l
Total Anions			12.33	me/l
Alkalinity (Methyl Orange)	152	ppm(as CaCO3)		
Alkalinity (Phenolphthalein)	0	ppm(as CaCO3)		
Electrical Conductivity	1100	micromhos per cm at 25 C		
Sodium Adsorption Ratio	3.07	Adjusted SAR	6.52	
Sodium	13.96	% of Cations		
Residual sodium carbonate	0.00	me/l		
pH	7.91			
Others:				

*ppm=parts per million ***g.p.g.=grains per gallon
**me/l=milliequivalents per liter

COMMENTS

By: Shirley Mittan

Service Performed:	Total Cost: \$ 28.00
	Amount Received: 0.00
Irrigation Analysis	Balance Due: 28.00

Make checks payable to: Water Quality Laboratory

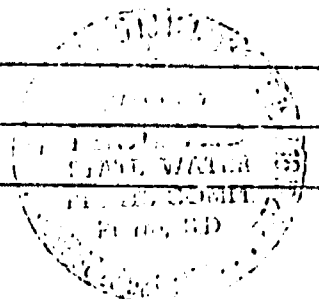
Cut along dotted line and return the lower portion with payment

Sample No. 81-1431

Amount Enclosed \$
Signed

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 Stanley Filipek
ADDRESS Frankfort, South Dakota 57440
COUNTY Spink



LEGAL DESCRIPTION

1. WELL LOCATION NW 1/4 of SE 1/4 of 10-116-62
2. LOCATION OF AREA TO BE IRRIGATED N 1/2 of the SE 1/4 of 10-116-62, S 1/2 of NE 1/4 of 10-116-62

TYPE OF IRRIGATION

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

WATER QUALITY

5. SAMPLE NUMBER 76-2117
6. SALINITY (EC X 10⁶) 1576 (high)
7. SODIUM (SAR) 2.91 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

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.

Stanley Filipek
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
17 DAY OF December 1966.

Norm A. Cady
(TITLE OR SEAL)

Albert J. [Signature]
APPROVED/DISAPPROVED

MY COMMISSION
EXPIRES NOV _____
(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: Stanley Filipek
 Address: Frankfort, SD 57440
cc: Huron Drilling, Inc.
P.O. Box 1422
Huron, SD 57350

Date Rec'd December 27, 1976
 Sample No. 76-2117
 Identification Well 125' #1
Et, Sec. 10, T. 116N, R. 62W

WATER ANALYSIS

Calcium (Ca)	173	ppm*	8.65	me/l**
Magnesium (Mg)	41	ppm	1.36	me/l
Sodium (Na)	164	ppm	7.13	me/l
Potassium (K)	10	ppm	0.26	me/l
Sulfate (SO ₄)	574	ppm	12.94	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	40	ppm	1.32	me/l
Bicarbonate (HCO ₃)	386	ppm	6.32	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)	316	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1576	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	2.91			
Sodium	26.75	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.88			

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 18.40 me/l
 Total anions 19.28 me/l

By: Shirley Mitten

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. 76-2117

Amount Enclosed \$

Signed



December 30, 1976

Mr. Stanley Filippek
Frankfort, SD 57440

Dear Mr. Filippek:

Your water sample (Lab. No. 76-2117) 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. Vine

L. O. Vine
Water Quality Lab

LOP:ckb
Enclosures
cc: State Conservation Commission

No. 50

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Spink) ss.

