

Water Right Number 4106-3

1. Considered 10-6, 19 77
2. Name of Applicant FREDERICK J. ANDERSON
3. Post Office Address SISSETON
4. Amount of Water claimed 10 ACRES FT ANNUALLY
5. Source of Water supply SPRINGS & RUNOFF
6. Water to be used for RECREATION

Acres to be irrigated _____

7. Water to be diverted and used in ROBERTS County
about 2S, 5W miles _____ of SISSETON

8. Proof of Publication

Received 9-23-77

Not Received _____

9. Application

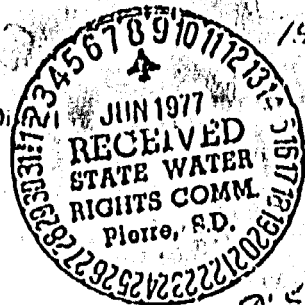
Approved _____

Subject to _____

Not Approved _____

Action Deferred _____

10. Remarks:

No. 4106-3Map No. 3340.3 Water Division No. 3 WHETSTONE CREEK
(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 Fred Anderson
Postoffice address Rt 2 Box 47A Sisseton State South Dakota 57262
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 _____
4. Amount of water claimed (cubic feet per second) 7.5 10 ACRES- FEET STORAGE PER YEAR
5. Source of water supply springs and run off
6. Location of point of diversion A POINT IN THE SE⁴ SE⁴, SECTION 35, T126N, R52W

County Roberts

7. Annual period or periods during which water is to be used April and CONTINUOUSLY
8. Use to be made of water. (Irrigation, industrial, municipal, commercial, recreation, etc.) Wildlife
9. For irrigation use, _____ Total number of acres to be irrigated _____

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.

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 4 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Sisseton COURIER
12. Principal Features of the Proposed Water Supply System.

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

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

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ _____

Attachments: Attach Form 2 V 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 RobertsI, Fred Anderson 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 Fred AndersonSubscribed and sworn to before me this 1 day of June 19 77

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 4106-3
FREDERICK J ANDERSON RT 2, Box 47A, Sisseton
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57262 With the following modifications:
 (State)

LOW FLOWS AS NEEDED FOR DOWNSTREAM DOMESTIC USE, INCLUDING LIVESTOCK WATERING, MUST BE BY-PASSED.

Date of first receipt of application JUNE 8 19 77
 Date of return to applicant for correction, amendments or changes required JUNE 8 19 77
 Date of receipt of corrected application AUGUST 19 19 77
 Approved OCTOBER 6 19 77 Recorded in Book 19 Page 121

WATER RIGHT PERMIT NO. 4106-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 4106-3 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 at proof, subject, however, to the following limitations and conditions:

1. The date from which applicant claims right is AUGUST 19 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before APRIL 6 19 80
3. The whole of said work is to be completed on or before OCTOBER 6 19 82
4. The point of time from proof of beneficial use of water appropriated in accordance herewith is OCTOBER 6 19 86
5. The water appropriated shall be used for the purpose of WILDLIFE
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 10 ACRE FEET ANNUALLY; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for ~~beneficial use~~ USE FOR WILDLIFE PURPOSES. ~~Appropriation must be limited to not more than 3 acre feet per year and for distribution to riparian lands, a proportionate share of the water must be made available to each riparian land to which water is applied.~~ actually and beneficially applied on or before OCTOBER 6 19 86 said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 2ND day of NOVEMBER 19 77

WATER RESOURCES COMMISSION

By:

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

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

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter _____, Depth _____
- (2) Casing, Type (wood, concrete, steel, etc) Diameter _____ Thickness _____
- (3) Perforated Screen.
Type _____, Diameter _____, Length _____
- (4) Gravel Pack. Thickness _____ Length of gravel pack _____

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

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

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

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

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

On same owner's property _____ rds. On property owned by others _____ 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.

Dam Site Location

SE 4 SE 4 35-126-52

HT - 18'

Max water - 14'

Surface area - 4-5 AC.

