

Water Right Number 3824-3

3825-3

1. Considered 5-25, 19 77
2. Name of Applicant LLOYD E. FRITZEL
3. Post Office Address DE SMET
4. Amount of water claimed 2.28
5. Source of water supply 60' DEEP WELL
6. Water to be used for IRRIGATED W
- Acres to be irrigated 160
7. Water to be diverted and used in LINGSBURY County
about 2N, 2W Miles of DE SMET
8. Proof of Publication Received 4.29.77
Not received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

Map No. 3087-3 Water Division No. 3 JAMES RIVER District 1
 (Blanks to be Filled by the Engineer for the W. R. 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 Lloyd E. Fritzel
 Postoffice address De Smet, State South Dakota, 57231
 If a corporation show date of place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work irrigation well
4. Amount of water claimed (cubic feet per second) 2.5 2.28
5. Source of water supply well
6. Location of point of diversion NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of 17 111 56 De Smet Township,
Kingsbury County
 _____ County _____
7. Annual period or periods during which water is to be used April to September
irrigation
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) _____
9. For irrigation use, Total number of acres to be irrigated 160

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 of NW $\frac{1}{4}$ 17 111 56	40		
NW of NW $\frac{1}{4}$ 17 111 56	40		
SE of NW $\frac{1}{4}$ 17 111 56	40		
SW of NW $\frac{1}{4}$ 17 111 56	40		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 years. Additional time required to complete application of water to the proposed beneficial use 1 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication De Smet News, De Smet, SD
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. wellB. Works proposed to transport water to place of use. pipeC. Works proposed to apply water to beneficial use. sprinklerEstimated Total Cost \$ 30,000.00

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 Kingsbury)

I, Lloyd E. Fritzel, 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 [Signature]
 Subscribed and sworn to before me this 2nd day of May, 1977

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3825-3LOYD E. FRITZEL

(Applicant)

Dr. Smet 37th, Box 26, E. 18th
(Post Office Address)SOUTH DAKOTA 57231

(State)

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

Date of first receipt of application MARCH 4, 19 77Date of return to applicant for correction, amendments or changes required —, 19 —Date of receipt of corrected application APRIL 1, 19 77Approved MAY 25, 19 77, Recorded in Book 18 Page 234WATER RIGHT PERMIT NO. 3825-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3825-3 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 MARCH 4, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 25, 19 77
3. The whole of said work is to be completed on or before MAY 25, 19 78 ⁸²
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 25, 19 79 ⁸²
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 2.28 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 MAY 25, 19 79 ⁸² said water to be used during the following described annual period: APRIL - SEPTEMBER

Witness my hand this 13TH day of JUNE, 19 77

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

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

D Well Information or Estimates

- (1) Drill Hole, Diameter 22", Depth 60 ft.
- (2) Casing, Type steel Diameter 15" Thickness 3/8"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Stainless Steel, Diameter 15", Length 15 ft
- (4) Gravel Pack, Thickness 7", Length of gravel pack 60 ft.

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F Fill out for Either a Well or a Dugout.

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

Character of Water bearing materials Sand and gravel

Depth to top of water bearing material 8 ft

Depth to bottom of water bearing material 60 ft

Thickness of water bearing material 52 ft

Depth to water (ground surface to water level) 15 ft

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

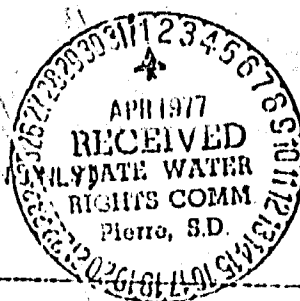
On same owner's property 100 rds. On property owned by others 200 rds.

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, 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

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



NAME Alfred E. Feitel
ADDRESS De Smet, SD
COUNTY King

LEGAL DESCRIPTION

1. WELL LOCATION NE 20th NW 1/4 - 17 - 11 - 56
2. LOCATION OF AREA TO BE IRRIGATED NW 1/4 17 - 11 - 56

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT _____ GUN ☒
4. CROPS TO BE IRRIGATED CORN & Alfalfa

WATER QUALITY

5. SAMPLE NUMBER 77-303
6. SALINITY (EC X 10⁶) 6.36 (medium)
7. SODIUM (SAR) 0.39 (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 King County Conservation District, County Extension office or Soil Conservation Service. Wendell E. Jensen and: that the legal description for the location of the well and land to be irrigated is true and correct.

Alfred E. Feitel
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
9 DAY OF March 19 77.

Ch. Kerle Notary Public
(TITLE OR SEAL)

Alfred E. Feitel

APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)



March 2, 1977

Mr. Lloyd Fritzel
DeSmet, SD 57231

Dear Mr. Fritzel:

Your water sample (lab. No. 77-303) 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.

Your water, as indicated by this analysis, is satisfactory for use on the soils you indicate will be irrigated. If a salt problem or a water table problem should develop, contact extension personnel for assistance.

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

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb

Enclosures

cc: State Conservation Commission

D. Pahl, Extension Service

P.S. The steeper sloping lands (primarily 3H422) should be maintained in permanent forage crops such as bromegrass-alfalfa. Corn performance will be somewhat disappointing.

