

Complaint ²⁷⁵ ~~in file~~

Water Right No. 4704-3



1. Considered 5-1 1981
2. Name of Applicant STEVEN FRIESEN
3. Post Office Address Box 541, FREEMAN, S.D. 57029
4. Amount of Water Claimed 3.3
5. Source of Water Supply 270' WELL 265'
6. Water to be used for IRR.
7. Acres to be irrigated 230 maximum acre feet
8. Water to be diverted and used in HUTCHINSON County about 3 miles NORTH of FREEMAN

PROOF OF PUBLICATION Received 4-29-81 - Corrected
Not Received ~~4-29-81~~ 5-1-81

APPLICATION

Approved _____

Subject to _____

Not Approved _____

Action deferred _____

Priority _____ Date Received 4-2-81 Application Complete yes _____ no _____ FEE 275⁰⁰

Remarks 4/9/81
Called in original No. but on 4/10/81 it was
is pending 1-9-81

Date information and/or fee or corrected Application received log 4-6-81 3 fee

Period of Annual use log period 4-9-81

Received yes 4/10/81 no _____ APPROVED/CONDITIONAL (Circle one)

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

Disapproved _____

Returned _____

Divers Point _____

SE⁴SW⁴ 14-99-56

Lands to be irrigated _____

NW⁴ & E¹/₂SW⁴ & SW⁴SW⁴

14-99-56

Remark _____

Driller Hanshew Licensed yes

Depth 270' well 265'

125' 59' 40' 12 GPM
125' - 120' ground Cooper

Long 125'
Payson
in granite

Order was wrong Called
Paper are missing it again
Correct and send affidavit
missing nothing else

Before Appeal

WATER QUALITY

Thin Law 14
130' - 90'
CHALK
30' 115'

Holbrook Area
22 20'
26-135' - 105' pump water

WELL LOG

MAP

Map No. 3914-3 Map located in Water Right X Map file _____

Type of Map Aerial Prepared by De Bore & Sons

+++++

REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 5-1-81

Betty Westlund
(Signed)

+++++

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

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

Remarks _____

No. 4704-3Map No. 3914-3 Water Division No. 3 VERMILLION RIVER District
Above for Office Use

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

Check one of the following:

New ✓ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

 1. Name of Applicant STEVEN G. FRIESEN Phone No. 925-7970
 Post Office Address Box 541 FREEMAN State SD 57029
 (Street, RR or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) CONTRACT3. Name of diversion work STEVEN G. FRIESEN IRRIGATION PROJECT #14. Amount of water claimed (cubic feet per second) 3.3 CFS5. Source of water supply GRAND WATER - WELL6. Location of point of diversion 2150' N 74° E OF SW CORNER OF SEC 14, T99N, R56WCounty HUTCHINSON7. Annual period or periods during which water is to be used APRIL - OCTOBER8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) IRRIGATION9. For irrigation use, Total number of acres to be irrigated 230.00.

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.
NW 1/4, NW 1/4, SEC 14, T99N, R56W	20
NE 1/4, " " " "	36
SE 1/4, " " " "	36
SW 1/4, " " " "	36

Land Description	No. Acres Irr.
NE 1/4, SW 1/4, SEC 14, T99N, R56W	40
SE 1/4, " " " "	40
SW 1/4, " " " "	10

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 _____ years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water FREEMAN COURIER

12. Principal Features of the Proposed Water Supply System.

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

TURBINE PUMP

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

BURIED PLASTIC PIPE LINE.

C. Works proposed to apply water to beneficial use.

CREATED PIPESEstimated Total Cost \$ 90,000

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

STATE OF SOUTH DAKOTA ()

County of FREEMAN ()I, STEVEN G. FRIESEN 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 Steven G. Friesen

Subscribed and sworn to before me this _____ day of _____, 2000.

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4704-3

STEVEN FRIESEN

(Applicant)

Box 541

FREEMAN

(Post Office Address)

SOUTH DAKOTA 57029

(State)

With the following qualifications.

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

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

Date of first receipt of application APRIL 2, 1981

Date of return to applicant for correction, amendments or changes required APRIL 4, 1981

Date of receipt of corrected application APRIL 10, 1981

Approved MAY 1, 1981, Recorded in Book 22 Page 143

WATER RIGHT PERMIT NO. 4704-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4704-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is APRIL 2, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 1, 1983
3. The whole of said work is to be completed on or before MAY 1, 1986
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 1, 1986
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 3.3 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied

for irrigation on or before MAY 1, 1986, said water to be used during the following described

annual period: APRIL - OCTOBER

Witness my hand this 19th MAY day of MAY, 1981

THE WATER MANAGEMENT BOARD

By:

John Kistner
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

GRIMSHAW DRILLING CO.

