

Water Right Number 4108-3

Considered 10-6, 1977

Name of Applicant KENT E. FRERICH S

Post Office Address WILMOT

Amount of Water claimed 1.96

Source of Water supply 70' WELL

Water to be used for IRRIGATION

Acres to be irrigated 138

Water to be diverted and used in ROBERTS County

about 2N, 2W miles of WILMOT

Proof of Publication

Received 9-23-77

Not Received _____

Application

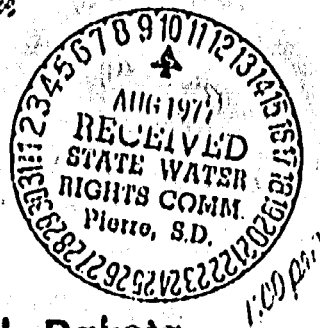
Approved _____

Subject to _____

Not Approved _____

Action Deferred _____

Remarks:

No. 4108-3Map No. 3542-3 Water Division No. 3 WHETSTONE CREEK (District)
(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 Kent E. Frevichs
Postoffice address Willmon, State South Dakota
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor
3. Name of diversion work Frevichs #1
4. Amount of water claimed (cubic feet per second) 1.96
5. Source of water supply Well
6. Location of point of diversion 2080' N 48° E of SW corner Sec 26-123-50

- County Roberts
7. Annual period or periods during which water is to be used April through October
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 138

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.
NW 1/4 of SW 1/4 Sec 26-123-50	20	N 1/4 of SE 1/4 Sec 26-123-50	38
NE 1/4 " " " " " "	28	SW 1/4 NE 1/4 " " " "	34
SW 1/4 " " " " " "	5	NE 1/4 " " " " " "	5
SE 1/4 " " " " " "	3	SE 1/4 " " " " " "	0

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use 3 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Willmon Enterprise
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source, well with deep well turbine pump

B. Works proposed to transport water to place of use, closed conduit

C. Works proposed to apply water to beneficial use, center pivot irrigation machine and big gun

Estimated Total Cost \$50,000

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 Brookings

I, Kent E. Frevichs 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 Kent E. FrevichsSubscribed and sworn to before me this 4 day of Aug, 1972

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4108-3
KENT E. FRERICH WILMOT R+ #2 - Box 44
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57279 With the following modifications:
 (State)

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.

See also 4788-3

Date of first receipt of application AUGUST 10 19 77
 Date of return to applicant for correction, amendment or changes required AUGUST 11 19 77
 Date of receipt of corrected application AUGUST 19 19 77
 Approved OCTOBER 7 19 77, Recorded in Book 19 Page 123

WATER RIGHT PERMIT NO. 4108-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4108-3 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 AUGUST 10 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before APRIL 7 19 80
3. The whole of said work is to be completed on or before OCTOBER 7 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is OCTOBER 7 19 85
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 1.96 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 OCTOBER 7 19 77; said water to be used during the following described annual period: APRIL TO NOVEMBER

Witness my hand this 2ND day of NOVEMBER 19 77

WATER RIGHTS COMMISSION

By: John H. H. H.
 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 3.0", Depth 70'
- (2) Casing, Type plastic (wood, concrete, steel, etc) Diameter 16" Thickness 3/8"
- (3) Perforated Screen.
Type Jensen wire cap, Diameter 16", Length 2.0'
- (4) Gravel Pack, Thickness _____, Length of gravel pack full length

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 0 to 3.5' cap sand; 3.5' to 7' Gray clay; 7 to 8' Blue moss; 8' to 10' blue clay; 10' to 13' sand; 13' to 18' blue clay; 18' to 43' sand; 43' to 56' coarse sand; 56' to 70' gravel with boulders.

Depth to top of water bearing material 10'

Depth to bottom of water bearing material 70'

Thickness of water bearing material 60'

Depth to water (ground surface to water level) 36"

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

On same owner's property 1800 feet On property owned by others 5700 feet

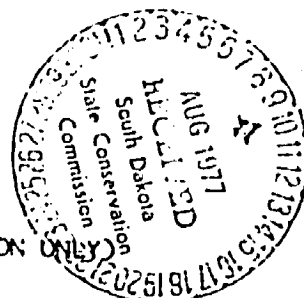
G. Water Storage Dams.

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.