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

Submitted by: I. Royl Pritzol

Date Rec'd. February 18, 1977

Address: Delmar, SD 57231

Sample No. 77-303

Identification: Well 60

Feb., Dec. 17, T. 121N, R. 56W

WATER ANALYSIS

Calcium (Ca)	99	ppm*	4.95	me/l**
Magnesium (Mg)	27	ppm	2.21	me/l
Sodium (Na)	17	ppm	0.74	me/l
Potassium (K)	7	ppm	0.28	me/l
Sulfate (SO ₄)	150	ppm	3.12	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	3	ppm	0.08	me/l
Bicarbonate (HCO ₃)	307	ppm	5.04	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)	252	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	636	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.39			
Sodium	9.15	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.91			
Others:				

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 8.08 me/l
 Total anions 8.24 me/l

By: Shirley Litten

Service Performed

Amount Due

Irrigation analysis

\$15.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-303

Amount Enclosed

Signed

Publish first publication, on or before April 11, 1977**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

April 11, 1977Notice is hereby given that Lloyd E. Fritzelwhose post office address is De Smet, 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 use2.20 cubic feet of water per second of time from the De Smet River through theL. E. Fritzel & Co., the point of diversion of which is to be located in the De Smet RiverDe Smet RiverDe Smet RiverDe Smet RiverDe Smet Riverof Section 17, Twp. 111N, Range 56W. Said water to be used for the purposeof providing irrigation or portions of the following described land:NF, Section 17-T111N-56WThis application No. 3825-3 will be considered by the Water Rights Commission at their office atPierre upon the 25th day of April, 1977, at 10:00 A.M. All interested

persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

JAMES WINSTON
Water Rights Specialist

BFJ/bw

cc: Lloyd E. Fritzel, De Smet, South Dakota 57231

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Kingsbury) ss.

I, Dale Blegen hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the De Smet News

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 De Smet of

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

April 20, 1977

April 27, 1977

Dale Blegen
(Signature)

Publisher
(Title)

April 24, 1977
(Date Signed)

NOTICE
INTENT TO
APPROPRIATE WATER

No. 3825-3
of Pierre, South Dakota 57501
April 11, 1977
Notice is hereby given, that
Lloyd E. Fritzel whose post office
address is De Smet, South Dako-
ta, has made an application in
accordance with the provisions of
the water laws of South Dakota for
a permit to appropriate for benefi-
cial use 2.28 cubic feet of water per
second of time from ground water
through the L. E. Fritzel #1, the
point of diversion of which is to be
located in the NE 1/4 NW 1/4 of
Section 17, Twp. 111N, Range
56W. Said water to be used for the
purpose of providing irrigation on
portions of the following described
land: NW 1/4, Section 17, T111N-
R56W. This application No. 3825-3 will
be considered by the Water Rights
Commission at their office at
Pierre upon the 25th day of May
1977, at 10:00 A.M. All interested
persons may appear and be heard.
WATER RIGHTS COMMISSION
By: James Winter-ton
Water Rights Specialist
4-20-2w-4027



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7002

August 20, 1979

PIERRE, _____

RECEIVED OF Lloyd E. Fritzell, RR #1, Box 26, Elkton, SD 57036

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

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____		
Fee for Inspecting Construction, and Issuing Cert. of Construction No. _____		
Fee for Inspecting Beneficial Use, and Issuing Water License No. _____		
Fee for Issuing Location Certificate-Dry Draw, No. _____		2 50
Fee for filling <u>extension of time/Water Right No. 3825-3</u>		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL		2 50

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH 97

DATE MICROFILMED
CAMERA OPERATOR

APPLICATION FOR EXTENSION OF TIME

TO: Water Rights
Foss Building
Pierre, South Dakota 57501

Date X Aug 15 - 1979

Dear Sirs:

In Water Right Permit No. 3825-3 it is specified that the water diversion system is to be completed by May 25, 1978 and that the water is to be put to the limit of beneficial use by May 25, 1979.

I hereby request that the date for completing the diversion system be extended to May 25, 1982 and that the date for putting the water to the limit of beneficial use be extended to May 25, 1982.

The extension of time for the completion of these works is requested for the following reasons: X

Due to late spring season - we could not get well dug, pivot installed (location & electrical work) and corn planted in time to get full season corn growth

Enclosed herewith is a fee of Two Dollars and Fifty Cents (\$2.50) to pay the cost of filing this request for extension of time.

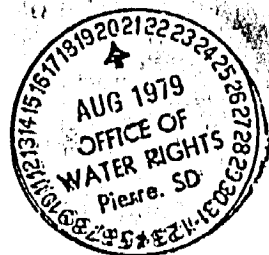
X *[Signature]*
(Signed)

3825-3
Permit Number

APPROVED:

Board of Water Management

BY:



Form 10.

No. 3825-3



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

Post Office DESMET, SD

Date 8-7-80

TO: Water Rights Commission
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/~~X~~ that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 3825-3

Water Right Permit No. 3825-3 ^{with extension} states that the diversion system is to be constructed by 5-25, 1987 and that the water is to be put to beneficial use by 5-25, 1987.