Storage Capacity - 10.0

Frederick J. Anderson
Signature of Applicant

No. 4105-3

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

August 30, 1977

post office address is Sisseton, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, ~~46-5-42, 46-5-43, 46-5-44, 46-5-45, 46-5-46, 46-5-47, 46-5-48, 46-5-49, 46-5-50, 46-5-51, 46-5-52, 46-5-53, 46-5-54, 46-5-55, 46-5-56, 46-5-57, 46-5-58, 46-5-59, 46-5-60, 46-5-61, 46-5-62, 46-5-63, 46-5-64, 46-5-65, 46-5-66, 46-5-67, 46-5-68, 46-5-69, 46-5-70, 46-5-71, 46-5-72, 46-5-73, 46-5-74, 46-5-75, 46-5-76, 46-5-77, 46-5-78, 46-5-79, 46-5-80, 46-5-81, 46-5-82, 46-5-83, 46-5-84, 46-5-85, 46-5-86, 46-5-87, 46-5-88, 46-5-89, 46-5-90, 46-5-91, 46-5-92, 46-5-93, 46-5-94, 46-5-95, 46-5-96, 46-5-97, 46-5-98, 46-5-99, 46-6-1, 46-6-2, 46-6-3, 46-6-4, 46-6-5, 46-6-6, 46-6-7, 46-6-8, 46-6-9, 46-6-10, 46-6-11, 46-6-12, 46-6-13, 46-6-14, 46-6-15, 46-6-16, 46-6-17, 46-6-18, 46-6-19, 46-6-20, 46-6-21, 46-6-22, 46-6-23, 46-6-24, 46-6-25, 46-6-26, 46-6-27, 46-6-28, 46-6-29, 46-6-30, 46-6-31, 46-6-32, 46-6-33, 46-6-34, 46-6-35, 46-6-36, 46-6-37, 46-6-38, 46-6-39, 46-6-40, 46-6-41, 46-6-42, 46-6-43, 46-6-44, 46-6-45, 46-6-46, 46-6-47, 46-6-48, 46-6-49, 46-6-50, 46-6-51, 46-6-52, 46-6-53, 46-6-54, 46-6-55, 46-6-56, 46-6-57, 46-6-58, 46-6-59, 46-6-60, 46-6-61, 46-6-62, 46-6-63, 46-6-64, 46-6-65, 46-6-66, 46-6-67, 46-6-68, 46-6-69, 46-6-70, 46-6-71, 46-6-72, 46-6-73, 46-6-74, 46-6-75, 46-6-76, 46-6-77, 46-6-78, 46-6-79, 46-6-80, 46-6-81, 46-6-82, 46-6-83, 46-6-84, 46-6-85, 46-6-86, 46-6-87, 46-6-88, 46-6-89, 46-6-90, 46-6-91, 46-6-92, 46-6-93, 46-6-94, 46-6-95, 46-6-96, 46-6-97, 46-6-98, 46-6-99, 46-7-1, 46-7-2, 46-7-3, 46-7-4, 46-7-5, 46-7-6, 46-7-7, 46-7-8, 46-7-9, 46-7-10, 46-7-11, 46-7-12, 46-7-13, 46-7-14, 46-7-15, 46-7-16, 46-7-17, 46-7-18, 46-7-19, 46-7-20, 46-7-21, 46-7-22, 46-7-23, 46-7-24, 46-7-25, 46-7-26, 46-7-27, 46-7-28, 46-7-29, 46-7-30, 46-7-31, 46-7-32, 46-7-33, 46-7-34, 46-7-35, 46-7-36, 46-7-37, 46-7-38, 46-7-39, 46-7-40, 46-7-41, 46-7-42, 46-7-43, 46-7-44, 46-7-45, 46-7-46, 46-7-47, 46-7-48, 46-7-49, 46-7-50, 46-7-51, 46-7-52, 46-7-53, 46-7-54, 46-7-55, 46-7-56, 46-7-57, 46-7-58, 46-7-59, 46-7-60, 46-7-61, 46-7-62, 46-7-63, 46-7-64, 46-7-65, 46-7-66, 46-7-67, 46-7-68, 46-7-69, 46-7-70, 46-7-71, 46-7-72, 46-7-73, 46-7-74, 46-7-75, 46-7-76, 46-7-77, 46-7-78, 46-7-79, 46-7-80, 46-7-81, 46-7-82, 46-7-83, 46-7-84, 46-7-85, 46-7-86, 46-7-87, 46-7-88, 46-7-89, 46-7-90, 46-7-91, 46-7-92, 46-7-93, 46-7-94, 46-7-95, 46-7-96, 46-7-97, 46-7-98, 46-7-99, 46-8-1, 46-8-2, 46-8-3, 46-8-4, 46-8-5, 46-8-6, 46-8-7, 46-8-8, 46-8-9, 46-8-10, 46-8-11, 46-8-12, 46-8-13, 46-8-14, 46-8-15, 46-8-16, 46-8-17, 46-8-18, 46-8-19, 46-8-20, 46-8-21, 46-8-22, 46-8-23, 46-8-24, 46-8-25, 46-8-26, 46-8-27, 46-8-28, 46-8-29, 46-8-30, 46-8-31, 46-8-32, 46-8-33, 46-8-34, 46-8-35, 46-8-36, 46-8-37, 46-8-38, 46-8-39, 46-8-40, 46-8-41, 46-8-42, 46-8-43, 46-8-44, 46-8-45, 46-8-46, 46-8-47, 46-8-48, 46-8-49, 46-8-50, 46-8-51, 46-8-52, 46-8-53, 46-8-54, 46-8-55, 46-8-56, 46-8-57, 46-8-58, 46-8-59, 46-8-60, 46-8-61, 46-8-62, 46-8-63, 46-8-64, 46-8-65, 46-8-66, 46-8-67, 46-8-68, 46-8-69, 46-8-70, 46-8-71, 46-8-72, 46-8-73, 46-8-74, 46-8-75, 46-8-76, 46-8-77, 46-8-78, 46-8-79, 46-8-80, 46-8-81, 46-8-82, 46-8-83, 46-8-84, 46-8-85, 46-8-86, 46-8-87, 46-8-88, 46-8-89, 46-8-90, 46-8-91, 46-8-92, 46-8-93, 46-8-94, 46-8-95, 46-8-96, 46-8-97, 46-8-98, 46-8-99, 46-9-1, 46-9-2, 46-9-3, 46-9-4, 46-9-5, 46-9-6, 46-9-7, 46-9-8, 46-9-9, 46-9-10, 46-9-11, 46-9-12, 46-9-13, 46-9-14, 46-9-15, 46-9-16, 46-9-17, 46-9-18, 46-9-19, 46-9-20, 46-9-21, 46-9-22, 46-9-23, 46-9-24, 46-9-25, 46-9-26, 46-9-27, 46-9-28, 46-9-29, 46-9-30, 46-9-31, 46-9-32, 46-9-33, 46-9-34, 46-9-35, 46-9-36, 46-9-37, 46-9-38, 46-9-39, 46-9-40, 46-9-41, 46-9-42, 46-9-43, 46-9-44, 46-9-45, 46-9-46, 46-9-47, 46-9-48, 46-9-49, 46-9-50, 46-9-51, 46-9-52, 46-9-53, 46-9-54, 46-9-55, 46-9-56, 46-9-57, 46-9-58, 46-9-59, 46-9-60, 46-9-61, 46-9-62, 46-9-63, 46-9-64, 46-9-65, 46-9-66, 46-9-67, 46-9-68, 46-9-69, 46-9-70, 46-9-71, 46-9-72, 46-9-73, 46-9-74, 46-9-75, 46-9-76, 46-9-77, 46-9-78, 46-9-79, 46-9-80, 46-9-81, 46-9-82, 46-9-83, 46-9-84, 46-9-85, 46-9-86, 46-9-87, 46-9-88, 46-9-89, 46-9-90, 46-9-91, 4~~