I, Judy Matz hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Redfield 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 Redfield

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

January 6, 1982

January 13, 1962

[Signature]
(Signature)

Assoc. Club
(Title)

1-13-82
(Date Signed)

Cost of Printing: \$25410

WNR-808-7/79
Proof of Publication

No. 50

**NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE
WATER**

No. 3490-2A

Pierre, South Dakota, 57501

December 29, 1961

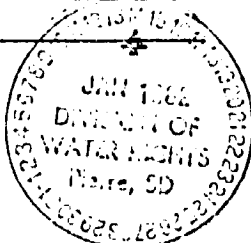
Notice is hereby given that Dan Wilson whose post office address is Box No. 1, Box 49, Frankfort, South Dakota, has made an application in accordance with the provisions of SDCL 45-1-1 thru 45-1-9, 45-1-12 thru 45-1-14; 45-2-0 thru 45-2-11; 45-2-12; 45-3-1 thru 45-3-4 thru 45-3-6 45-4-10 thru 45-4-11; 45-5-1; 45-5-2, 45-5-3, 45-5-4, 45-5-5, 45-5-6, 45-5-7, 45-5-8, 45-5-9, 45-5-10, 45-5-11, 45-5-12, 45-5-13, 45-5-14 and 45-5-15 ARS1 52:01:01-04 for a permit to appropriate for beneficial use no additional cubic feet of water per second of time from (2 groundwater wells - 1 existing) through the Dan Wilson-Unit No.1, to add and additional point of diversion on an existing permit of which is to be located in the NW¼ SE¼ of Section 10, Twp. 116N, Range 62W. Said water to be used for the purpose of providing irrigation on portions of the following described land: S¼ NE¼; N¼ SE¼ and SW¼, Section 10, T116N, R62W (lands are covered under existing permits)

This Application No. 3460-3A will be considered by the Water Management Board at Kneip Bldg., Meeting Room No. 1, Church and Ill. Pierre upon the 3rd day of February, 1982 at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNr, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board
Betty Westlund
Water Rights Specialist
WNR-806A-10-21 Notice of Intent to
Appropriate Water
GROUNDWATER
(Jan. 6 and 13)



Publish first publication on or before January 6, 1982NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota, 57501

December 29, 1981

Notice is hereby given that Dan Wilson whose post office address is RR #1, Box 49, Frankfort, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-25, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use no add'l cubic

groundwater
feet of water per second of time from (2 wells - 1 existing) through the Dan Wilson Unit #1,
to add no additional the point(s) of diversion on an existing permit of which is (xxx) to be located in the _____

NW 1/4 Sec 10

of Section 10, Twp. 116N, Range 62W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

S 1/2 NE 1/4; N 1/2 SE 1/4; and SW 1/4, Section 10, T116N, R62W (lands are covered under existing permits)

This Application No. 3490-3A will be considered by the Water Management Board at Kneip Bldg, Meeting Room #1, Church & Ill, Pierre upon the 3rd day of February, 1982

at 10 A. M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWR, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board

cc: applicant

BETTY WESTLUND, Water Rights Specialist

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8619

PIERRE, September 28, 19 81

RECEIVED OF Dan Wilson, 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. 3490-3 (examination, processing, recording and filing)	150	00
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	150	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH (18)

Frankfort, S.D.
Jan. 23, 1982

Watermanagement Board
Joe Foss Bldg.
Pierre, S.D.
Gentlemen:

Pertainin'g to the request for an additional well permit for Dan Wilson on Sec.10-116-62 Spink County, I am very much opposed.

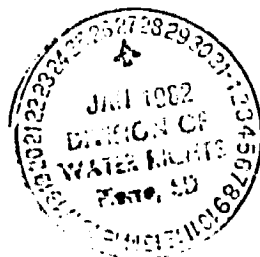
The permit asks for an additional well which naturally means he expects additional water. I have talked to him--to Karl Osberg of Huron Drillers and also to Burton Jones that with another well it would only mean he won't be able to use it. My permit gives me priority according to Jones.

In 1976 on Sec.3-116-62 we installed a center pivot and two wells combined give me 700 gal. per min. which is a minimum amount for an irrigated crop. It has operated satisfactory till 1981 when Wilson installed a well 3000 ft. south of me. His well is like 100 ft. deep and mine are both 59 ft. Their well now effects mine after one or two days pumping with air on 1st 4 or 5 sprinklers and then shuts system off with the low pressure switch.