The diversion system was completed on 5-15, 1980.
Applying the water to beneficial use was completed on 7-1, 1980.

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

Raymond E. L. L.
(Signature)

Water Rights Division - DWR
Conversation or File Documentation

File No. 3825-3

NAME OF PERSON ~~OR FIRM~~: Shirley Allen

ADDRESS: Akron, Ohio COUNTY

DATE: 4/23/85 TELEPHONE

RE: Status & ownership of Permit No. 3825-3, Lloyd E. Fritzel

COMMENTS:

Ms. Allen called office and indicated that Mr. Fritzel (her brother) had deceased. The land is now in a "trust" for her children, of which she is the administrator. She stated the land is still being irrigated. I indicated to Ms. Allen that the permit should probably be transferred - she gave me the name of her attorney to contact concerning the transfer.

Contact: Ellsworth F. Wilkinson - Attorney
Desmet, SD 57231 PH: 854-3378

6-6-85 called Mr. Wilkinson - he indicated he would take care of transfer - send form.

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

NAME: Senny McMath



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 3885-3

June 6, 1985

Wilkinson & Steel Law Offices
Box 29
DeSmet, South Dakota 57231
ATTENTION: Ellsworth F. Wilkinson

Dear Mr. Wilkinson:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

DWNR-820A-8/83

NO. 3825-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: June 7, 1985

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

160 Acres - NW 1/4 Section 17, T111N, R56W

formerly owned by Lloyd E. Fritzel
Bruce Allen, Linda Kendel, Carl Allen, Marg Giaini,
has been transferred to Joyce Lichty and Dale Allen, subject to Life Estate in
Shirley Allen & Dale Fritzel (please include complete mailing address)*see address
together with any rights to the beneficial use of water thereon as evidenced by below

Water Right Permit No. 3825-3 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

*c/o Shirley Allen, Trustee
215 Aqua Blvd.
Akron, Ohio 44319

STATE OF SOUTH DAKOTA)
County of Summit) ss.

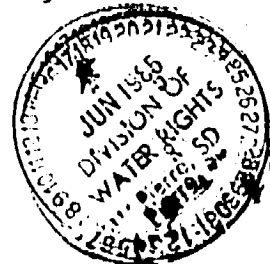
I, Shirley Allen being first duly sworn on my oath despose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Shirley Allen
Trustee for (Signed) above named
transferrees

Subscribed and sworn to before me this 12 Day of June, 1985

MIKE C. MILLER, Notary
Residence - Summit
State of SD
My Commission Exp. Aug. 23, 1987

Mike C. Miller
(Notary Public)



RECEIPT

Division of Water Rights

No 4 10077

South Dakota Department of Water and Natural Resources

Pierre,

June 17

1985

Wilkinson

& Steel Law Offices

(Shirley F. Allen,)

Box 29, DeSmet, SD 57231

RECEIVED OF

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

Fee for Application for Permit No. to Appropriate Water, to construct works and to put water to beneficial use

Fee for Application for Permit No. to Appropriate Water for Future Use

Fee to retain Future Use Permit No. after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No.

Fee for Filing Transfer Form 3825-3

Fee for Filing Extension Request

Fee for Certified Copy of

Fee for Print Copy of Map

Fee for Certifying

Fee for

(Any Other Work Provided by Law)

Total

2 50

2 50

By

John Hatch

Chief Engineer

JOHN HATCH

WATER RIGHTS DIVISION
(605) 773-3352

June 20, 1985

Wilkinson & Steel Law Offices
Box 29
DeSmet, South Dakota 57231

ATTENTION: Ellsworth F. Wilkinson

Dear Mr. Wilkinson:

Enclosed is receipt No. 4 10077 in the amount of \$2.50 which you paid for transfer of Water Permit No. 3825-3.

Our records now show Bruce Allen, Linda Kendel, Carl Allen, Marg Giaini, Joyce Lichty and Dale Allen subject to the Life Estate of Shirley Allen and Dale Fritzel as the owners of this Water Permit. Any future correspondence concerning this water permit will be sent to Shirley Allen as Trustee.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms

Enc.

cc: Shirley Allen, Trustee



Department of Water & Natural Resources

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

April 10, 1986

Shirley Allen
215 Aqua Blvd
Akron, OH 44319

Notice

Re: Violation of Requirement to Submit 1985 Irrigation Questionnaire

Our records indicate that the 1985 Irrigation Questionnaire has not been submitted for Water Permit No(s). 3825-3. The request for the Questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 p.m., May 14, 1986 in Room 216, Joe Foss Building, Pierre, South Dakota.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

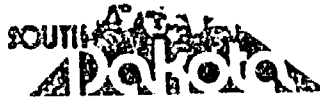
1. Amend Permit No(s). 3825-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.

Sincerely,

John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

Note: If the questionnaire(s) is received in this office before the May 14 hearing date, your name will be deleted from the agenda for the hearings.