_____ 52-21-21-21, for a permit to appropriate for beneficial use _____ 10 _____ acre feet
of water per ^{year} ~~second~~ of time from ~~the~~ springs and run-off _____ through
the Anderson Project _____, the point of diversion of which is
to be located in the SE 1/4 SE 1/4

of Section 35, Twp. 126N, Range 52W. Said water to be used for the purpose of providing ~~irrigation on portions of the following described land~~
water supplies for wildlife habitat.

WATER RIGHTS COMMISSION

cc: Frederick J. Anderson, Sisseton, SD 57262

No. 4106-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA.)
) ss.
County Roberts)

I, Jack Adams hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Sisseton Courier

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 Sisseton

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

Sept. 8, 1977

Sept. 15, 1977

(Signature)

editor

(Title)

Sept. 15, 1977

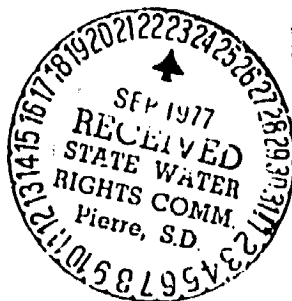
(Date Signed)

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

Notice is hereby given that Frederick J. Anderson, whose post office address is Sisseton, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 10 acre feet of water per year of time from springs and run-off through the Anderson Project, the point of diversion of which is to be located in the SE¼SE¼ of Section 35, Twp. 126N, Range 52W. Said water to be used for the purpose of providing water supplies for wildlife habitat.