P.O. BOX 61
CHESTER, S.D. 57016

LARRY WOLD
(605) 489-2182

DRILLING
LOG

JAY VAN LIERE
(605) 489-2427

Name Steve Freemen Date 3-19-81

Address FREEMEN

County Hutchinson Sec. 14 Twp. 56 Range 99

NO. FT.	DIA.	RATE	CASING	TOTAL
300'	4 1/4"	\$3.50	—	\$1050.00
		1 1/2% case tax		\$15.75

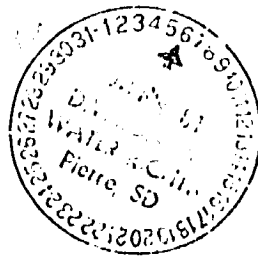
BALANCE DUE: \$1065.75

0 ft. to 3 ft. Topsoil
3 ft. to 17 ft. Brown clay w/ gravel
17 ft. to 57 ft. Blue clay
57 ft. to 182 ft. Blue clay w/ some sand streaks
182 ft. to 186 ft. sand
186 ft. to 228 ft. Hard Blue clay
228 ft. to 265 ft. Fine grey sand *[note below]*
265 ft. to 300 ft. Hard-shale like Blue clay
ft. to ft.

STATIC WATER LEVEL 130 ft. Sam M. Wold

REMARKS: * clay layers at 235-238' & 258'-261'

31' of water bearing sand



P.O. BOX 81
CHESTER, S.D. 57016

JAY VAN LIERE
(605) 489-2427

Address FREEMEN

County Hutchinson Sec. 504 Twp. 14 Range 56 Range 99

NO. FT	DIA.	RATE	CASING	TOTAL
300	4 3/4	\$3.50	—	\$1050.00
		1 1/2 % excise tax		\$15.75
				\$1065.75

BALANCE DUE:

0	ft. to	3	ft.	Topsoil
3	ft. to	17	ft.	Brown clay w/ gravel
17	ft. to	57	ft.	Blue clay
57	ft. to	186	ft.	Blue clay w/ some sand streaks
182	ft. to	186	ft.	sand
186	ft. to	228	ft.	Harder Blue clay
228	ft. to	265	ft.	Fine Grey Sand <i>(note below)</i>
265	ft. to	300	ft.	Hard-shale like Blue clay
	ft. to		ft.	

STATIC WATER LEVEL 1030 ft

REMARKS: * play layers nt 258' ? Y
258' - 26

31' of water bearing sand

D. Well Information

- (1) Drill Hole Diameter 2 1/2 in., Depth 270'
- (2) Casing, Type PLASTIC, Diameter 1 1/2 in., Thickness —
(wood, concrete, steel, etc.)
- (3) Screen, Type STAINLESS STEEL, Diameter 1 1/2 in., Length 30'
- (4) Gravel Pack, Thickness 4 in., Length of gravel pack 35'

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

F. Fill out for Either a Well or a Dugout

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

Depth to top of water bearing material 230'

Depth to bottom of water bearing material 270'

Depth to water (ground surface to water level) 120'

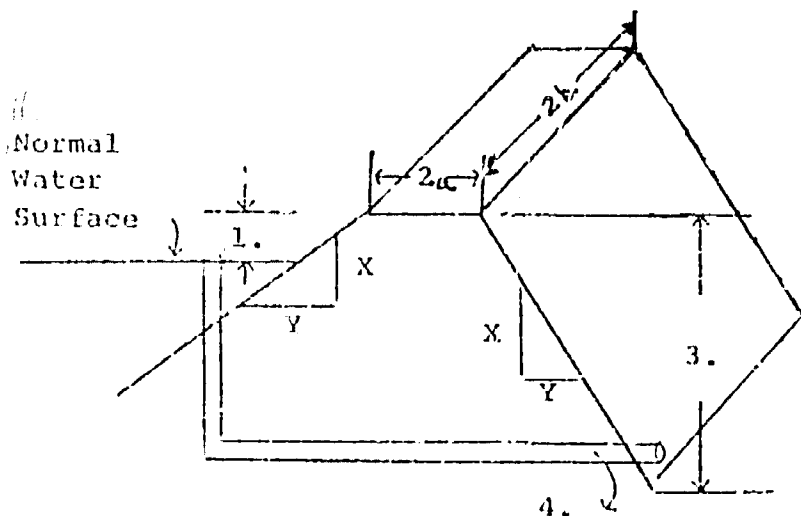
- (2) Distance to nearest existing household or livestock watering well

On same owner's property 1500 FT. rds.