Department of Water & Natural Resources

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

May 20, 1986

NOTICE OF AMENDMENT TO WATER PERMIT(s)

To: Shirley Allen
215 Aquaz Blvd
Akron OH 44319

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Amendment to Water Permit No(s). 3825-3

Pursuant to the provisions of the notice dated March 31, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No(s). 3825-3 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

Equal Opportunity Employer

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

Attachment to Water Permit No. 3825-3

Pursuant to the provisions of the notice dated May 20, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No. 3825-3 to add the following qualification:

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

Equal Opportunity Employer

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

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

March 23, 1987

SHIRLEY ALLEN-TRUSTEE
215 AQUA BLVD
AKRON, OH 44319

NOTICE

Re: Violation of Water Permit No(s). 3825-3

Our records indicate that the 1986 Irrigation Questionnaire has not been received for Permit No(s). 3825-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 3825-3 qualification:

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

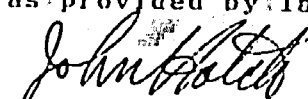
The hearing(s) will be at 2:00 pm, May 6, 1987, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s) the Water Management Board can:

1. Suspend Permit No(s). 3825-3 until either the 1986 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.


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

NOTE: If the questionnaire(s) is received in this office before the hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

South Dakota
Department of
Water & Natural Resources

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

April 13, 1987

3825-3

Shirley Allen, Trustee
215 Aqua Blvd
Akron, OH 44319

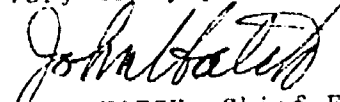
Dear Ms. Allen:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 3825-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,



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

cc: Ron Page, RR #1 Box 88, DeSmet, SD 57231

3525-3

April 17, 1986
215 Aqua Blvd.
Akron, Ohio 44319

South Dakota Dept. of
Water & Natural Resources
523 E. Capitol
Pierre, S.D. 57501



ATTN: Mr. John Hatch, Chief Engineer
Re: Permits No's 3025-3

Dear Sir:

I received your letter of April 10 about the above permits to irrigate:

NW 1/4 - 17--111--56, Kingsbury County.

I contacted Mr. Ron Page of RRI, Box 89, De Smet, S.D. 57231 to fill out the irrigation questionnaire in November. Mr. Page is paying cash rent to cultivate that quarter section of land.

I phoned Mr. Page Apr. 12 and he stated that he had filled out the questionnaire and sent it to you. Possibly it is registered in his name and you are looking for it to be in my name.

Mr. Page said he would call you last weekend and straighten this out with you.

Please let me know if this has been properly handled, thank you.

Yours very truly,

Shirley Allen

Shirley Allen
215 Aqua Blvd.
Akron, Ohio 44319

SA

6/5/86
Mr. Page called - stated he forgot to mail form. - will send in today. I told him Board will amended permit, however this did not affect his irrigation for this season.

Ron Page
854-3560

L

3825-3

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

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

January 29, 1988

RON PAGE, OPERATOR
RR #1 BOX 88
DESMET, SD 57231

NOTICE

Re: Violation of Water Permit No(s). 3825-3

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 3825-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 3825-3 qualification:

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

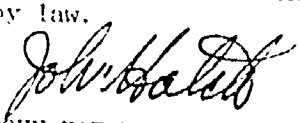
The hearing(s) will be at 9:00 am, March 2, 1988, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s) the Water Management Board can:

1. Suspend Permit No(s). 3825-3 until either the 1987 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.


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

cc: Shirley Allen & Dale Fritzell, 215 Aqua Blvd., Akron, OH 44319

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.



Department of Water & Natural Resources

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

March 14, 1988

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: RON PAGE, OPERATOR
RR #1 BOX 88
DESMET, SD 57231

FROM: John Hatch, Chief Engineer
Water Rights Division
605-773-3352

SUBJECT: One Year Suspension Of Water Permit No(s). 3825-3

Pursuant to the provisions of the notice dated January 29, 1988, and following the hearing of March 2, 1988, the Water Management Board has ordered:

That Water Permit No(s). 3825-3 be SUSPENDED until December 31, 1988.

Suspension of a permit means water may not be pumped during the 1988 irrigation season. Decisions of the Board may be appealed to the Circuit Court and the Supreme Court as provided by law.

cc: Shirley Allen & Dale Fritzol, 215 Aqua Blvd., Akron OH 44319

DATE MICROFILMED
CAMERA OPERATOR

● **SENDER:** Complete Items 1 and 2 when additional services are desired, and complete Items 3 and 4.
 Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.
 1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery 1(Extra charge)!

1.
 3.
 5.
 6.
 7.

RON PAGE, OPERATOR
 RR #1 BOX 88
 DESMET, SD 57231

4. Article Number
 P501 739 001

Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ CGD
☐ Express Mail

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5.
 X
 6.
 X
 7.

5. Signature — Addressee

X

6. Signature — Agent

X *Ron Page*

7. Date of Delivery

3-15-85

8. Addressee's Address (ONLY if requested and fee paid)

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. ☐ Restricted Delivery
†(Extra charge)† †(Extra charge)†

3. Article Addressed to:
Shirley Allen & Dale Fritzel
215 Aqua Blvd.
Akron OH 44319

4. Article Number
P 501 739 026

Type of Service:
☐ Registered ☐ Insured
☐ Certified ☐ COD
☐ Express Mail

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature - Addressee
X Shirley Allen

8. Addressee's Address (ONLY if requested and fee paid)

6. Signature - Agent
X

7. Date of Delivery
MAR 19 1988



Tenney:

As per our telephone conversation I would like to have an appointment to meet with the commission about my suspended water permit. My permit number is 3825-3.