Kent E. Frenkel
Signature of Applicant

6
COMMISSION
FORM W1 #1

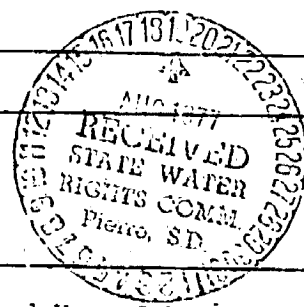
STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)



NAME Kent Frerichs

ADDRESS Rural Route 2 - Box 44 - Wilmot, South Dakota 57279

COUNTY Roberts



LEGAL DESCRIPTION

1. WELL LOCATION 200' SW of Dugout on SW 1/4 of Section 26 123 50
2. LOCATION OF AREA TO BE IRRIGATED Farm Land on SW 1/4 of Sec. 26 and W 1/4 of SE 1/4 of Sec. 26

TYPE OF IRRIGATION

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

WATER QUALITY

5. SAMPLE NUMBER 77-1223
6. SALINITY (EC X 10⁶) 754
7. SODIUM (SAR) 0.20
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0.0

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 Roberts County Conservation District, County Extension office or Soil Conservation Service. and: that the legal description for the location of the well and land to be irrigated is true and correct.

Kent E. Frerichs
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
2 DAY OF Aug. 19 77

John A. S. Cicama
(TITLE OR SEAL)

Albert A. Hoffelt
APPROVED/NOT APPROVED
Albert A. Hoffelt

(SOILS INFORMATION ON REVERSE SIDE)

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

(RECOMMENDED MANAGEMENT)

NAME OF APPLICANT Kent Frerichs , Wilmot, South Dakota

RECOMMENDED MANAGEMENT:

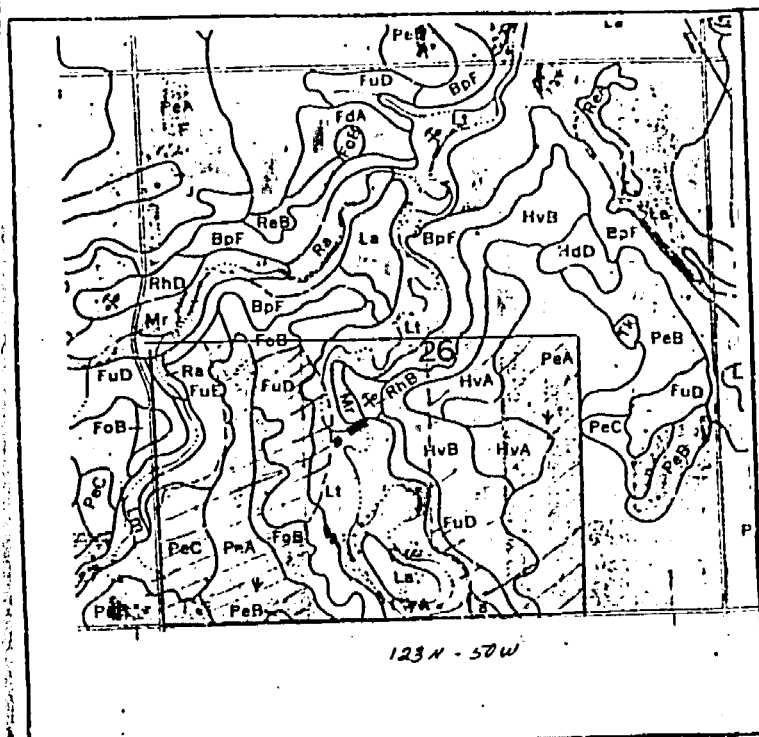
1. Water should not be applied more than 1, 2, 3, 4, 5, times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least 1, 2, 3, 4, inches of water.
3. ☒ Yes ☐ No Surface drainage suggested -If practical; if necessary
4. ☐ Yes ☐ No Subsurface drainage suggested
5. ☒ Yes ☐ No Specific land areas that should be avoided
(PeC) Peever Clay Loam along west side, which has both a very slow intake rate and 6 to 9% slope. Row Crops on this soil under a pivot system poses a severe management problem. Alfalfa and/or grass would
6. ☐ Deep tillage (For the purpose of aiding movement of water through dense subsoils) After crops are harvested, chisel-type tillage followed by irrigation would permit nature's action of "freeze-thaw".
7. ☐ Heavy full application of irrigation water

→ probably work better on the steeper slopes, allowing run-off from the higher PeA area without erosion taking place.

If your flatter slopes permit gravity irrigation, you may want to consider that alternative. If this is feasible, you have better control of your irrigation water, especially on your Peever clay loam soils

Copy to Applicant - 1
Copies to Water Rights - 2
Copy to File - 1

100



NARRATIVE

6" 2
7 3 4 5

no copies
received
sent 1/10/10
no response

- | | | | |
|-----|---|---------|--------------------------------------|
| FoB | Forman-Aasstad loams 2-6% slopes | 12-27% | Erosion hazard - thin top soil |
| FuD | Forman-Buse loams, eroded 9-15% slope | 27-31% | Erosion hazard - thin top soil |
| | Slow intake rate; high available water capacity; erosion hazard if sloping. | | |
| HvA | Helmdal-Svea loams 0-2% slope | 35% 15% | Svea in swales - drainage may help |
| HvB | Helmdal-Svea loams 2-6% slope | | - concrete slow down, swales - drain |
| | Moderate intake rate; high available water capacity. | | |
| La | LaDelle silt loam 0-2% slope | | |
| | High available water capacity; moderately slow water intake rates; seasonal water table below 4 feet. | | |
| Lm | Lamoure silty clay loam 0-2% slope | | |
| | Intake rate slow; subject to flooding; high available water capacity. | | |
| PeA | Peever clay loam 0-2% slope | D5-2 | |
| PeC | Peever clay loam 6-9% slope | 11% | tight intake movement |
| | Slow intake rate; moderate or high available water capacity. | | |
| Ra | Rauville mucky silt loam 0-2% slope | | |
| | Very poorly drained | | |
| RiB | Renshaw-Sioux loams 3-8% slope | | |
| | Low available water capacity; rapid intake rate; erosion hazard on slopes. | | |
| Lt | Loamy alluvial soils along drainage ways.
Subject to flooding. Fluctuating water table VIW-2. | | |

4-7 - 2-
7-12 - 0
- 20 - 1
- 24 - 0
- 24 - 0
- 14 - 2-
- 0 - 1

Mr. Natush, VIII-3-1

Adelc. W. 1111 v. 2

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

Submitted by: Kent Frerick
 Address: Wilmot, SD 57279

Date Rec'd: August 2, 1977
 Sample No. 77-1223
 Identification Well-70
SW1, Sec. 26, T 123N, R 50W

WATER ANALYSIS

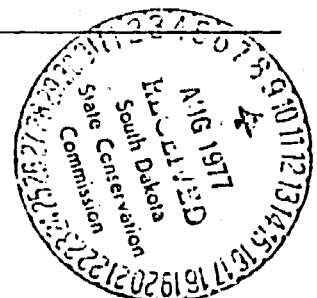
Calcium (Ca)	109	ppm*	5.45	me/l**
Magnesium (Mg)	30	ppm	2.46	me/l
Sodium (Na)	9	ppm	0.39	me/l
Potassium (K)	30	ppm	0.78	me/l
Sulfate (SO ₄)	203	ppm	4.21	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	13	ppm	0.37	me/l
Bicarbonate (HCO ₃)	263	ppm	4.32	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	216	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	754	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.20			
Sodium	4.30	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.39			

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 9.08 me/l
 Total anions 8.90 me/l



By: Shirley Mittan

Service Performed	Amount Due
Irrigation analysis	\$15.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-1223

Amount Enclosed \$

Signed

Form 6 - Notice of Intent to Appropriate Water
GROUND WATER

No. 4100-3

Publish first publication, on or before September 15, 1977

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 30, 1977

Notice is hereby given that Kent E. Frerichs whose post office address is Wilmot, 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 1.9 cubic feet of water per second of time from ground water through the Frerichs #1, the point of diversion of which is to be located in the _____

N1/4SW1/4
of Section 26 Twp. 123N Range 30W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

3/4, Section 26, T123N, R50W.

This Application No. 4100-3 will be considered by the Water Rights Commission at the Holiday Inn, Spearfish, SD 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 WINTERION
Water Rights Specialist

cc: Kent E. Frerichs, Wilmot, SD 57279

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
Court, Roberts) ss.

I, Bernice J. Smith hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Wilmot Enterprise

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 Wilmot

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

September 15, 1977

September 22, 1977

Bernice J. Smith
(Signature)

Publisher
(Title)

September 22, 1977

(Date Signed)

PUBLIC NOTICES

South Dakota laws protect your
right to know and provide that
the proceedings of certain public
bodies be published for your
information and protection...

NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER

No. 4108-3

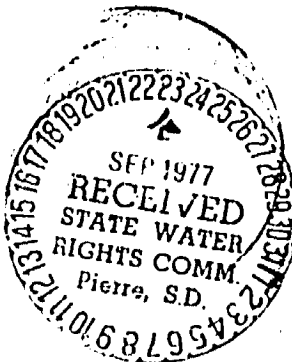
Pierre, South Dakota 57501

August 30, 1977

Notice is hereby given that
Kent E. Frerichs whose post
office address is Wilmot, 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 52:31:01:01 thru 52:31:01:13,
for a permit to appropriate for
beneficial use 1.96 cubic feet of
water per second of time from
ground water through the Frerichs
No. 1, the point of diversion
of which is to be located at the
NE 1/4 SW 1/4 of Section 26, Twp.
123N, Range 50W. Said water to
be used for the purpose of
providing irrigation on portions
of the following described land:
S 1/2, Section 26, T123N, R50W.

This Application No. 4108-3 will
be considered by the Water
Rights Commission at the Holi-
day Inn, Spearfish, S. D. upon the
6th day of October, 1977 at 10
A.M. The Commission is author-
ized to make a determination on
this application at the hearing.
All interested persons may ap-
pear 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 Com-
mission in writing prior to the
hearing or orally at the hearing.

WATER RIGHTS
COMMISSION
JAMES WINERTON
Water Rights Specialist
(Sept. 15 & 22)



4/08-3

**South Dakota Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
Water Resources Engineer
605 773-3352

March 7, 1984

N O T I C E

Dear Sir:

The Water Management Board has directed that all owners of Water Permits not in compliance with the requirement:

"All irrigation Permit owners.....shall submit the Irrigation Questionnaire mailed to them each year by the Chief Engineer."

be notified of this requirement.

Our records show we have not received the 1983 Irrigation Questionnaire for your Permit. The questionnaire was requested:

- 1) November, 1983 initial request
- 2) December, 1983 followup request

Owners of Water Permits not in compliance with the annual Irrigation Questionnaire requirement are being given until April 2, 1984 to submit the 1983 questionnaire. The Board will consider disciplinary action April 25, 1984 including amending those permits for which the 1983 questionnaire has not been received by April 2 with the following qualification:

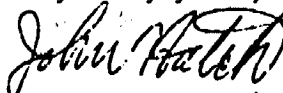
"This Permit amended April 25, 1984 is subject to the Irrigation Questionnaire being submitted each year."

Amendment of a Permit will mean that a Permit can be suspended for up to one year for continued violation of the Irrigation Questionnaire requirement.

The hearing before the Water Management Board April 25, 1984 will be at 10:45 am, Room 216, Joe Foss Building, Pierre SD. The amendment may be made pursuant to SDCL 46-1-14.

Enclosed is an additional questionnaire. Please advise if you have any questions, or you do not believe our records are correct.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

enclosure

Equal Opportunity Employer



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

March 28, 1984

4108-3

4788-3

Kent Frerichs
RR #2 Box 44
Wilmot SD 57279

Dear Mr. Frerichs:

This will acknowledge receipt of and thank you for the return of your 1983 Irrigation Questionnaire. A notice was sent to you March 7, 1984 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 4788-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation. Notice was also sent to you concerning No. 4108-3 if the questionnaire was not received. Your 1983 Irrigation Questionnaires and are no longer in violation.

Please disregard the notices sent to you dated March 7, 1984. 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

JH:GM:ks

Equal Opportunity Employer



Department of Water & Natural Resources

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

4/107-3

January 29, 1988

KENT FRERICHS
RR #2, BOX 47
WILMOT SD 57279

NOTICE

Re: Violation of Water Permit No(s). 4788-3 and 1987 Irrigation Questionnaire Requirements

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 4788-3. 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 hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4788-3 qualification:

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

The hearing will also be to determine if Permit No(s) 4108-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

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

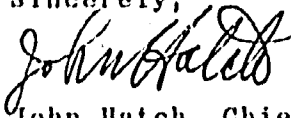
The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

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

1. Suspend Permit No(s). 4788-3 until either the 1987 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s) 4108-3 also held by KENT FRERICHS to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. 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. Those 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,

A handwritten signature in cursive script, appearing to read "John Hatch".

John Hatch, Chief Engineer
Water Rights Division

Note: If the questionnaire(s) are 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.

South Dakota Department of
Water & Natural Resources

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

March 9, 1988

4108-3
4788-3

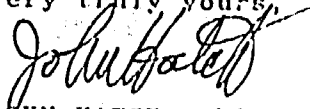
Kent Frerichs
RR 2, Box 47
Wilmot SD 57279

Dear Mr. Frerichs:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 4108-3, 4788-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name was deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



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

4108-3

 **Department of
Water & Natural Resources**

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

February 8, 1989

KENT E FRERICHS
RR 2 BOX 47
WILMOT, SD 57279

NOTICE

RE: Violation of Water Permit No(s). 5194-3, 4788-3 and 1988 Irrigation Questionnaire Requirements

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 5194-3, 4788-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board has directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 5194-3, 4788-3 qualification:

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

The hearing will also be to determine if Permit No. 4108-3 should be amended with the qualification to require the Questionnaire to be submitted each year. The hearing will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

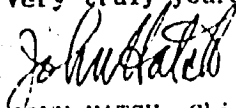
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 5194-3, 4788-3 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s). 4108-3 also held by KENT E FRERICHS to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. 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 is received in this office before the March 1st hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



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



**Dakota Department of
Water & Natural Resources**

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

March 6, 1989

4108-3
4788-3
5194-3

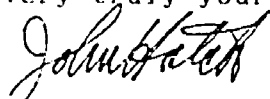
Kent E Frerichs
RR #2 Box 47
Wilmot, SD 57279

Dear Mr. Frerichs:

I am writing to acknowledge receipt of your 1988 irrigation questionnaires for Water Permit Nos. 4108-3, 4788-3 and 5194-3. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. Your questionnaires were received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

South Dakota

DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

GREAT FACES. GREAT PLACES.
February 1, 1991

KENT E. FRERICHES
RR #2 BOX 47
WILMOT SD 57279

NOTICE

RE: Violation of Water Permit No(s) 4108-3, 4788-3, 5194-3, and 1990 Irrigation Questionnaire Requirements

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 4108-3, 4788-3, 5194-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s) 4788-3, 5194-3, qualification:

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

The hearing will also be to determine if Permit No(s) 4108-3 should be amended with the qualification to require the Questionnaire to be submitted each year. The hearing will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

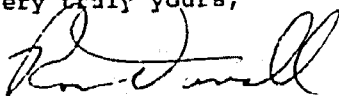
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s) 4788-3, 5194-3, until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s) 4108-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the February 27th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

South Dakota

Joe Foss Building
GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

February 21, 1991

4108-3
4788-3
5194-3

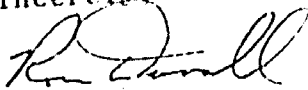
Kent E Frerichs
RR #2 Box 47
Wilmot, SD 57279

Dear Mr. Frerichs:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires for Water Permit Nos. 4108-3, 4788-3 and 5194-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaires, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,



Ron Duvall, Natural Resources Engineer IV
Water Rights Division

47108-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

OCT 17 1996

4788-3

Kent Frerichs
RR 2, Box 47
Wilmot, SD 57279-9430

Dear Mr. Frerichs:

Enclosed is Water License No. 4788-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415026 in the amount of \$50.00 which you paid for the investigation 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. 4788-3, 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 Program
(605) 773-3352

gm
enclosures

NOTE: The applicable portions of Water Permit No. 4108-3 are being incorporated into this Water License No. 4788-3.

Kent Frerichs
 Irrigation Project #1
 Wilmore, S. Cal.
 Roberts County,
 Point of View = 2080'
 N 48° E of SW corner.

Anna Rag

8-4-77

N 48 E of SW Corn.

2 1 5 2

26

66.C

well

0030
143° E

123:50

105.1

7071 35.74
21.00
35.30

9948

Adele Murray

1423

СЕР

LA ROCHE