On property owned by others 1600 FT. rds.

G. Water Storage Dams

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



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

Steven D. Trice
Signature of Applicant

Condition 1

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Steve Eriksen

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED

Ct-Crossplain - Harps Complex
Te-Tetonka silty clay loam
Wx-Worthing silty clay loam

These soils are poorly drained and should be returned to grass and
or drained if problems with traction or ponding occur.

These soils are indicated by red hatch marks.

RECOMMENDED MANAGEMENT:

Type of irrigation system recommended for use on this application is center
pivot.



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

4704-3

OWNERS NAME: ROLAND HOFFER OWNERS ADDRESS: FREEMAN, S.D.

COUNTY LAND LOCATED IN: HURCHISON PHONE: 925-7710

TENANT'S NAME AND ADDRESS: (If Other Than Owner) STEVEN G. FRIESEN
Box 541 FREEMAN, S.D.
57029

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

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

1. WELL LOCATION OR DIVERSION POINT: SE 1/4, SE 1/4, SW 1/4, SEC 14, T99N, R. 56W
2. SURFACE WATER SOURCE: _____
3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

Legal Description	Acres	Legal Description	Acres
<u>SE 1/4, SEC 14, T99N, R. 56W</u>	<u>160</u>		

4. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: X GUN: _____ OTHER: _____ (Specify)
5. CROPS TO BE IRRIGATED: ALFALFA, CORN, BEANS
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: _____
LEGAL DESCRIPTION: _____
IN WHAT NAME: _____

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

7. WATER SAMPLE NUMBER: 81-139
8. SALINITY (EC X 10⁶): 1850
9. SODIUM (SAR): 2.48
10. ADJUSTED (SAR): 6.79 (1.75)

RECEIVED

APR 08 1981

South Dakota
Division of Conservation

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____ 19____, at the following location: SEE ANALYSIS OF SAMPLE 81-139 by _____ (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

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

SUBSCRIBED AND SWORN BEFORE ME THIS

31 DAY OF MARCH, 1981.

Robert D. P. [Signature]
(NOTARY PUBLIC)

[Signature]
APPLICANT'S SIGNATURE

[Signature]
Director, Division of Conservation

IMPORTANT

Action by the Department of Agriculture or the

APPROVED

CONSERVATION COMMISSION

W/1 FORM

3/80

Office Use Only

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: STEVEN RIEB

OWNERS ADDRESS: Freeman, SD

COUNTY LAND LOCATED IN: Dutchman PHONE: 935-7970

TENANT'S NAME AND ADDRESS: (If Other Than Owner) 3/6/81 called Willard

appl. to go

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

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

1. WELL LOCATION OR DIVERSION POINT: SW1 of Sec. 14-99-56

2. SURFACE WATER SOURCE: N/A

3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

Legal Description	Acres	Legal Description	Acres
SW1 of SW1 Sec. 14-99-56	40		
SE1 of SW1 Sec. 14-99-56	40		
NE1 of SW1 Sec. 14-99-56	40		
Total	120		

4. TYPE OF IRRIGATION: GRAVITY: TOWLINE: CENTER PIVOT: GUN: XX OTHER: (Specify)

5. CROPS TO BE IRRIGATED: Corn, Alfalfa, Soybeans

6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED:
LEGAL DESCRIPTION: None
IN WHAT NAME:

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

7. WATER SAMPLE NUMBER: 81-139

8. SALINITY (EC X 10⁶): 1850

9. SODIUM (SAR): 2.48

10. ADJUSTED (SAR): 6.79

RECEIVED

MAR 05 1981

South Dakota
Division of Conservation

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at 12:00 a.m./p.m., on 18 Feb 19 81, at the following location:

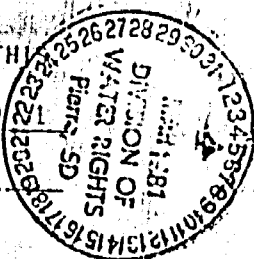
by (Individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

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

SUBSCRIBED AND SWORN BEFORE ME THIS

10 DAY OF February, 19 81

MICHAEL H. SANDER
(NOTARY PUBLIC)



APPLICANT'S SIGNATURE

John M. Felt
Director, Division of Conservation

APPROVED

DISAPPROVED

X CONDITIONALLY APPROVED

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

4704-3

Conditional

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION



NAME OF APPLICANT Roland Hofer/Steve Friesen

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED WITH THE FOLLOWING RESTRICTIONS:

- Tt - Tetonka - Harps complex
- Te - Tetonka silty clay loam
- Ct - Crossplain-Harps complex.

These soils are poorly drained and should be kept in grass or drained if irrigated.

These soils are indicated by red hatch marks.

RECOMMENDED MANAGEMENT:

Lined area for recommended management text.

No. 4704-3
Publish first publication, on or before April 15, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 10, 1981

Notice is hereby given that Steven C. Erlson whose post office

address is Freeman, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-11, 46-2-5 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, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 3.3 cubic feet of water per second of time from groundwater

(one well) through the Steven C Erlson Irr Proj at the point(s) of diversion of which is(are) to be located in the S14 SW1

of Section 14, Twp. 99N, Range 56W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

N1/4; E1/2 SW1 add SW1 SW1, Section 14, T99N, R56W

This Application No. 4704-3 will be considered by the Water Management Board at Civil Defense Room, State Capitol Bldg., Pierre SD upon the 1st day of May, 1981 at 10 A. M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

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

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

WATER MANAGEMENT BOARD

cc: Steven C. Erlson
Box 541
Freeman SD 57029

BETTY WESTLUND
Water Rights Specialist

AFFIDAVIT OF PUBLICATION

COUNTY OF HUTCHINSON }
STATE OF SOUTH DAKOTA } SS

Glenn Gering, of said county and state, being duly sworn, on his oath, deposes and says: That the Freeman Courier is a weekly newspaper of general circulation and a legal newspaper as required by law, printed and published in the town of Freeman in said county and state by Glenn Gering, and has been such newspaper during the time hereinafter mentioned: That I, Glenn Gering, the undersigned, am publisher of said newspaper in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit, and that the advertisement headed Notice of Hearing on Application to Appropriate Water

a printed copy of which is hereto attached, was printed and published in the said newspaper for two successive issues to-wit: The first publication being on the 15th day of April and the last publication on April 22. That the full amount of the fees charged for publishing the same to-wit: The sum of \$ 21.47 insures solely to the benefit of the publisher of the Freeman Courier, that no agreement or understanding for any division thereof has been made with any other person whomsoever, and the amount of \$ 21.47 is the rate for publishing legal notices.

Subscribed and sworn to before me this 29th day of April, 1981.

Sharon L. Jacobs
Notary Public

Publication fee . . . \$
Notary fee . . . \$
Total . . . \$

Notice of Hearing on Application to Appropriate Water

Pierre, South Dakota 57501

April 10, 1981

Notice is hereby given that Steven G. Friesen whose post office address is Freeman, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14, 46-2-9 thru 46-2-11, 46-2-13, 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 3.3 cubic feet of water per second of time from groundwater (one well) through the Steven G. Friesen Irr. Proj., No. 1 the point of diversion of which is to be located in the SE 1/4 SW 1/4 of Section 14, Twp. 99N, Range 56W. Said water to be used for the purpose of providing irrigation on portions of the following described land: NW 1/4 E 1/2 SW 1/4 and SW 1/4 SW 1/4, Section 14, T99N, R56W.

This Application No. 47J4-3 will be considered by the Water Management Board at Civil Defense Room, State Capitol Bldg., Pierre, South Dakota, upon the 1st day of May, 1981 at 10:00 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

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

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

Water Management Board
Betty Westlund
Water Rights Specialist

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 8127

RECEIVED OF Steven Friesen, Freeman, SD 57029 PIERRE, April 6, 1981
the following amount in fees for services rendered, & provided for by law:

Fee for Application for Permit to Appropriate Water No. <u>4704-3</u> (examination, processing, recording and filing)	275.00
Fee for Inspecting Construction, and Issuing Cert. of Conservation No. _____	
Fee for Inspecting Beneficial Use, and Issuing Water License No. _____	
Fee for Issuing Location Certificate-Dry Draw, No. _____	
Fee for filing _____	
Fee for certified copy of _____	
Fee for Print copy of map _____	
Fee for Certifying _____	
Fee for _____ (any other work as provided by law)	
TOTAL	275.00

WATER RIGHTS COMMISSION

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

April 27, 1981

Freeman, So. Dak.