I am enclosing a copy of the water survey that I sent last fall. If you have found the original I sent, please let me know, otherwise I would like to have an appointment.

Thank You
Rod Page

Phone # 854-3560

Rod Page
RR #1 Box 88
DeSmet, So Dak. 57231



Department of Water & Natural Resources

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

May 5, 1988

NOTICE

TO: Rod Page
RR 1, Box 88
DeSmet SD 57231

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

SUBJECT: Notice of Hearing to Consider request for
Reconsideration of Suspended Water Permit No. 3225-3

The hearing on your request to the Water Management Board to reconsider suspension of Water Permit No. 3825-3 has been scheduled for 9:15 am, May 11, 1988, in Room 216, Joe Foss Building, 523 E Capitol, Pierre, SD.

As stated in the notice to you dated January 29, 1988, the hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

After all evidence is taken at the hearing, the Board may issue a decision to rescind the suspension of your permits, defer action or taken no action. The hearing is an adversary proceeding and any party 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. Any decision rendered by the Board may be appealed to the Circuit Court or to the State Supreme Court as provided by law.

cc: Shirley Allen, Trustee
Harold Deering, Assistant Attorney General



I hereby certify that on May 5, 1988 I have personally deposited with the U.S. Mail, postage prepaid envelopes containing Notice of Hearing to Consider Request for Reconsideration of Suspended Water Permit No. 3825-3 addressed as follows:

Shirley Allen, Trustee
215 Aqua Blvd.
Akron OH 44319

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

JOHN HATCH
 **NOTARY PUBLIC** 
SOUTH DAKOTA
My Commission Expires Apr. 1, 1993

Notary Public

Shirley Allen, Trustee - Rod Page, operator
Water Permit No. 3825-3

GENERAL

Application submitted by: Lloyd E Fritzel
DeSmet, SD 57231

Permit approved: May 25, 1977

Permit transferred June 17, 1985 to:
Bruce Allen, Linda Kendel, Carl Allen,
Marg Giaini, Joyce Lichty and Dale Allen, subject
to life Estate of Shirley Allen and Dale Fritzel
% Shirley Allen, Trustee
215 Aqua Blvd.
Akron, Ohio 44319

Permit was amended May 14, 1986 to include the irrigation
questionnaire qualification for violation of the requirement
to submit the 1985 irrigation questionnaire.

FIVE YEAR HISTORY OF IRRIGATION QUESTIONNAIRE RETURNS

<u>Year</u>	<u>Date Request Mailed</u>	<u>Date Irrigation Questionnaire Returned</u>	<u>Date of Any Board Action</u>
1983	November, 1983	by phone-no date recorded	none
1984	October, 1984	none	none
1985	November, 1985	June 16, 1986	May 14, 1986
*1986	November, 1986	April 3, 1987, by phone	none
1987	October, 1987	May 5, 1988	March 2, 1988

* Rod Page, RR #1 Box 88, DeSmet, operator, provided the
irrigation questionnaire information

PAST VIOLATIONS

1. Violation of Requirement to Submit 1985 Irrigation
Questionnaire:

April 10, 1986, Shirley Allen was given notice of violation
of requirement to submit the 1985 irrigation questionnaire
and of the hearing scheduled before the Water Management
Board to be held May 14, 1986.

May 14, 1986, The Water Management Board amended Water
Permit No. 3825-3 to include the irrigation questionnaire
qualification.

May 20, 1986, Shirley Allen was notified of the Board action to amend the permit.

June 16, 1986, the irrigation questionnaire was returned.

2. 1986 Irrigation Questionnaire Violation

March 23, 1987, Shirley Allen was given notice of permit violation for non-return of her 1986 irrigation questionnaire and of the hearing scheduled before the Water Management Board to be held May 6, 1987.

April 3, 1987, Rod Page, DeSmet, SD called the office and provided the irrigation questionnaire information. He indicated he was the operator of the system and further questionnaires should be directed to him.

April 13, 1987, Shirley Allen was notified that the questionnaire information was provided by Rod Page and told to disregard the notice sent to her dated March 23, 1987. Her name was deleted from the agenda pertaining to these hearings.

3. 1987 Irrigation Questionnaire Violation

January 29, 1988, Rod Page, operator, was given notice of permit violation for non-return of his 1987 irrigation questionnaire and of the hearing scheduled before the Water Management Board to be held March 2, 1988.

*A carbon copy of the notice was sent to Shirley Allen and Dale Fritzel, 215 Aqua Blvd., Akron, OH

March 2, 1988, The Water Management Board suspended Water Permit No. 3825-3 until December 31, 1988.

March 14, 1988, Rod Page, operator, was notified of the Board action to suspend Permit No. 3825-3.