This Application No. 4106-3 will be considered by the Water Rights Commission at the Holiday Inn, Spearfish, S.D. upon the 6th day of October, 1977, at 10 a.m. The Commission 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 Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

Water Rights Commission
James Winterton
Water Rights Specialist
(Sept. 8-10-2w)



Whetstone Creek Water District

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

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

I have this day made a thorough examination of the water use system constructed by Frederick J. Anderson of Sisseton, SD holder of Permit No. 4106-3, bearing the priority of August 19, 1977 authorizing the diversion of 10 ac-ft annually of the waters of surface water for wildlife purposes, in Roberts County.

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

A. Works used to transport water to place of use:
NA

B. Works used to transport water to place of use:
NA

C. Works used to apply water to beneficial use:
A Category III Dam with a storage capacity of 10 ac-ft.

The system is in the following condition good. The point of diversion is located SE1/4 SE1/4 of Section 35-T126N-R52W.

The works are capable of diverting and conveying to the place of use 10 ac-ft stored annually which is to be used for wildlife purposes. Water has been put to beneficial use to the maximum extent as follows: Dam is located in the SE1/4 SE1/4 of Section 35 T126N-R52W

comprising a total of NA acres of land and the license should be issued for 10 ac-ft stored annually.

Application permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are:

Date August 19, 1990

Mark D. Rath

Mark D. Rath
Natural Resources Engineer II
DWNR, Water Rights Division

LICENSE FOR PERMIT NUMBER 4106-3

1. Legal location of wells:

Dams and Structures SE1/4 SE1/4 Section 35-T126N-R52W

2. Well Information: Well Drilling Firm

Completion Report? Yes No No. of Wells Depth(s) feet

Casing a) diameter inches Screen a) type
b) length feet b) length feet
c) type Static Water Level feet

Pump a) make Motor a) make
b) model b) model no.
c) size c) horsepower rating
d) capacity GPM d) serial no.
e) turbine pump - no. of stages
f) operating PSI

3. Distribution lines or canals

a) size inches
b) type
c) length feet

4. Dam Information:

a) height to crest 18 feet m) Outlet tubes:
b) height to primary spillway 11 feet 1) diameter 12 inches
c) height to secondary spillway 13 feet 2) type steel
d) crest width 20 feet 3) valved (Y/N) N
e) crest length 300 feet 4) valve type
f) spillway length 120 feet 5) location on structure
g) spillway width 70 feet Right side
h) approx. storage 10 AC-FT n) Category of Dam III
i) approx. storage to crest 25 AC-FT
j) date constructed 1977
k) inspection sheet completed? (Y/N) N
l) name of contractor Letzke

5. System Type a) sideroll:

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

c)gun:

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

e) gated pipe:

- 1) length feet
- 2) diameter inches
- 3) spacing of gates inches

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
- 2) number of towers
- 3) distance between towers
- 4) overall length feet
- 5) end gun (Y/N)
- 6) high or low pressure
- 7) make and size of nozzles

8) capacity (GPM)

g) siphons:

- 1) size inches
- 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
<u>NA</u>		1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
<u>Y</u>		2. Special qualifications to permit being abided by?
<u>Y</u>		3. All structures, wells and lands on map?
<u>NA</u>		4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
<u>NA</u>		5. Is chemigation used?
<u>NA</u>		6. If yes, does equipment comply with chemigation rules?

REMARKS:

 **Department of
Water & Natural Resources**

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

October 18, 1990

4106-3

Frederick J Anderson
RR #2 Box 47A
Sisseton, SD 57262

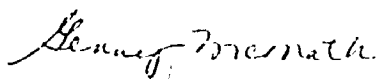
Dear Mr. Anderson:

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. 4106-3, 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
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.

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Frederick J. Anderson
RR 2, Box 47A
Sisseton, SD 57262

4106-3

Frederick J. Anderson
5. Signature (Addressee)

6. Signature (Agent)

4a. Article Number

P 757 566 253

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

6-16-92

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

PS Form 3811, November 1990

U.S. GPO, 1991-287-066

DOMESTIC RETURN RECEIPT



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 15, 1992

SECOND NOTICE

Permit No. 4106-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Frederick J. Anderson
RR 2, Box 47A
Sisseton, SD 57262

Dear Mr. Anderson:

On October 18, 1990, you were notified the final inspection fee of \$50.00 is due before Water License No. 4106-3 can be issued. As of this date, the fee has not been received.

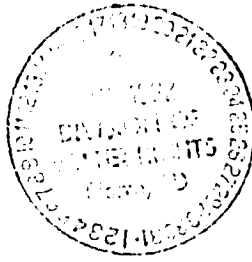
The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

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

4106-3



June 17, 1992

John Hatch, Chief Engineer
Department of Environment & Natural Resources
Joe Foss Building
523 East Capital
Pierre, SD 57501-3181

Dear Mr. Hatch:

I am astounded that you feel you can send a bill for a dam built in 1976. This is the climax to a folly of events. I was lead to believe at the time we were considering the construction that there was federal or state aid to cover most of its cost. That's why we built it. The actual cost came in over twice as high as the state estimate. (I paid for the majority of the pond.) The state officials estimated it would take two years to fill. In actuality it filled faster than they could build it. The local officials inspected the pond three times after its construction. No mention was ever made of a license inspection fee. When the state inspector arrived approximately 12-13 years later no mention was ever made of a fee.

I am a gentle person who does not like to make trouble, but this situation is unreasonable. Are you sure there was a fee of \$50.00 in 1976 when all the other inspections occurred. Twelve years later is past the statute of limitations and should be an embarrassment. I feel that if a water license is actually necessary it should be issued free in this case. After all, we had to come up with a tremendous amount of money in 1976 that the state said would not happen. Please let me know what your personal feelings are on this situation.

Respectfully,

And Anderson

P.S. I want to believe there is a logical explanation for this. The guilt is unbearable that we have to pass on an inefficient government like this to our children.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, June 22, 1989

RECEIVED OF Frederick Anderson, RR #3 Box 215, Sisseton, SD 57262

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. 4126-2	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 John Hatch
Chief Engineer JOHN HATCH

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4106-3

(1) Frederick J. Anderson of RR 3, Box 215, Sisseton, SD 57262 made Application No. 4106-3, June 8, 1977 for a water permit to store 10 acre feet of water annually from springs and runoff, Roberts County, South Dakota for wildlife habitat purposes. Permit No. 4106-3 with a priority date of August 19, 1977 was approved October 6, 1977 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before October 6, 1982 and for the application to beneficial use of said water on or before October 6, 1986.

(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 store 10 acre feet of water for beneficial use. The location of the dam is: in the SE 1/4 SE 1/4 of Section 35, T126N, R52W.

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

(4) Pursuant to Section 46-5-30.1 Frederick J. Anderson of RR 3, Box 215, Sisseton, SD 57262 the holder(s) and/or owner(s) of Water Permit No. 4106-3 is issued a license to appropriate water, the right to store 10 acre feet of water annually from runoff and springs with a priority date of August 19, 1977 from the location specified in (2) of this license. The water is to be utilized for wildlife habitat purposes. This license is subject to any limitations or qualifications listed in Water Permit No. 4106-3 and subject to South Dakota Stat. Law.



AUG 7 1992

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 7 1992

4106-3

Frederick J. Anderson
RR 3, Box 215
Sisseton, SD 57262

Dear Mr. Anderson:

Enclosed is Water License No. 4106-3. This is the final water right document completing your process of obtaining a water right. Enclosed is Receipt No. 413253 in the amount of \$50.00 which you paid for the inspection and issuance of this water license.

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

Very truly yours,

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

enclosures

NOT TO SCALE



126.5

Emory
Medette

Lee
Walditch

58.3

Indian Land

Emily Barrett

36.8

Donald + Gail Jenner

Valley View
Country Club

Indian Land

8.5

9.5

35

15.4

20.3

48.6

Neil Skarhaug

DR. FRED ANDERSON

Clifford
Meland

Oliver Swenson

PREPARED:
LEON L. PACIFIC
ZON. CON. SERVICE
P.O. BOX 148
ZISSERON/SLIP. FT 262

8.1

MAP NE 3340.3 (APR NE 4106-3)



Neil
Skaarhaug

House

~~Neil Skaarhaug~~

DR. FRED ANDERSON
40 AC.

144

Indian
Land

Wm
Forness

2

5 15 7 3.2
6 6.5 1
Hob

ordon Argo

Milton
Peterson

Ben
Lahlin

7.5

48

125-52

Allen
~~Thurston~~

7.9

4106-3

442

19.5

5.1