Betty Weslund, Water Rights Specialist
Water Management Board
State Capitol Bldg.
Pierre, So. Dak.

Dear Board Members,

I am writing out of a concern for two applications for permits to be granted to close neighbors of mine for irrigation wells. They are: The Roger L. Schmidt Irrigation Project No 1, Application No. 4679 - 3, and The Steven G. Friesen Irrigation Project No 1 Application No 4704 - 3.

I live in the NW1/4 of NE1/4 of section 23 T99N R56W. I am concerned for the water level of my own farm well, which is approximately 1/4 mile from the Steven G. Friesen project. If these two projects should in fact drop the water level below the reach of our present farm well pumping systems, I would object to your issuance of such permits or even continuation of pumping operations after they have begun.

These are difficult times economically for the farming community and very few of us can afford the additional expense of new or deeper wells for farm use as well as household purposes.

I am not against progress, in fact I am interested in observing these projects, but feel our present status needs to be protected.

Sincerely;

Raymond Becker

Rt. D Box 31

Freeman, So. Dak.

57029

Copy:

File

Steven G Friesen

Roger L Schmidt

Water Management Board
State Capitol Building
Pierre, South Dakota 57501



Freeman, South Dakota
April 28, 1981

Att: Betty Westlund, Water Rights Specialist

A notice of hearing on application to appropriate water has been running in the current issues of The Freeman Courier in behalf of Steven G Friesen who has made application no 4704-3 for an irrigation well to be dug and pumped on section 14, T99N, R56W.

I live on the east half of section 14 and have for all of my life. I am concerned that the pumping of underground water of the quantity needed to supply an irrigation operation will endanger the supply of water to my own well. I would advise extreme caution and care in issuing that permit.

As an appeal to a Water Management Board, I would remind them that each of us farmers needs to be assured an adequate supply of water for our livestock as well as our household use. Will the pumping of this well be discontinued should my supply of water fail?

Sincerely:

Andrew Wipf
Andrew Wipf

TO: Water Rights Division
Water Management Board
Pierre, South Dakota



I am sending you an article from the local paper for you to read about irrigation and problems they are having in other states because of irrigation.

Are you sure water tables are not dropping in S.D.? South Dakota law says you cannot mine water that you cannot exceed average annual recharge.

Is this law being enforced? Maybe we ought to have stiffer laws on people who want to irrigate, such as during the irrigation season no water table should be allowed to be pumped down 5 feet, example: and that the pump should not be placed deeper than 30 feet under water not as the practice is today to the bottom of the formation in wells that have water that could have 100 feet or more water in them, example:

Maybe you should quit issuing water permits for ground water wells for irrigation.

Alto Krinner
Sioux Falls, S.D.

57029

Readers Say . . .

Dear Editor,

We read with great concern about the acceptance of irrigation permits granted May 1, for Roger Schmidt, Steven Friesen and Lynell Hofer of Freeman.

The paper stated that all required statutes have been met and domestic wells were protected. Will they still be five years from now? 10 years from now when nearly all of this precious commodity has been ruined?

With Western Kansas literally drying up—towns already without water, because of irrigation, with Central Nebraska's water table lower than ever and farmers talking about rationing, because of irrigation, it is unbelievable that the state of South Dakota would think they were immune to the problems that go hand in hand with irrigation.

Water Management Board—where is your sense of responsibility to that area of the state and to the neighbors of these applicants?

Applicants—where is your sense of responsibility to your fellow farmers? Where is your sense of conservation of a resource that is fast disappearing from our central plains?

Don and Sue Gering
Hesston, KS

Water Rights Division (605)772-3352

4679-3
4704-3
4706-3

May 29, 1981

Don & Susan Gering
Box 1167
Hesston, KN 67062

Dear Mr. & Mrs. Gering:

The applications referred to in your letter were approved by the Water Management Board with the following qualification:

The Irrigation wells approved under this Permit will be located near domestic wells and other 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 wells having prior water rights.

In all of the testimony at the hearing from farmers in the area, it did not appear that there were inadequate wells involved so the domestic wells will be protected. We have drilled observation wells in the area to monitor any affects of the Irrigation pumping.

It should be pointed out that your allusion to water problems in western Kansas and parts of Nebraska are not applicable to South Dakota. Under South Dakota water law, we cannot issue permits in excess of the average annual recharge to the aquifer. In other words, we cannot "mine" water in South Dakota. To my knowledge, we are the only state to have such a law.

Sincerely,

BURTON F JONES
Water Rights Division

BFJ/gy



Department of Water & Natural Resources

Joo Foss Building
Pierre, South Dakota 57501

Water Rights Division (605) 773-3352

May 15, 1981

NOTICE

TO: Persons Attending May 1, 1981 Water Management Board Meeting
Concerning Water Permit Applications 4679-3, 4704-3 and 4706-3

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

The Water Management Board approved the following Water Permit Applications at the May 1, 1981 meeting.

No. 4679-3 Roger L Schmidt
No. 4704-3 Steven G Friesen
No. 4706-3 Lynell Hofer

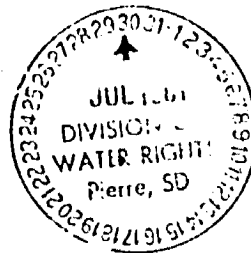
with the following qualification:

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.

The Board also determined that Findings of Fact, Conclusions of Law and a Final Decision did not need to be prepared because adequate Findings of Fact had been made in the record. South Dakota Statutes provide that any decision of the Board can be appealed to the Courts.

JH/gy

Equal Opportunity Employer

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USEPost Office Freeman SD 57029Date 7-28-81TO: 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/or that I have put the water to beneficial use to maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No. 4704-3.

Water Right Permit No. 4704-3 states that the diversion system is to be constructed by May 1, 1986, and that the water is put to beneficial use by May 1, 1986.

The diversion system was completed on June 20, 1981. Applying the water to beneficial use was completed on June 27, 1981.

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

Stewart D. Friesen
(Signature)



4704

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

DEC 28 1994

4704A-3

Steven G. Friesen
RR 1, Box 56
Freeman, SD 57029

Dear Mr. Friesen:

Enclosed is Water License No. 4704A-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414343 in the amount of \$50.00 which you 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. 4704A-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

ks
enclosures

NOTE: The applicable portions of Water Permit No. 4704-3 have been incorporated into this Water License No. 4704A-3.

NOT TO SCALE SEP 1978

273 ROLAND G HOFER 319 247
 46.7 7M & STEVEN FRIESEN
 OP FREEMAN S DAK 57029
 503-28-3153-8 503-42-1832-
 508-74-8302-9
 273 ROLAND G HOFER &
 7M BEN A FAST
 OW FREEMAN S DAK 57029

30.0

23.2

27.0

14

51.8

12.6

4

STEVEN G. FRIESEN

IRRIGATION PROJECT #1

FREEMAN, S.D.

IRRIGATED ACRES 230ac
 WATER CLAIMED 3.30 cfs

79.56

79.5

28.0

38.0

32-R

Harrell W. Nelson
 March 30, 1981

R x R x 3.14 = 43520

IRRIGATED AREA
 NW 1/4 & E 1/2, SW 1/4
 & SW 1/4, SW 1/4, OF SEC 14
 T89N, R56W

y

36.6

WELL

N 74° E

2150'

3.7

6.3

11.9

2.4

MAP NO. 3414-3 APPL. NO. 4754-3

NOT TO SCALE

148.0 T2885

①



Prepared by:

Lynn Beck

Lynn Beck

Natural Resources Engineer III

Water Rights Division

12-8-93

Total Acres = 96

~~46.7~~ T2958

① 50.9

32-R

H-18

✓

30.2 T2887

①

23.2

⑤

27.0

②

14

39.0 T3850

①

18.7 T2883

①

4

77.8

④

12.6

③

NW 1/4 SW 1/4 32 ac.

NE 1/4 SW 1/4 32 ac.

53.9

②

Center Pivot

8" PVC
SE 1/4 SW 1/4
32 ac.

11.9

⑥

3.7

④

7.3

③

1320'

380'

2.4

⑤

79.5 T2861

①

T2857

72.5

①

38.0 T457

32-R

4704A-3