*A carbon copy of the notice was sent to Shirley Allen and Dale Fritzel, 215 Aqua Blvd., Akron, OH

May 5, 1988, the 1987 irrigation questionnaire was received along with a letter requesting time on the Water Management Board Meeting agenda for reconsideration of suspended Water Permit No. 3825-3.

May 5, 1988, Rod Page was sent a Notice of Hearing to Consider Request for Reconsideration of Suspended Water Permit No. 3825-3.

*A carbon copy of the notice was sent to Shirley Allen, 215 Aqua Blvd., Akron, OH

 **Department of
Water & Natural Resources**

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

May 13, 1988

NOTICE

TO: Rod Page, operator
RR 1, Box 88
DeSmet SD 57231

FROM: John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

John Hatch

SUBJECT: Reinstatement of Suspended Water Permits and Notice of
One Year Suspension Without Reinstatement for Future
Irrigation Questionnaire Violations

The Water Management Board, following the May 11, 1988, hearing
passed the following motion:

"That the owners of Water Permits No. 1372-2 (Earl Sonnenschein & Sons); 1731-2 (Buckles Ranch); 235-3 (Russell Doolittle); 2171-3, 2497-3, 3229-3 (Harlan Stadheim); 2174-3, 2175-3, 2413-3, 3223-3, 4353-3, 5026-3, 5038-3 (Poinsett Hutterian Brethern); 3264-3 (John Heber); 3479-3, 4237-3 (Bob Kohnen) 3825-3 (Rod Page, operator); 4017-3 (Martin Ronning); 4257-3 (Patricia Ronning & Jeanette Hurrell); 4521-3 (Tom/William Maher & Harvey Buhl); 4564-3, 4611-3 (Wendell Bishop); 4660-3 (Dihl Grohs); 4732-3 (Gerald Benjamin); 4741-3 (Lois J Elsing); 4827-3 (Gary Smith); 4844-3 (Gerald Goetsch); 4966-3 (Delano Hofer); 4985-3, 4992-3, 5043-3, 5044-3 (Ray & David Hanson); 4754-3 (Richard Beare); and 375-2 (Rhea Brill), have now submitted the 1987 irrigation questionnaires for these permits, that a 60 day suspension period has been completed and that these permits are reinstated effective immediately. The owners of the permits are also NOTIFIED that failure to submit future required irrigation questionnaires will result in a one year suspension without reinstatement."

If you have any questions, please contact us.

cc: Water Management Board



CERTIFICATION

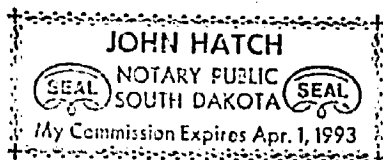
I hereby certify that on May 13, 1988 I have personally deposited with the U.S. Mail, a postage prepaid envelope containing Notice of Reinstatement of Suspended Water Permits addressed as follows:

Rod Page, Operator
RR 1, Box 88
DeSmet SD 57231

Karen Schlaak
KAREN SCHLAAK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 16th day of May, 1988.



John Hatch
Notary Public

Permit No. 3826-3

James River Water District

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWRNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Shirley Allen Tinslee
215 Aqua Blvd. of Albany, Ohio 447319 holder of
Permit No. 3825-3, bearing the priority of March 4 1977 authorizing
the diversion of 2.28 cu. ft. per second of the waters of groundwater
for irrigation purposes, in Kingsbury County.

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

- #### A. Works used to divert the water:

50 HP - 6" Western Land Roller powered by a U.S. Electric
Model No. 326TP capable of 650 gpm

- B. Works used to transport water to place of use:**

8" Steel 10' long

- C. Works used to apply water to beneficial use:**

Pierce 8 tower center pivot with a length of 1050' and an end gun. Capable of 650 gpm.

The system is in the following condition good

The point of diversion is located 1190' South and 1650 East of the NW
Corner Section 17-T 111N-R 56W

The works are capable of diverting and conveying to the place of use 1.44

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: Section 17-T111N-R56W

NW 1/4 NW 1/4 - 23 Acres

NE 1/4 NW 1/4 - 36 Acres

SW 1/4 NW 1/4 - 10 Acres

SE 1/4 NW 1/4 - 23 Acres

comprising a total of 92 acres of land and the license should be issued for 1.31 cfs

Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are: _____ Date 8/27/1991

Norma C. Tob
(signature)

LICRNSR FOR PERMIT NUMBER 3825-3

1. Legal location of wells: NE 1/4 NW 1/4 Section 17 T11N-R56W

dams & structures: _____

2. Well Information: Well Drilling Firm Lacey Drilling

Completion Report Yes No No. of Wells 1 Depth 70'

Casing a) diameter 14" Screen a) type Stainless Steel

b) length 65' b) length 10'

c) type Steel Static Water Level 32'

Pump a) make Western Land Roller Motor a) make U.S. Electric

b) model _____ b) model No. 326 TP

c) size 6" c) horsepower rating 50

d) capacity 650 gpm

e) turbine pump - no. of stages _____

f) operating PSI 70

3. Distribution lines or canals

a) size 8"

b) type Steel

c) length 10'