I strongly feel no further permits be issued in marginal areas such as this.

Sincerely,

Robert G. Freeburg





Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

May 26, 1982



NOTICE

TO : Persons Interested In Application No. 4772-3, Duane A. Wilson

FROM : John Hatch, Chief Engineer, Water Rights Division *John Hatch*

SUBJECT : Reconsideration of Deferred Application No. 4772-3

The Water Management Board will reconsider deferred water permit application No. 4772-3, Duane A. Wilson at 1:30 p.m., June 9, 1982, at Meeting Room #1, Knelp Building, Church and Illinois, Pierre, South Dakota.

This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 through 46-1-9, 46-1-12 through 46-1-14, 46-2-9 through 46-2-11, 46-2-13; 46-5-1 through 46-5-8, 46-5-10 through 46-5-11, 46-5-25, 46-5-41, 46-6-3 through 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14 and Board Rules ARSD 74:02:01:01 through 74:02:01:15.

This application was previously deferred by the Board pending staff investigation.

After reconsideration of the deferred applications the Board can approve, conditionally approve, defer, or deny all or part of the Applications.

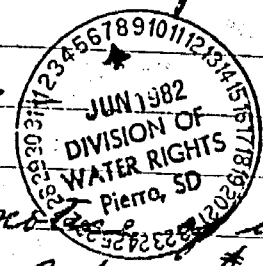
This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWR, Joe Foss Building, Pierre, South Dakota, prior to the hearing date for assistance to assure access to the hearing.

S503.wr

May 31-82

Mr John Hiteh
Joe Fass Bay Pierre
Dear Sir



Received - notes the
Reconsideration of Referred #4772-3.
I have no idea what provisions
all the SDCL numbers & rules
pertain to but absolutely do
not want to forfeit my
process rights at this hearing
until further investigation has
been completed.

I can not understand why
this hearing is being held at this
time when the Dept. has drilled
an observation well to determine
what effects this permit may have
on the priority permit I now have.
Sincerely Robert F. Johnson
57440 Grand Fort SD.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

July 14, 1982

NOTICE

TO : Persons Interested In Application No. 3490-3A, Dan Wilson
FROM : John Hatch, Chief Engineer, Water Rights Division *John Hatch*
SUBJECT : Reconsideration of Deferred Application No. 3490-3A

Through an error in this office the Notice of Reconsideration sent under date of May 26, 1982 was for Permit No. 4772-3, which should have been for Application No. 3490-3A. No action was taken at the June 9 meeting.

To rectify this error, the Water Management Board will reconsider deferred water permit Application No. 3490-3A, Dan Wilson, at 1:30 p.m., July 28, 1982 at the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 through 46-1-9, 46-1-12 through 46-1-14, 46-2-9 through 46-2-11, 46-2-13; 46-5-1 through 46-5-8, 46-5-10 through 46-5-22, 46-5-25, 46-5-41 (ground) 46-6-3 through 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14 (~~future use~~) 46-5-38; (~~transfer lands~~) 46-5-33 through 46-5-35 and Board Rules ARSD 74:02:01:01 through 74:02:01:15, (~~future use~~) 74:02:01:23 through 74:02:01:26 (10,000 AFA) 74:02:07:01 through 74:02:07:03.

This application was previously deferred by the Board pending staff investigation.

After reconsideration of the deferred application the Board can approve, conditionally approve, defer, or deny all or part of the Application.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNR, Joe Foss Building, Pierre, South Dakota, prior to the hearing date for assistance to assure access to the hearing.

S503.wr

Deferred Application

No. 3490-3A



Department of Water & Natural Resources

Joe Foss Building

Pierre, South Dakota 57501

Water Rights, Water Management Division

(605) 773-3352

February 8, 1982

.....
Dan Wilson
RR#1, Box 49
Frankfort, South Dakota 57440

Dear Mr. Wilson:

.....
The Board of Water Management deferred action on your Application No. 3490-3A
at the February 4, 1982 Board meeting, pending investigation by the
Staff.

If you have any questions, feel free to contact this office.

Sincerely,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Equal Opportunity Employer

Mr. Walter MOVED, SECONDED by Mr. Decker that Application No. 1256-1 be APPROVED with the Irrigation Use Qualification and the qualification that Permit No. 1256-1 allows an increase in the height of the dam authorized by Water Right No. 304-1. The storage authorized may not exceed 300 acre feet annually. MOTION CARRIED.

CANCELLATION CONSIDERATION

Permit No. 64-1 was Issued to John H Livingston and is now owned by Vern Wammen.

The system has not been used since 1929. Mr. Jones stated the area has been inspected and Mr. Wammen was notified two weeks prior to the meeting of the cancellation consideration.

Mr. Wammen stated he had no objection to the cancellation.

Mr. Decker MOVED, SECONDED by Mr. Harms that Permit No. 64-1 be CANCELLED. MOTION CARRIED.

RECONSIDERATION OF DEFERRED APPLICATIONS (cont)

3490-3A. Dan Wilson, Frankfort SD

Jim Goodman stated the application was noticed for the last meeting with the wrong number, so it was renoticed for this meeting.

The main problem in the area is between two irrigators. After working with them the situation is pretty well in hand. There are observation wells located between the two irrigators. Mr. Freeburg has indicated that Mr. Wilson's application would affect his wells. There is no indication of any effect at all. There is no drawdown in the observation wells. The surveying has indicated a six foot difference in the elevation of the water levels. This indicates that there is little connection between the two aquifers.

Mr. Arend MOVED, SECONDED by Mr. Decker that Application No. 3490-3A be APPROVED with the Well Interference Qualification. MOTION CARRIED.

4899-3. Huron Dressed Beef, Huron SD

Mr. Hatch gave a review of the applications. July 20, 1966 Permit No. 1277-3 was approved for the Rod Barnes Packing Company in Huron subject to receipt of proof of publication. The proof of publication was never received. The permit remained in this status in our files for many years. In 1978, a letter was sent to Rod Barnes Packing Co. which at that time was no longer in business. The letter advised that the proof of publication had never been received. There was no response to the letter. Huron Dressed Beef was by that time the owner. The old permit has never been issued. At the present time Huron Dressed Beef has four wells. Well #1 is the well originally approved under 1277-3 which has never been issued. Well #2 is authorized by Permit No. 2680-3 approved for irrigation May 20, 1976 with a five year construction period that was up May 20, 1981. Permit No. 2680-3 was approved for one well for 2.2 cfs. New Application No. 4899-3 is for two wells. One well is what is referred to as Well #1 and a second well is Well

No. 3490-3A

SOUTH Dakota Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

April 4, 1983

Dan Wilson
RR #1 Box 49
Frankfort SD 57440

Dear Sir:

Enclosed herewith is your Water Right Permit No. 3490-3A as approved by the Water Management Board authorizing you to construct your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said Water Right Permit No. 3490-3A.

Also enclosed is FORM 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Water Management Board when you have completed the system and/or have put the water to beneficial use. The Board can then schedule an inspection so that your Certificate of Construction and/or Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ks

enclosure



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501
March 22, 1983

Water Rights Division
605 773-3352

3490-3A
Dan Wilson
RR 1 Box 49
Frankfort SD 57440

Dear Sir:

Water Permit No. 3490-3A was approved with the qualification that the irrigation questionnaire be submitted each year. To date we have not received the 1982 questionnaire from you.

Please complete the enclosed questionnaire and return to this office. Failure to return the questionnaire is in violation of the conditions under which the permit was approved.

Please advise, if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks
enclosure

No. 3490-3A

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office Frankfort S.D. Dak.
Date April 6, 1983

TO: Water Rights
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No. .

3490-3A

Water Right Permit No. 3490-3A states that the diversion system is to be constructed by May 1, 1988, and that the water is put to beneficial use by May 1, 1988.

The diversion system was completed on July 4, 1982. Applying the water to beneficial use was completed on Aug 15, 1982.

You may schedule an inspection so that ~~the certificate of construction and/or~~ the Water License may be issued, thus completing my acquisition of a water right.

Dan Wilson
(Signature)



3490A-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING

523 EAST CAPITOL

PIERRE SOUTH DAKOTA 57501-3181

January 29, 1993

NOTICE

TO: DAN R WILSON
RR #1 BOX 49
FRANKFORT SD 57440

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Violation of Water Permit No(s) 3175-3, 3490-3, 3490-3A & 5280-3 and 1992 Irrigation
Questionnaire Requirements

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 3175-3, 3490-3, 3490-3A & 5280-3. The request for the Questionnaires was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 3175-3 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) 3490-3, 3490-3A & 5280-3 qualification:

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

The hearing will be held at 9:30 am, March 3, 1993, at the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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 SDCL 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) 3490-3, 3490-3A & 5280-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 3175-3 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. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaires are received in this office before the March 3rd hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

3490A-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 26, 1993

Dan & Duane Wilson
RR #1 Box 49
Frankfort, SD 57440

RE: Water Permit Nos. 1700-3, 2208-3, 4772-3 (Duane Wilson)
Water Permit Nos. 3175-3, 3490-3, 3490-3A & 5280-3
(Dan Wilson)

I am writing to acknowledge receipt of the 1992 irrigation questionnaires for the above listed water permits. You may disregard the January 29, 1993 Notices for Violation of Water Permits and 1992 Irrigation Questionnaire Requirements.

The questionnaires were received prior to the Water Management Board Meeting and your names have been deleted from the agenda.

If you have any questions, please contact me at (605) 773-3352.

Sincerely,

Genny McMath
Genny McMath
Natural Resources Analyst
Water Rights Division



February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

 JOE FOSS BUILDING
 523 EAST CAPITOL
 PIERRE, SOUTH DAKOTA 57501-3181
NOTICE
TO: DAN WILSON, RR 1 BOX 49, FRANKFORT, SD 57440

FROM: Ron Duvall, Natural Resources Engineer
 for John Hatch, Chief Engineer
 Water Rights Program

SUBJECT: Violation of Water Permit No(s) 3490-3, 3490A-3, 4772-3 & 5280-3, 1700-3, 2208-3 & 3175-3 and 1996 Irrigation Questionnaire Requirements

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 3490-3, 3490A-3, 4772-3 & 5280-3, 1700-3, 2208-3 & 3175-3. The request for the Questionnaires was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 1700-3, 2208-3 & 3175-3 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) 3490-3, 3490A-3, 4772-3 & 5280-3 qualification:

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

The hearing will be held at 2:30 pm, March 5, 1997 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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) 3490-3, 3490A-3, 4772-3 & 5280-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1700-3, 2208-3 & 3175-3 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, 1997, 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.



3490A-5

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 19, 1997

Dan Wilson
RR 1 Box 49
Frankfort, SD 57440

RE: Water Permit Nos. 1700-3, 2208-3, 3175-3, 3490-3, 3490A-3, 4772-3 & 5280-3

Dear Mr. Wilson:

I am writing to acknowledge receipt of your 1996 irrigation questionnaires. You may disregard the February 4, 1997, Notice of Violation.

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

3490A-3



January 9, 1998

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: DAN WILSON, RR 1 BOX 49, FRANKFORT, SD 57440
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaires

Our records indicate that the 1997 Irrigation Questionnaires have not been submitted for Permit Nos. 3490-3, 3490A-3, 4772-3 & 5280-3, 1700-3, 2208-3 & 3175-3. The request for the Questionnaires was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 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) 1700-3, 2208-3 & 3175-3 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) 3490-3, 3490A-3, 4772-3 & 5280-3 qualification:

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

The hearing will be held at 9:45 am, February 25, 1998 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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) 3490-3, 3490A-3, 4772-3 & 5280-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1700-3, 2208-3 & 3175-3 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 20, 1998, 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.



3490A-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 13, 1998

Dan Wilson
RR 1 Box 49
Frankfort, SD 57440

RE: Water Permit Nos. 1700-3, 2208-3, 3175-3, 3490-3, 3490A-3, 4772-3 & 5280-3

Dear Mr. Wilson:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit Nos. 1700-3, 2208-3, 3175-3, 3490-3, 3490A-3, 4772-3 & 5280-3.

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 and 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



February 4, 1994

*No Land was sold
so water permits
should stay the same.*

Kay Wilson

Mrs. Gene Wilson
RR #1 Box 48
Frankfort, SD 57440

Dear Mrs. Wilson:

Enclosed, as we discussed, are copies of the following water rights or permits and the names they are listed in:

Water Right No. 1700-3	Duane A Wilson
Water Right No. 2208-3	Duane A Wilson
Water Right No. 3175-3	Dan R & Gene A Wilson

Water Permit No. 3490-3	Dan R Wilson
Water Permit No. 3490-3A	Dan R Wilson
Water Permit No. 4772-3	Duane A Wilson
Water Permit No. 5280-3	Dan R Wilson

In reviewing the files, I found that Water Permit Nos. 3490-3, 4772-3 and 5280-3 are ready for licensing. The permits were to be incorporated into one water license since they pertain to the same irrigation system. The license fee has already been paid, however the license was not issued due to a discrepancy in the names they were listed under.

In our telephone conversation, you indicated Duane was retired. If this is the case and Dan now owns or manages the land under Water Permit No. 4772-3, the permit could be transferred to Dan. This would allow the water license to be issued.

Please review the enclosed copies and let me know if any name changes should occur. If changes need to be made, whoever now owns the land will need to file a "Notice of Transfer of Ownership". I am enclosing a few forms in the event they are needed.

I appreciate you taking time to review the permits and licenses. If I can answer any questions for you, please contact me at (605) 773-3352.

Sincerely,

Genny McMath

Genny McMath
Environmental Scientist
Water Rights Division



January 22, 1999

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

NOTICE

TO: DAN WILSON, RR 1 BOX 49, FRANKFORT, SD 57440
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaires

Our records indicate that the 1998 Irrigation Questionnaires have not been submitted for Permit Nos. 3490-3, 3490A-3, 4772-3 & 5280-3, 1700-3, 2208-3 & 3175-3. The request for the Questionnaires was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 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) 1700-3, 2208-3 & 3175-3 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) 3490-3, 3490A-3, 4772-3 & 5280-3 qualification:

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

The hearing will be held at 9:45 am, March 3, 1999 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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) 3490-3, 3490A-3, 4772-3 & 5280-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1700-3, 2208-3 & 3175-3 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 1, 1999, 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

February 3, 1999

Dan Wilson
17463 SD Hwy 37
Frankfort, SD 57440-6806

RE: Water Right/Permit Nos. 1700-3, 2208-3, 3175-3, 3490-3, 3490A-3, 4772-3 & 5280-3

Dear Mr. Wilson:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right/Permit Nos. 1700-3, 2208-3, 3175-3, 3490-3, 3490A-3, 4772-3 & 5280-3.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAR 13 2003

Dan Wilson
17463 SD Highway 37
Frankfort SD 57440-6806

5280-3
3490-3
3490-3A
4772-3

Dear Mr. Wilson:

Enclosed are Water License No. 5280-3 and receipts for payment of the license and transfer fees. The water license is the final water right document completing the process of obtaining a Water Right.

The applicable portions of Nos. 3490-3, 4772-3 and 3490-3A are incorporated into this water right.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right No. 5280-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

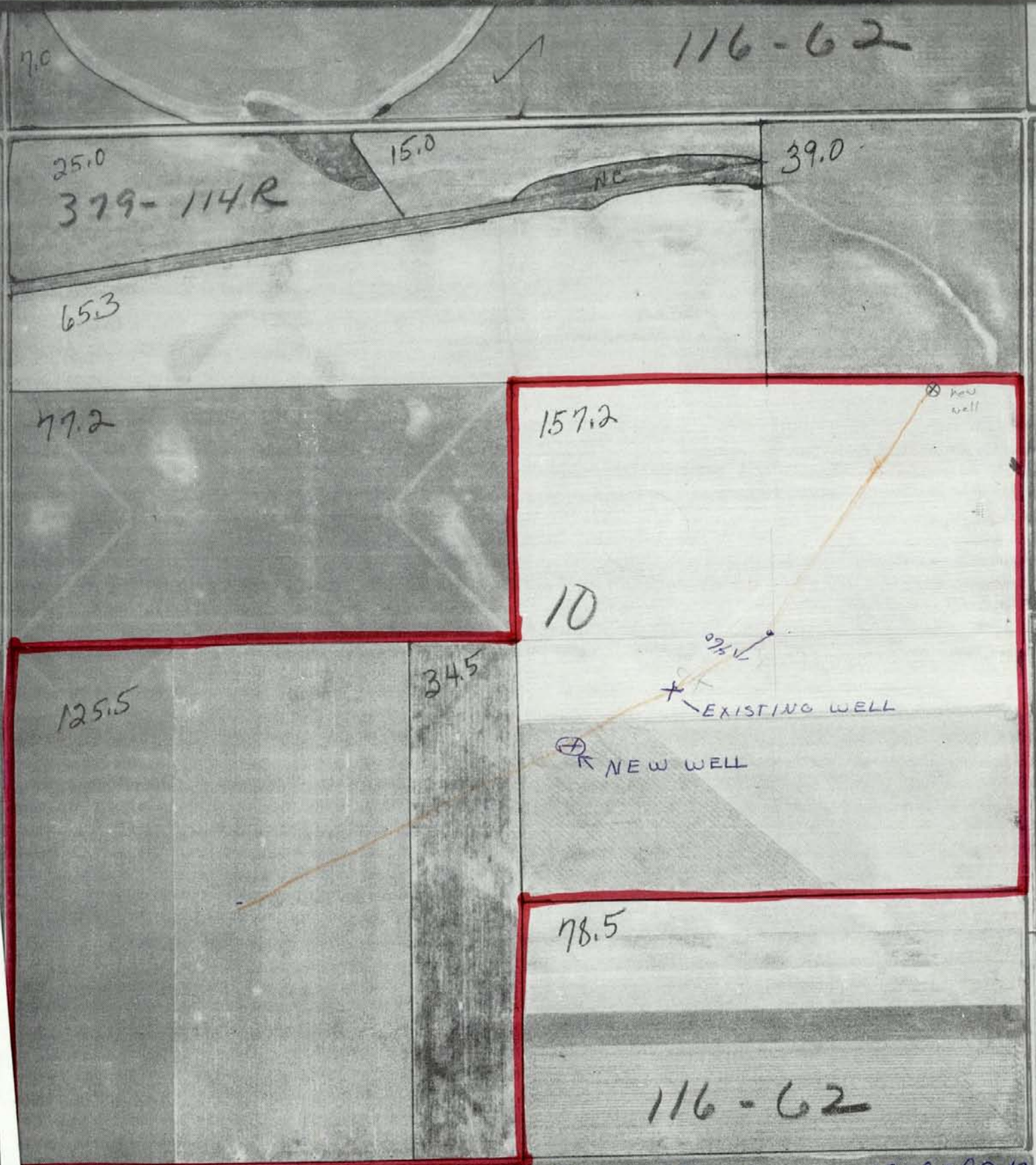
As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

enclosures

NOT TO SCALE



Small location SCS Redfield S. Dak
Map# 2770-3A
appl 3490-3A