4. Dam Information:

a) height to crest _____ m) Outlet tubes:

b) height to primary spillway _____ 1) diameter _____

c) height to secondary spillway _____ 2) type _____

d) crest width _____ 3) valved (Y/N) _____

e) crest length _____ 4) valve type _____

f) spillway length _____ 5) location on structure _____

g) spillway width _____

h) approx. storage _____ n) Category of Dam _____

i) approx. storage to crest _____

j) date constructed _____

k) inspection sheet completed (Y/N) _____

l) Name of Contractor _____

6. System Type a) sideroll:

- 1) length _____ feet
- 2) diameter of pipe _____
- 3) make, model & number of sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

d) center pivot

- 1) make Pierce
- 2) number of towers 8
- 3) distance between towers 125'
- 4) overall length 1050'
- 5) end gun (Y/N) Y
- 6) high or low pressure high
- 7) make & size of nozzles _____
- 8) capacity (GPM) 650

g) siphons

- 1) size _____
- 2) number _____

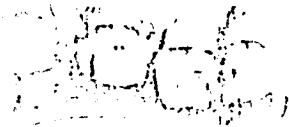
NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project _____

Yes	No	Check Items
☒	☐	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
☒	☐	2. Special qualifications to permit being abided by?
☒	☐	3. All structures, wells and lands on map?
☒	☐	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
☐	☒	5. Is chemigation used?
☐	☐	6. If yes, does equipment comply with chemigation rules?

REMARKS:

South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 3, 1992

3825-3

Shirley Allen, Trustee
215 Aqua Blvd.
Akron OH 44319

Dear Sir:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 3825-3, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

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

Pierre, January 21, 19 72

RECEIVED OF Page Brothers, RR 1, Box 63, DeSmet, SD 57241

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>1825-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	50	00

By [Signature]
Chief Engineer

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 3825-3

(1) Lloyd E. Fritzel of Elkton, SD 57026 made Application No. 3825-3, March 4, 1977 for a water permit to appropriate 2.28 cubic feet of water per second from groundwater, Kingsbury County, South Dakota for irrigation purposes. Permit No. 3825-3 with a priority date of March 4, 1977 was approved May 25, 1977 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before May 25, 1982 and for the application to beneficial use of said water on or before May 25, 1982.

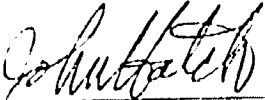
On June 17, 1986, Water Permit No. 3825-3 was transferred to Bruce Allen, Linda Kendel, Carl Allen, Mary Giaini, Joyce Lichty and Dale Allen, subject to Life Estate of Shirley Allen and Dale Fritzel, % Shirley Allen, Trustee.

(2) It is certified that the applicant 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 1.31 cubic feet of water per second for beneficial use. The location of the diversion point is: 1190'S and 1650'E of the NW corner Section 17, T111N, R56W (NE 1/4 NW 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T111N, R56W Section 17	NW 1/4 NW 1/4	23 Acres
	NE 1/4 NW 1/4	36 Acres
	SW 1/4 NW 1/4	10 Acres
	SE 1/4 NW 1/4	23 Acres
	Total-----	92 Acres

(4) Pursuant to Section 46-5-30.1 Shirley Allen, Trustee of 215 Aqua Blvd., Akron, OH 44319 the holder(s) and/or owner(s) of Water Permit No. 3825-3 is issued a license to appropriate water, the right to use 1.31 cubic feet of water per second from groundwater (one well) with a priority date of March 4, 1977 from the location specified in (2) of this license. The water is 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 Permit No. 3825-3 and subject to South Dakota State Law.


FEB 28 1992
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources



FEB 28 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

3825-3

Shirley Allen
215 Aqua Blvd.
Akron, OH 44319

Dear Ms. Allen:

Enclosed is Water License No. 3825-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413032 in the amount of \$50.00 which Page Brothers paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 3825-3, 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.

Very truly yours,

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

enclosures

cc: Page Brothers

South Dakota

GREAT LACES. GREAT PLACES

3825-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 11, 1991

Lacey Well Drilling
Attn: Jim Lacey
P.O. Box 796
Trent, SD 57065

Dear Mr. Lacey:

Currently, I am in the process of licensing some water permits. The final step is to obtain some well logs that your company may have drilled for these permits. The well for this permit is located:

NE 1/4 NW 1/4 Section 17-T111N-R56W One well for Lloyd E. Fritzel

If you have drilled this well, please send the well log as soon as possible so that I can continue the process of licensing the water permits.

If you have any questions, feel free to contact me.

Sincerely,

Norma C. Job

Norma C. Job
Natural Resources Engineer
Division of Water Rights
(605) 773-3352

27.6

210yd E Fritzel
NW 1/4 17-14-56
Land to be merged

69.4

28

Well
Location

32

26.3

48.3

1-134

5.7

17

41.4

111.1

24.7

19.8

19.6

22.0

111-56

ASCS Map
Davy Campbell
CED
2-28-77

126.2

1-134

MAP N° 3087-3 (APN N° 3825-3)

MARN²-3087-3 APRN² 3825-3

712 yf 90.3
 NW 1/4 NW 1/4
 23 Acres
 NE 1/4 NW 1/4
 36 Acres
 1190'
 17.8 1650' Well
 SW 1/4 NW 1/4
 10 Acres
 SE 1/4 NW 1/4
 23 Acres
 prepared by
 Norma C. Tob
 Natural Resources Eng.
 Division of Water Rights.
 9/15/91
 172R
 T558
 49.6
 4.4
 37.0 T534
 T3500
 14.6
 107.6
 T3510
 19.4
 36.2
 111-56
 142.6 T490
 17.0
 2
 3825-3
 172R

3825-3
172R



3825-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 2007

NOTICE

TO: ROD PAGE, 20021 434TH AVE, DESMET, SD 57231
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaires

Our records indicate that the 2006 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 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) 1212-3 & 3312-3 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) 3825-3 qualification:

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

The hearing will be held at 10:30 am, March 7, 2007 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) 3825-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1212-3 & 3312-3 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 questionnaire(s) is(are) received in this office on/or before March 1, 2007, 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/E0455V5-IQ.pdf>

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**

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

February 6, 2007

1212-3
3312-3
3825-3

Rod Page
20021 434th Ave
DeSmet SD 57231

Dear Mr. Page:

I am writing to acknowledge receipt of your 2006 irrigation questionnaires. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right Nos. 1212-3, 3312-3 and 3825-3.

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



3825-3
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 15, 2016

NOTICE

TO: ROD PAGE, 20021 434TH AVE, DESMET, SD 57231

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

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaires

Our records indicate your 2015 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 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) 1212-3 & 3312-3 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) 3825-3 qualification:

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

The hearing will be held at **Thursday, March 3, 2016 at 9:30 am (Central Time)** 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) 3825-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1212-3 & 3312-3 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 questionnaire(s) is (are) received in this office before the **March 3, 2016** hearing 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.



3825-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

January 22, 2016

1212-3
3312-3
3825-3

Rod Page
20021 434th Ave
DeSmet SD 57231

Dear Mr. Page:

I am writing to acknowledge receipt of your 2015 irrigation questionnaires.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right Nos. 1212-3, 3312-3 and 3825-3. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 7th, 2026

3825-3

Rod Page
20021 434th Ave
De Smet, SD 57231

Dear Mr. Page:

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

This year we spoke with you on the phone, and you stated that you now own this property. For your convenience I have enclosed a partially completed "Transfer of Ownership" form for you to complete and return in the pre-paid envelope.

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

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

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

Sincerely,

Shannon Konst

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

enclosure



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 23rd, 2025

3825-3

Rod Page, Leasor
20021 434th Ave
Desmet, SD 57231

Dear Mr. Page:

I write to you today in response to the 2025 Irrigation Questionnaire information submitted online for Shirley Allen Water Right No. 3825-3.

Water Right No. 3825-3 (copy enclosed) authorized diversion of 1.31 cubic feet of water per second (587.9 gpm) from ground water from one well for irrigation of 92 acres located within Section 17 all in T111N, R56W.

On this year's questionnaire you reported the irrigation of 132 acres. If an additional 40 acres has been developed for irrigation, additional permitting would be required.

Please contact me to either revise your 2025 Irrigation Questionnaire or discuss additional permitting.

Sincerely,

Amanda Dewel
Water Rights Program
Amanda.dewell@state.sd.us
(605) 773-3352

enclosure

PAID

JAN 20 2026

Ck# 21051

Rec't#

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

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

Water Right/Permit No. 3825-3

Date:

I/We request that Water Right/Permit No. 3825-3 formerly owned by:

Shirley Allen

be transferred to:

New Owner Name:

Rod Page

Address:

20021 434th Ave.

mobile: 605-203-0524

City, State, Zip

Desmet, SD 57231

email: page.1r@gmail.com

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

92 acres in NW1/4 NW1/4 - 23 acres

NE1/1 NW1/4 - 36 acres

SW1/4 NW1/4 - 10 acres

SE1/4 NW 1/4 - 23 acres

Section 17, T111N, R56W

RECEIVED

JAN 20 2026

OFFICE OF
WATER

- ☒ I understand that the validity of Water Right/Permit No. 3825-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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

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

I, Rod Page, the new owner, certify that the above information is true and correct.

Rod Page

(signed by new owner)

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

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

RECEIPT

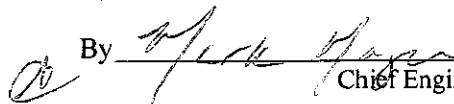
WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date January 20, 2026

RECEIVED OF Rod Page 20021 434th Ave De Smet SD 57231

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form #3825-3	\$50.00
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	TOTAL
	\$50.00

By  Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 21st, 2026

3825-3

Rod Page
20021 434th Ave
De Smet, SD 57231

Dear Mr. Page,

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" form and the required fee you submitted for Water Right No. 3825-3. Enclosed is a receipt of payment for your records.

Water Right No. 3825-3, previously held by Shirley Allen, is now listed under you. I have also updated your contact information in our system.

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

If you have any questions, please contact me.

Sincerely,

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

NOTE: The validity of Water Right No. 3825-3 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosure