

1. Considered: JULY 29, 1981 Water Right No. 4788-3
3998-3
2. Name of Applicant KENT FRERICHS
3. Post Office Address Box 44-R#2-WILMOT 57279
4. Amount of Water Claimed 4.00 maximum acre feet
5. Source of Water Supply 70' WELL - EXISTING ON 4108-3
6. Water to be used for IRR. acres to be irrigated 360
7. County ~~Ben Hume~~ ROBERTS about 1N-2 miles WEST of WILMOT
8. PROOF OF PUBLICATION: Received 7-28-81 Not Received
- APPLICATION: Approved 7-29-81 Subject to WI-12
- Not Approved Action Deferred

PRIORITY

Dated Received 7-8-81 Application complete-yes no FEE 325⁰⁰

Remarks 60 acres in E 1/2 SE 4 26 under another permit but (2267-3) John
Frerichs plans on using water from his well at times to help out (under)

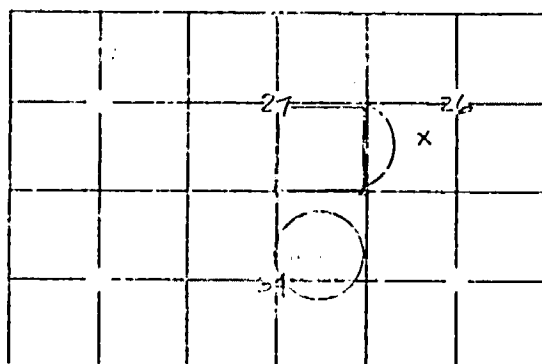
Corrected Application received Period of Annual Use April-Oct

WATER
QUALITY

Received yes 9/81 no APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application-yes no Remarks

Disapproved Returned



Diversion Point NE 4 SW 4 26-123N-R50W

Land to be irrigated SE 4 Section 27; NE 4 & N 1/2 SE 4
Section 34 and E 1/2 SE 4,
Section 26 all in T123N-R50W

WELL LOG

Driller North Star Dr. Licensed - yes ☒ no

Depth 70' ±

Remarks installed in Jan 81 on 4108-3

Water Right No. _____

MAP Map No. 3998-3 Map located in Water Right ☒ Map file _____
 Type of Map Aerial Prepared by ASC.S

+++++

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

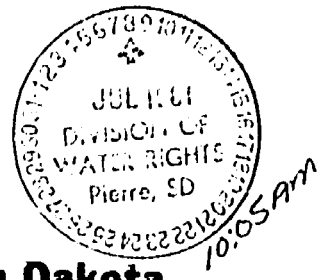
July 8, 1981

Betty W. Wetland
 (Signed)

+++++

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

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



No. 4788-3
 Map No. 3998-3 Water Division No. 3 MINNESOTA RIVER District
 Above for Office Use 076 20001

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 ☒ ON 4108-3

1. Name of Applicant Kent Frerichs Phone No. 938-4557
 Post Office Address Box 44 Route # 2 WILMOT State South Dakota 57279
 (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) Employment of Others

3. Name of diversion work Frerichs Irrigation Project

4. Amount of water claimed (cubic feet per second) 2 4.00

5. Source of water supply well - EXISTING

6. Location of point of diversion 1700 feet east and 1700 feet north of a point in the very SW 1/4 of Section 26-123-50

County Roberts

7. Annual period or periods during which water is to be used Spring, Summer and Fall

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 300

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each. 60 Additional feet at divers

Land Description	No. Acres Irr.
NE 1/4 Sec. 27-123-50	25
NW 1/4 Sec. 27-123-50	25
SW 1/4 Sec. 27-123-50	40
SE 1/4 Sec. 27-123-50	15

Land Description	No. Acres Irr.
NE 1/4 Sec. 34-123-50	31
NW 1/4 Sec. 34-123-50	40
SW 1/4 Sec. 34-123-50	40
SE 1/4 Sec. 34-123-50	40

SEE ATTACHMENT

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 2 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Wilmot Enterprise

12. Principal Features of the Proposed Water Supply System.

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

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
 System in operation under previous irrigation permit.

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

Aluminum and PVC pipe

C. Works proposed to apply water to beneficial use.

Center Pivot and Big Gun

Estimated Total Cost \$ 20,000.00

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

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

I, Kent Frerichs 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 Frerichs

Subscribed and sworn to before me this 2 day of July, 1981

La Donna Wallace
 Notary Public (or other qualified officer).
 LaDonna Wallace

Lee Twp.

123 N 50 W

Kent Fredericks

Rte 2 Box 44

Wilmet, S. D. 57279

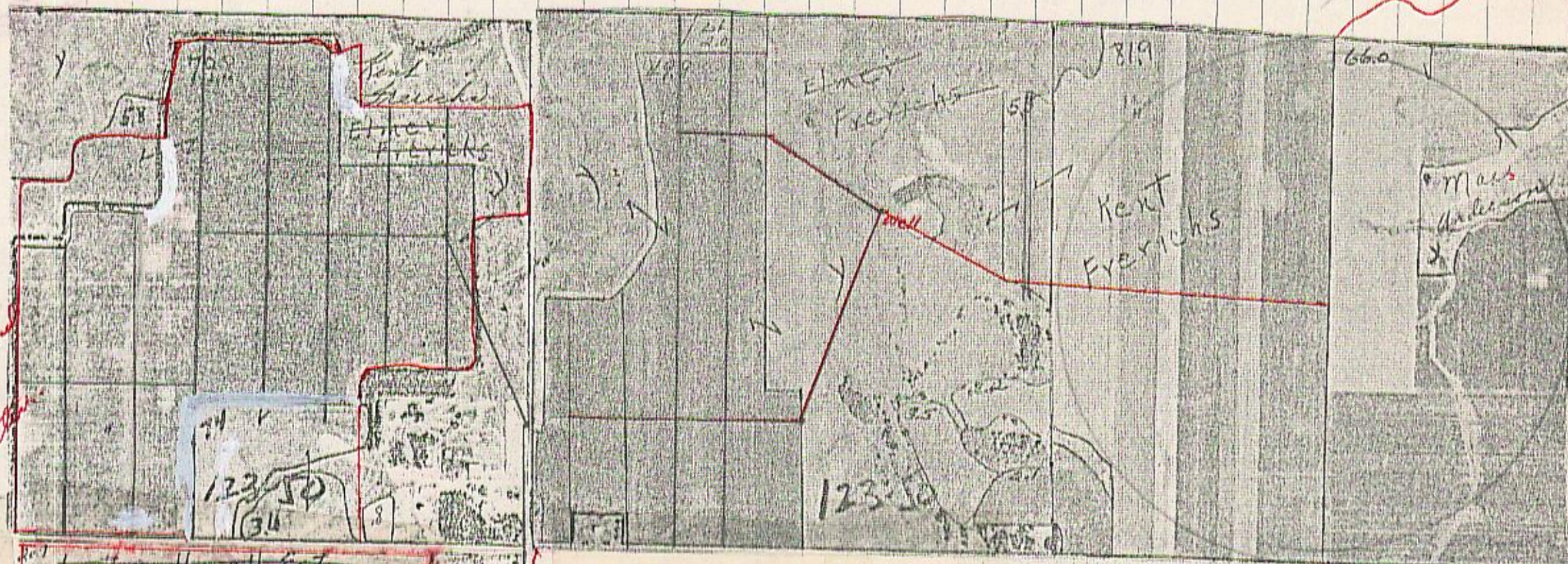
938-4557

938-4208

Kent Fredericks

Add New point of
diversion requested
for these areas
under permit
to John Anderson
Wilmet

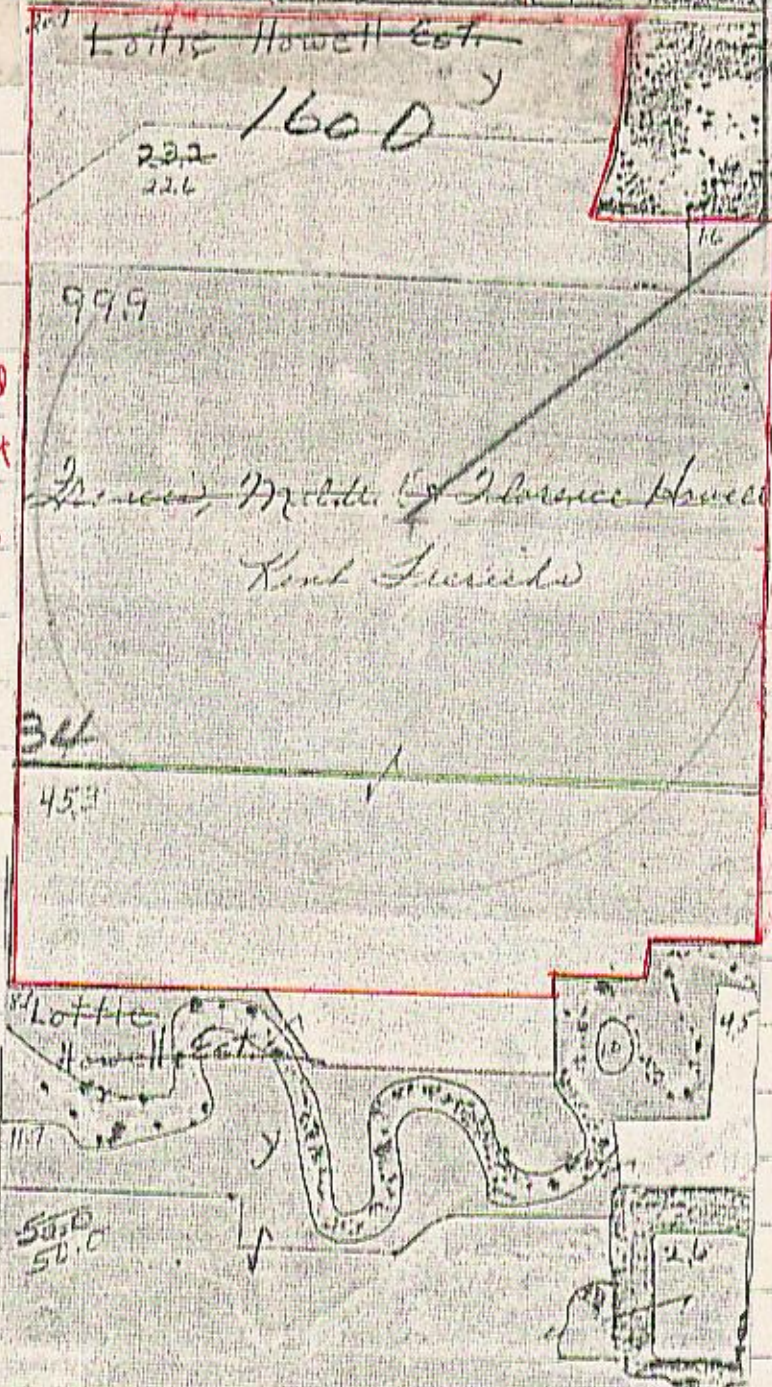
Additional
Acres requested
for this
permit
Application



State of Wisconsin Permit of Diversion

Existing permit (1977)
covers these acres.

Additional
Acres requested
for this
permit
Application



Signed copies in file

123-50
4788-3

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4788-3

KENT FRERICH

(Applicant)

Box 44-Rt # 2, WILMOT

(Post Office Address)

SOUTH DAKOTA

(State)

57279

With the following qualifications

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

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.

A portion of the lands covered under this Permit are also covered under Permit No. 2267-3. Combinations of diversions under the two permits shall not exceed the Statutory limit of 1 c.f.s. for each 70 acres of land to be irrigated.

Date of first receipt of application JULY 8, 1981

Date of return to applicant for correction, amendments or changes required _____, 19____

Date of receipt of corrected application JULY 9, 1981

Approved JULY 29, 1981, Recorded in Book 22 Page 271

WATER RIGHT PERMIT NO. 4788-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4788-3 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 JULY 8, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 29, 1983
3. The whole of said work is to be completed on or before JULY 29, 1984
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 29, 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 4.00 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 JULY 29, 1986; said water to be used during the following described

annual period: APRIL - OCTOBER

Witness my hand this 5th day of AUGUST, 1981

THE WATER MANAGEMENT BOARD

By:

John H. Hark
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

Continuation Sheet

Form 2 - Application for Permit to Appropriate Water-Original (Includes Approval and Permit)

No. _____

Map No. _____ Water Division No. _____ District _____

Above for Office Use

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

Check one of the following:

New _____ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

attachment to
4788-3

1. Name of Applicant _____ Phone No. _____

Post Office Address _____ State _____

(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) _____

3. Name of diversion work _____

4. Amount of water claimed (cubic feet per second) _____

5. Source of water supply _____

6. Location of point of diversion _____

County _____

7. Annual period or periods during which water is to be used _____

8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) _____

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.
NE 1/4 Sec. 34-123-50	20		
NW 1/4 Sec. 34-123-50	24		
SE 1/4 Sec. 36-123-50	22		
NE 1/4 Sec. 36-123-50	28		

Freicks
well may
be used
so on
additional
point of diversion for John Store Anderson

These acres are under an existing permit. I am
requesting one well to be in point of diversion.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system _____ 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 _____

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 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)
) ss.
County of _____)

I, _____ 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 _____

Subscribed and sworn to before me this _____ day of _____, 19____

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. _____

(Applicant)

(Post Office Address)

(State)

With the following qualifications.

Date of first receipt of application _____, 19____

Date of return to applicant for correction, amendments or changes required _____, 19____

Date of receipt of corrected application _____, 19____

Approved _____, 19____, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. _____

The Water Management Board hereby grants and issues this Water Right Permit No. _____ 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 _____, 19____
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____, 19____
3. The whole of said work is to be completed on or before _____, 19____
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is _____, 19____
5. The water appropriated shall be used for the purpose of _____

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 _____ 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 _____, 19____; said water to be used during the following described annual period: _____

Witness my hand this _____ day of _____, 19____

THE WATER MANAGEMENT BOARD

By _____
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

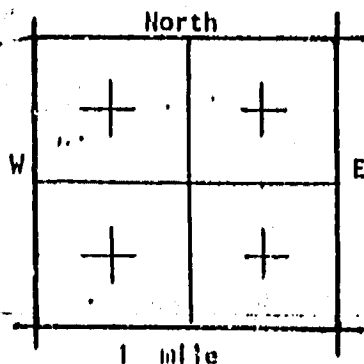
Water License Issued _____, 19____

4-78

Water Level Information:
Static water level 2 ft below land surface
. If flowing; closed In pressure _____ PSI
rate of low _____ GPM
Controlled by:
☒ Valve ☐ Reducers ☐ Other
If other; specify _____

North

Mark location
with an "X"



County Robertson

Sid 4 4 4 Sec. 36 Twp. 13 N Rg. 50 W

Proposed Use:

☐ Domestic ☐ Municipal ☐ Test
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

☒ Forward Rotary ☐ Bored ☐ Jetted
☐ Reverse Rotary ☐ Cable ☐ Other

Well Construction:

Diameter of Hole 18"
Depth 103
Casing ☒ Steel ☒ Concrete
☐ Plastic ☐ Other

If other, specify

Was casing end left open

Was a well screen installed

Describe Well Screen

Diameter 1 1/2" **Material** 304

Slot size

Was well gravel packed

Was well grouted

Was water sample taken

Remarks:

Well Test Data:

☒ Pumped

17 Bailed

☐ Other

Describe: TRIPLE PUMP

Pumping Level Below Land Surface

45 ft. After 5 Hrs. pumped 1000 GPM

Figure 1: Schematic representation of the experimental design. The figure shows a sequence of events: a subject is presented with a stimulus (a word), then a response is given (a word), and finally a feedback is provided (a word). The sequence is repeated for multiple trials. The feedback is either 'Correct' or 'Incorrect'. The 'Correct' feedback is associated with a 'Correct' response, and the 'Incorrect' feedback is associated with an 'Incorrect' response. The sequence is repeated for multiple trials, with the feedback being 'Correct' or 'Incorrect'.

Copy Time: 5 P. M. 30/10/1941

Well Log:

Formation

Depth

Full	0.00	4.00
Partial Sun	4.00	4.00
Green Glass	9.00	37.10
Green Glass	11.00	44.10
Green Glass	14.00	58.10
Green Glass	21.00	79.10
Fine Green Glass	35.00	114.10
Thin Green Glass	46.00	160.10
	58.00	218.10
	68.00	286.10
	80.00	366.10
	94.00	460.10

(Use Back If Necessary)

Date Completed:

Driller:

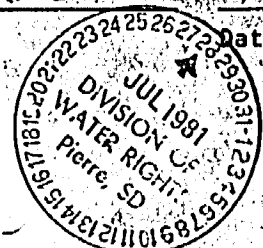
Driller's or Firm's Name North Star Drilling Co. License NO. _____

Address P.O. Box 139A - Little Hill
GA 30120

Chuck Clinton 9-24-

Signed By

Date



NOTICE OF
HEARING ON APPLICATION
TO APPROPRIATE WATER



PUBLIC NOTICES
BECAUSE THE PEOPLE MUST KNOW

NO. 4788-3

Pierre, South Dakota 57501

July 8, 1981

Notice is hereby given that Kent Frerichs whose post office address is Willmot, 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, 46-6-6, 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 4.00 cubic feet of water per second of time from groundwater (one existing well) through the Frerichs Irr. Project, the point of diversion of which is to be located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ 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: SE $\frac{1}{4}$, Section 27; NE $\frac{1}{4}$ and N $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34 and E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 26 all in T123N - R50W, to add acreage on existing permits.

This Application No. 4788-3 will be considered by the Water Management Board at the Civil Defense Room, State Capitol Building, Pierre, South Dakota upon the 29th day of July, 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, DWRN, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD
BETTY WESTLUND
Water Rights Specialist

cc:

Kent Frerichs
Rt. 2, Box 44

Willmot, SD 57279

WNR-806A-7/79 Notice of Intent to
Appropriate Water
GROUNDWATER

(July 16, 23, 1981)

NOTICE OF
HEARING ON APPLICATION
TO APPROPRIATE WATER

NO. 4788-3

Pierre, South Dakota 57501

July 8, 1981

Notice is hereby given that Kent Frerichs whose post office address is Willmot, 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, 46-6-6, 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 4.00 cubic feet of water per second of time from groundwater (one existing well) through the Frerichs Irr. Project, the point of diversion of which is to be located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ 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: SE $\frac{1}{4}$, Section 27; NE $\frac{1}{4}$ and N $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34 and E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 26 all in T123N - R50W, to add acreage on existing permits.

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WATER MANAGEMENT BOARD
BETTY WESTLUND
Water Rights Specialist

cc:

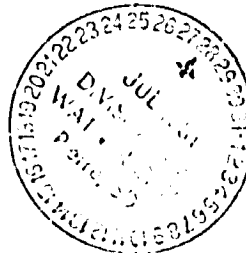
Kent Frerichs

Rt. 2, Box 44

Willmot, SD 57279

WNR-806A-7/79 Notice of Intent to
Appropriate Water
GROUNDWATER

(July 16, 23, 1981)





Kent and Faye Frerichs
Route 2, Box 44
Wilmot, South Dakota 57279
Telephone: (605) 938-4557
or 938-4208

Walter Byler, Dir.
Attn: City of Wilmot

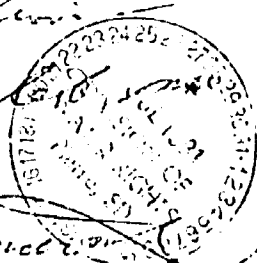
Enclosed is a copy
of the report filed
by the well drillers
"North Star Drilling".

Also, a copy of the
two publications in
the Wilmot Enterprise.

If you need additional
information

please let us
know.

Respectfully,
Kent



All the below information is on file at the Water & Natural Resources, Water Rights Division under existing permit for Kent Frerichs

D Well Information

- (1) Drill Hole, Diameter _____, Depth _____
- (2) Casing, Type _____, Diameter _____, Thickness _____
(wood, concrete, steel, etc)
- (3) 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. (Attach 2 copy of test well log)

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Depth to water (ground surface to water level) _____

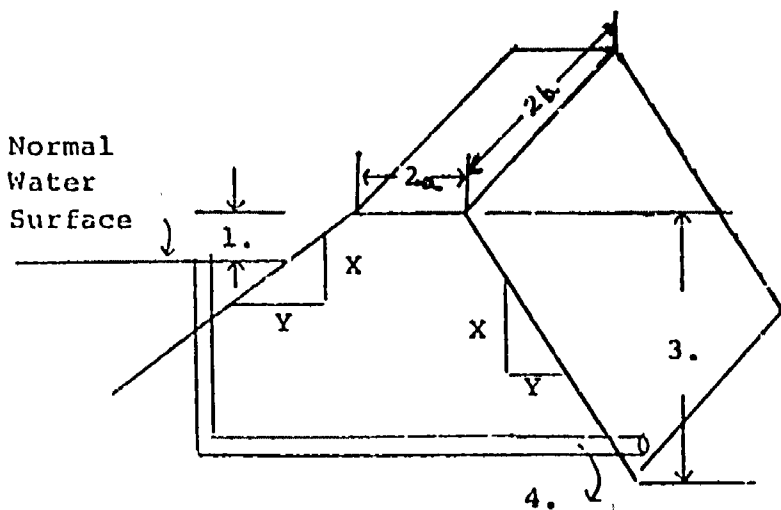
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property _____ rds.

On property owned by others _____ rds.

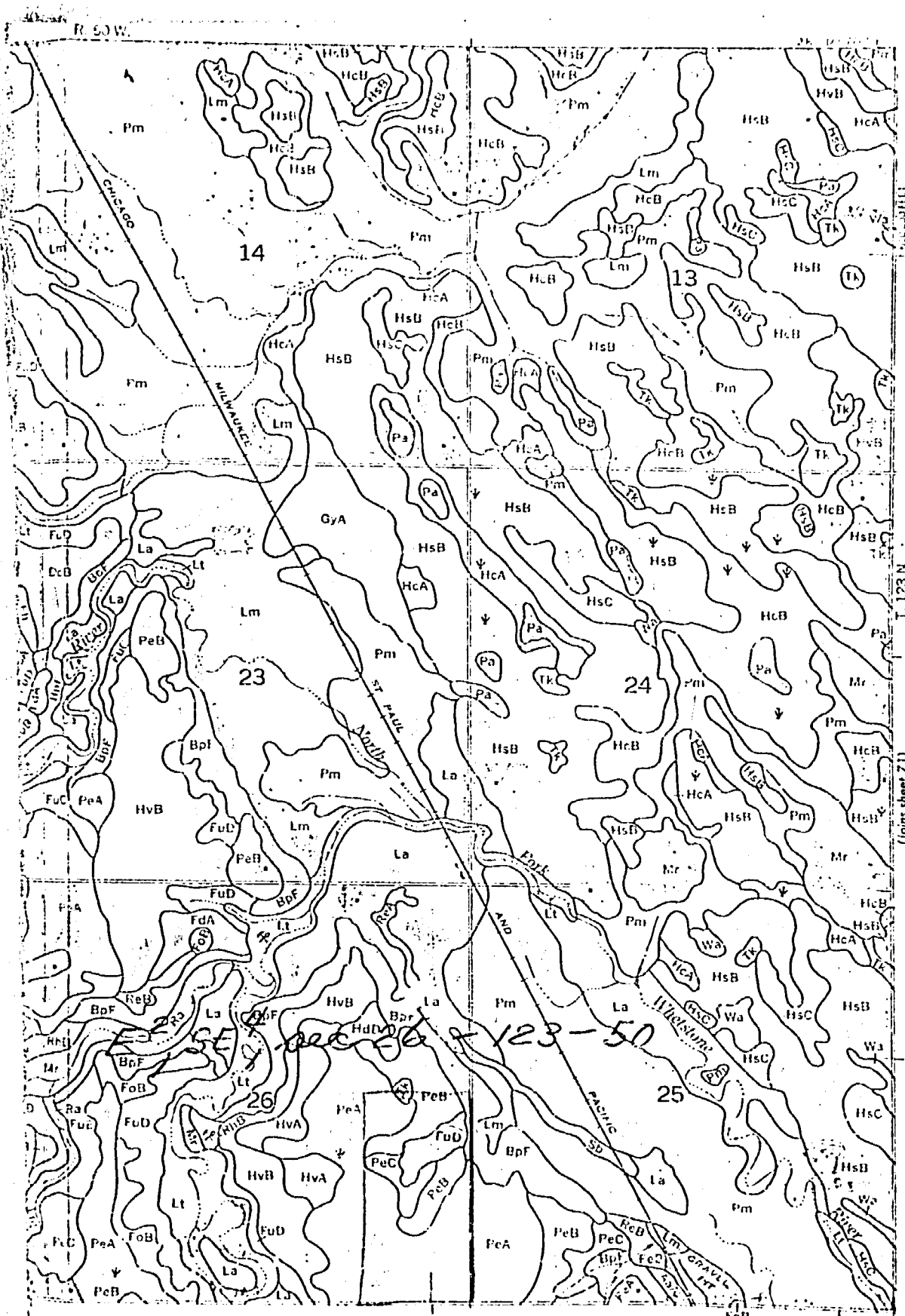
G Water Storage Dams

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, 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. Freeboa _____
- 2a Crest width _____ b. length _____
3. Height of Dam _____
4. Outlet dimensions:
Pipe diameter _____
Spillway width _____
- X & Y slope:
Upstream _____
Downstream _____
- Surface area of impoundment _____
- Drainage area above dam _____

Kent E. Frerichs
Signature of Applicant



123-50

J. A. ...

CONSERVATION COMMISSION
WI/1 FORM
3/80

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

Office Use Only

OWNERS NAME: Kent Frerliche OWNERS ADDRESS: Box 14 Route # 2
Wilmot, S.D. 57270
COUNTY LAND LOCATED IN: Roberts PHONE: 238-1557
TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

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

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

1. WELL LOCATION OR DIVERSION POINT: SW 1/4 Sec. 26-123-50
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
NE 1/4 Sec. 27-123-50	25	SW 1/4 Sec. 34-123-50	40
SW 1/4 Sec. 27-123-50	25	SW 1/4 Sec. 34-123-50	40
SW 1/4 Sec. 27-123-50	40	SE 1/4 Sec. 34-123-50	40
SE 1/4 Sec. 27-123-50	15	NE 1/4 Sec. 34-123-50	20
NE 1/4 Sec. 34-123-50	31	SW 1/4 Sec. 34-123-50	24

4. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: ☒ (Specify)
5. CROPS TO BE IRRIGATED: Corn, Alfalfa, Soybeans, Small Grains
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: 1972
LEGAL DESCRIPTION: SW 1/4 and SW 1/4 Section 26-123-50
IN WHAT NAME: Kent Frerliche

Water analysis on file at the Water & Natural Resources, Water Rights Division under

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY) existing permit for Kent Frerliche

7. WATER SAMPLE NUMBER: 77-1223
8. SALINITY (EC X 10⁶): 754
9. SODIUM (SAR): .20
10. ADJUSTED (SAR): 4.6 (3.22)

RECEIVED

JUL 06 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: _____ 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

2 DAY OF July, 19 81.

(NOTARY PUBLIC)
Ladonna Wallace

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

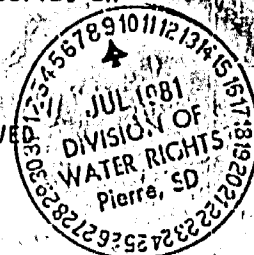
APPLICANT'S SIGNATURE

Director, Division of Conservation

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED



Conditional

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Kent Prerichu

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

FuD - Forman Base - These are highly erodible due to steep slopes
These soils are indicated by red hatch marks

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

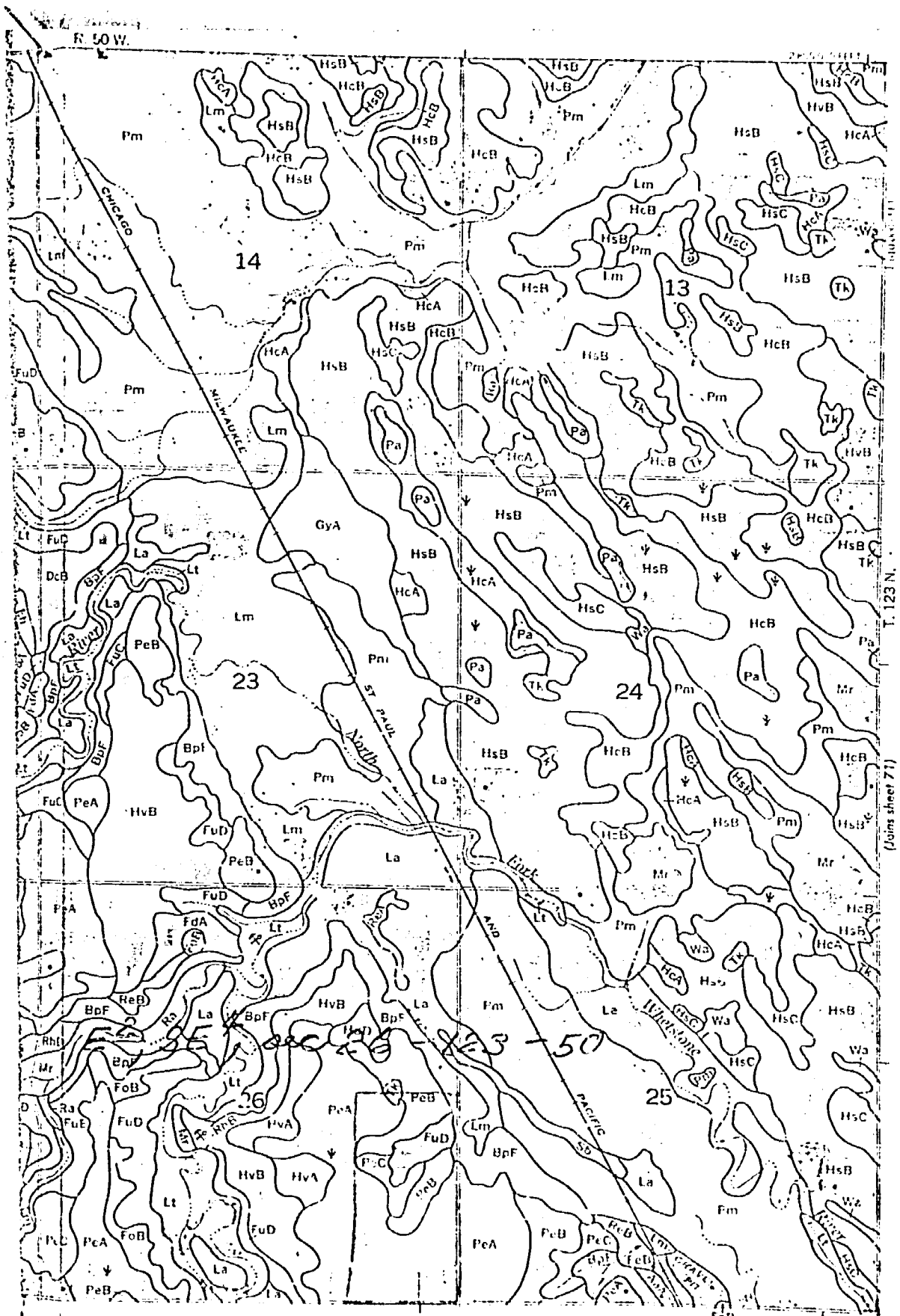
Tk - Tonka - These are poorly drained depressional soils which should be
drained or left in permanent vegetation to prevent problems
with ponding and traction.

These soils are indicated by red hatch marks.

RECOMMENDED MANAGEMENT

Application rates may have to be adjusted on the 6-9% slopes to
prevent runoff and erosion problems.





1700

✓ $\Delta \rho_{\text{obs}} = 0.25$

No. 4786-3

Publish first publication, on or before July 16, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

July 3, 1981

Notice is hereby given that Kent Frerichs whose post office

address is Wilmot, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 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 4.00 cubic feet of water per second of time from groundwater

(one existing well) through the Frerichs Irr. Project, the point(~~XX~~) of diversion of which is(~~XX~~) to be located in the NE 1/4 SW 1/4

of Section 26, Twp. 123 N, Range 50 W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW 1/4, Section 27; NE 1/4 and NW 1/4 SE 1/4, Section 34 and E 1/4 SE 1/4, Section 26 all in T123N - R50W,

to add acreage on existing permits

This Application No. 4786-3 will be considered by the Water Management Board at the Civil Defense Room, State Capitol Building, Pierre, South Dakota upon the 29th day of July, 1981

at 10 AM. 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, DWNR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

BETTY WESTLUND
Water Rights Specialist

cc:

Kent Frerichs
Rt. 2, Box 44
Wilmot, SD 57279

WNR-806A-7/79 Notice of Intent to Appropriate Water
GROUNDWATER

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Roberts) ss.

I, Charles D. Floro 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:

July 16, 1981 and July 23, 1981

Charles D. Floro

(Signature)

Publisher

(Title)

July 27, 1981

(Date Signed)

Cost of Printing: 35.10

WNR-808-7/79
Proof of Publication

NOTICE OF
HEARING ON APPLICATION
TO APPROPRIATE WATER

NO. 4788-3

Pierre, South Dakota 57501

July 8, 1981

Notice is hereby given that Kent
Frerichs whose post office address is
Wilmot, South Dakota, has made an
application in accordance with the
provisions of SDCL 46-1-1 thru 46-1-9,
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
4.00 cubic feet of water per second of
time from groundwater (one existing
well) through the Frerichs Irr. Project,
the point of diversion of which is to be
located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28,
Twp. 123N, Range 50W. Said water to
be used for the purpose of providing
irrigation on portions of the following
described land: SE $\frac{1}{4}$, Section 27; NE $\frac{1}{4}$
and N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 34 and E $\frac{1}{2}$ E $\frac{1}{4}$,
Section 26 all in T123N - R50W, to add
acreage on existing permits.
This Application No. 4788-3 will be

Water Management
at the Civil Defense Room, State
Capitol Building, Pierre, South Dakota
upon the 29th day of July, 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, DWNRR, Joe
Foss Building, Pierre, SD, prior to the
hearing date for assistance to assure
access to the hearing.

WATER MANAGEMENT BOARD
BETTY WESTLUND
Water Rights Specialist

cc:

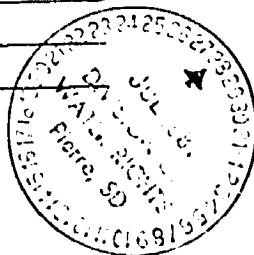
Kent Frerichs

Rt. 2, Box 44

Wilmot, SD 57279

WNR-806A-7/79 Notice of Intent to
Appropriate Water
GROUNDWATER

(July 16, 23, 1981)



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8373

PIERRE, July 8, 19 81

RECEIVED OF Kent Frerichs, Rt.2, Box 44, Wilmot, SD 57279
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. 4768-3 (examination, processing, recording and filing) -----	325.00
Fee for inspecting Construction, and issuing Cert. of Construction No.-----	
Fee for inspecting Beneficial Use, and issuing Water License No.-----	
Fee for issuing Location Certificate-Dry Draw, No.-----	
Fee for filling -----	
Fee for certified copy of -----	
Fee for Print copy of map -----	
Fee for Certifying -----	
Fee for ----- (any other work as provided by law)	
TOTAL	325.00

WATER RIGHTS COMMISSION

By *(John Hatch)*
Chief Engineer, Executive Officer
JOHN HATCH / (CL)



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

4788-3
Kent Frerichs
RR 2 Box 44
Wilmot SD 57279

Dear Sir:

Water Permit No. 4788-3 was approved with the qualification that the irrigation questionnaire be submitted each year. To date we have not received the 1982 questionnaire from you.

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

Please advise, if you have any questions.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

August 1, 1983

NOTICE

4788-3

Kent Frerichs
RR 2 Box 44
Wilmet SD 57279

Dear Sir:

July 19, 1983, the Water Management Board passed a motion directing that those persons with water permits that have the qualification:

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

be notified of this requirement.

Our records do not show we have received the 1982 Irrigation Questionnaire for Permit No. 4788-3. The questionnaire was requested on the following dates:

1. September 1982 initial request
2. December 1982 followup request
3. March 22, 1983 Notice that submittal of questionnaire is a qualification to water permit

The Board has directed that owners of permits not in compliance with the Irrigation Questionnaire qualification be given until August 30, 1983 to submit the 1982 questionnaire. Any person not submitting the Questionnaire is to be noticed for hearing before the Board to consider disciplinary action including suspension of the permit.

Another questionnaire is enclosed. Please advise if there are any questions or if you believe our records are not correct.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure

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

Water Rights Division
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 Permit qualification:

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

be notified of this requirement.

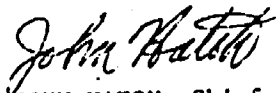
Our records show we have not received the 1983 Irrigation Questionnaire for your Permit. The Questionnaire was requested:

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

Owners of water permits not in compliance with the Irrigation Questionnaire qualification are being given until April 2, 1984 to submit the 1983 questionnaire. The Board will consider disciplinary action including possible suspension of the permit on April 25, 1984 at 10:30 am in Room 216, Joe Foss Building, 523 E Capitol, Pierre, SD for all permits without questionnaires returned by April 2.

Another questionnaire is enclosed. Please advise if there are any questions or if you believe our records are not correct.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division



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

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

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

4788-3

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.

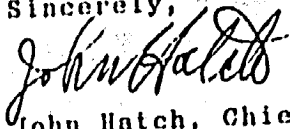
The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

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,



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 those hearings.

South Dakota
Department of
Water & Natural Resources

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

March 9, 1988

4108-3

4788-3

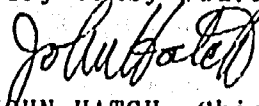
Kent Frerichs
RR 2, Box 47
Wilmot SD 57279

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



Department of Water & Natural Resources

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

February 8, 1989

KENT E FRERICHES
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 FRERICHES 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





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 FRERICHS
RR #2 BOX 47
WILMOT SD 57279

4788-3

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.

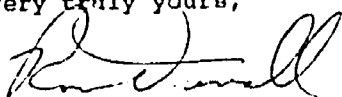
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

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.

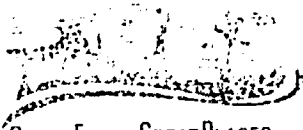
If the questionnaires are received in this office before the February 27th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



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

South Dakota



GREAT FACES. GREAT PLACES.

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

4788-3

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

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4788-3

(1) Kent Frerichs, RR 2 Box 47, Wilmot, SD 57279-9430 made Application No. 4788-3, July 8, 1981 for a water permit to divert 4.00 cubic feet of water per second (cfs) from ground water (one existing well), Roberts County, South Dakota for irrigation purposes. Permit No. 4788-3, with a priority date of July 8, 1981 was approved July 29, 1981 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 29, 1984 and the application to beneficial use of said water on or before July 29, 1986.

Water Permit No. 4788-3 authorized additional acreage and diversion rate from an existing well authorized under Water Permit No. 4108-3. A field investigation found a total of 116 acres developed on land permitted under No. 4108-3 and 382 acres developed under No. 4788-3 with the well capable of diverting 2.67 cfs. The applicable portions of Water Permit No. 4108-3 are being incorporated into this Water License No. 4788-3. Based on the acreage developed under each permit, a priority date of August 10, 1977 (established under 4108-3) is retained for 1.66 cfs and a priority date of July 8, 1981 (established under 4788-3) is retained for 1.01 cfs.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.67 cubic feet of water per second for beneficial use. The location of the diversion point is 1700'N & 1750'E of the SW corner of Section 26, T123N, R50W (NE¼ SW¼).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following 498 acres all in T123N, R50W

Section 26		Section 27		Section 34	
NW¼ SW¼	20 acres	NW¼ SE¼	25 acres	NW¼ NE¼	40 acres
NE¼ SW¼	9 acres	NE¼ SE¼	24 acres	NE¼ NE¼	31 acres
SE¼ SW¼	38 acres	SE¼ SE¼	15 acres	SE¼ NE¼	40 acres
S¼ SW¼	3 acres	SW¼ SE¼	40 acres	SW¼ NE¼	40 acres
NW¼ SE¼	35 acres			NW¼ SE¼	24 acres
NE¼ SE¼	28 acres			NE¼ SE¼	20 acres
SE¼ SE¼	32 acres				
SW¼ SE¼	34 acres				

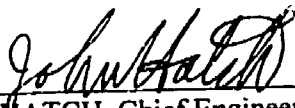
continued

Page 2

Water License No. 4788-3

Kent Frerichs

(4) Pursuant to South Dakota Water Law 46-5-30.1 Kent Frerichs, RR 2 Box 47, Wilmot, SD 57279-9430 the holder and/or owner of Incorporated Water Permit No. 4788-3 is issued a license to appropriate water, the right to use 2.67 cubic feet of water per second from ground water (one well) with priority dates of August 10, 1977 (1.66 cfs) and July 8, 1981 (1.01 cfs) from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 4788-3 and subject to South Dakota State Law.



JOHN MATCH, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

OCT 17 1996

date



3
Permit No. 4788-2
Minnesota River - Water District

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

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

I have this day made a thorough examination of the water use system constructed by Kent Frerichs of RR 2, Box 47 Wilmot, SD holder of Permit No. 4108-3, bearing the priority of August 10, 1977 authorizing the diversion of 1.66 cu. ft. per second and Permit No. 4788-3, bearing the priority of July 8, 1981 authorizing the diversion of 4.00 cu. ft. per second of the waters of ground water for irrigation purposes, in Roberts County.

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

A. Works used to divert the water:

A Wellline 10 inch pump with a 1200 gpm capacity

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

8000 feet of 6, 8, & 10 inch PVC and 10000 feet of 8 inch aluminum pipe.

C. Works used to apply water to beneficial use:

A 1280 foot Reinke center pivot, a Boss big gun and a Lyndsey big gun.

The system is in the following condition good. The point of diversion is located from the SW corner of Section 26 T123N-R50W, 1700 feet North and 1750 feet East. The works are capable of diverting and conveying to the place of use 2.67 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

All land in T123N-R50W:

Land in Section 26:

NW1/4 SW1/4 - 20ac NE1/4 SW1/4 - 9ac SE1/4 SW1/4 - 38ac SW1/4 SW1/4 - 3ac
NW1/4 SE1/4 - 35ac NE1/4 SE1/4 - 28ac SE1/4 SE1/4 - 32ac SW1/4 SE1/4 - 34ac

Land in Section 27:

NW1/4 SW1/4 - 25ac NE1/4 SE1/4 - 24ac SE1/4 SE1/4 - 15ac SW1/4 SE1/4 - 40ac

Land in Section 34:

NW1/4 NE1/4 - 40ac NE1/4 NE1/4 - 31ac SE1/4 NE1/4 - 40ac SW1/4 NE1/4 - 40ac
NW1/4 SE1/4 - 24ac NE1/4 SE1/4 - 20ac

comprising a total of 498 acres of land and the license should be issued for 2.67 cfs.

Applicable permit qualifications have been complied with: Yes ☒ No

Exceptions to compliance are: none Date: 6/3/1992


 Mark D. Rath
 Natural Resources Engineer
 DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 4788-3

DATE: 6/3/1992

Other permit(s) associated with the project: 4108-3

DIVERSION POINT LEGAL LOCATION: From the SW corner of Section 26 T123N-R50W, 1700 North and 1750 feet East.

DISTRIBUTION LINES OR CANALS:

- | | | |
|-------------------------|--------------------------------------|-----------------------------|
| 1) Type <u>PVC</u> | 2) Size <u>6, 8, & 10</u> inches | 3) Length <u>8000</u> feet |
| 1) Type <u>Aluminum</u> | 2) Size <u>8</u> inches | 3) Length <u>10000</u> feet |

WELL INFORMATION:

- 1) Well Drilling Firm: North Star Drilling
- 2) No. of Wells 1
- 3) Depth(s) 63 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 12 inches
- 2) Length 43 feet
- 3) Type Steel

Screen:

- 1) Type Stainless Steel
Length 20 feet
- 3) Static water level 1 feet

Pump:

- 1) Make Wellline
- 2) Model AXN1340
- 3) Size 10
- 4) Capacity 1200 GPM

Motor:

- 1) Make Deutz Diesel
- 2) Model No. BHP6L
- 3) horsepower rating 135

SYSTEM TYPE:

Center pivot:

- 1) Make Reinke
- 2) Overall length 1280 feet
- 3) Number of towers 8
- 4) Distance between towers feet
- 5) End gun Y
- 6) High or low pressure High
- 7) Capacity 600 GPM

Gun:

- 1) Make Boss
- 2) Nozzle size 1.25 inches
- 3) Capacity 600 GPM
- 4) Hose size 4.5 inches

Gun:

- 1) Make Lyndsey
- 2) Nozzle size 1.125 inches
- 3) Capacity 600 GPM
- 4) Hose size 4.5 inches

CHEMIGATION EQUIPMENT:

- 1) Does chemigate N

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit Y
- 2) Special qualifications to permit being abided by Y
- 3) All structures, wells and lands on map Y
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 23, 1992

Permit No. 4788-3

Kent Frerichs
RR 2, Box 47
Wilmot, SD 57279

Dear Mr. Frerichs:

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 Nos. 4108-3 and 4788-3, has been completed. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Permit No. 4108-3 will be incorporated into 4788-3.

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,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

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

1. Please check items 1 and/or 2 for additional services.
2. Please check items 3, and 4a & b.
3. Please print your name and address on the reverse of this form so that we can return this card to you.
4. Please attach this form to the front of the mailpiece, or on the back if space is not permitted.
5. "Return Receipt Requested" on the mailpiece below the article number.
6. Receipt will show to whom the article was delivered and the date.

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

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery
- Consult postmaster for fee.

Article Addressed to:

4788-3

Ant Frerichs
Box 2, Box 47
Sioux Falls, SD 57279

4a. Article Number
P 318 052 503

4b. Service Type
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

2/10/93

Signature (Addressee)

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

Signature (Agent)

Thank you for using Return Receipt Service.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 8, 1993

SECOND NOTICE

PERMIT NO: 4788-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Kent Frerichs
RR 2, Box 47
Wilmot, SD 57279

Dear Mr. Frerichs:

On December 23, 1992, you were notified the final inspection fee of \$50.00 is due before Water License No. 4788-3 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,

A handwritten signature in dark ink, appearing to read 'John Hatch', is written over a horizontal line.

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

REMI-TER:

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 is not permitted.

Write "Return Receipt Requested" on the mailpiece below the article number. The Return Receipt will show to whom the article was delivered and the date received.

Article Addressed to:

4788-3

Kent Frerichs

RR 2, Box 47

Wilmot, SD 57279

Signature (Addressee)

Signature (Agent)

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

1. ☐ Addressee's Address2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

P 318 052 530

4b. Service Type

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

7. Date of Delivery

6/3/93

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

Thank you for using Return Receipt Service.

Form 3811, December 1991

★U.S. GPO: 1992-323-402

DOMESTIC RETURN RECEIPT



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 2, 1993

THIRD NOTICE

Permit No: 4788-3

NOTICE OF ORDER TO STOP DIVERTING WATER
UNDER PERMIT NO. 4788-3 FOR
FAILURE TO SUBMIT WATER LICENSE INSPECTION FEE

Kent Frerichs
RR 2, Box 47
Wilmot, SD 57279

Dear Mr. Frerichs:

On December 23, 1992 and March 8, 1993, you were notified the final inspection fee of \$50.00 is due before Water License No. 4788-3 can be issued. To date, the fee has not been received.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Pursuant to SDCL 46-2-17 and 46-2-18, you are ordered to stop diverting any water authorized by Permit No. 4788-3 until the \$50.00 fee is paid.

Very truly yours,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE 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.

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

4788-3
415026

Pierre, _____ July 24, 19 96

RECEIVED OF Kent E. Frerichs, Rt 2, Box 47, Wilmot, SD 57279-9430

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

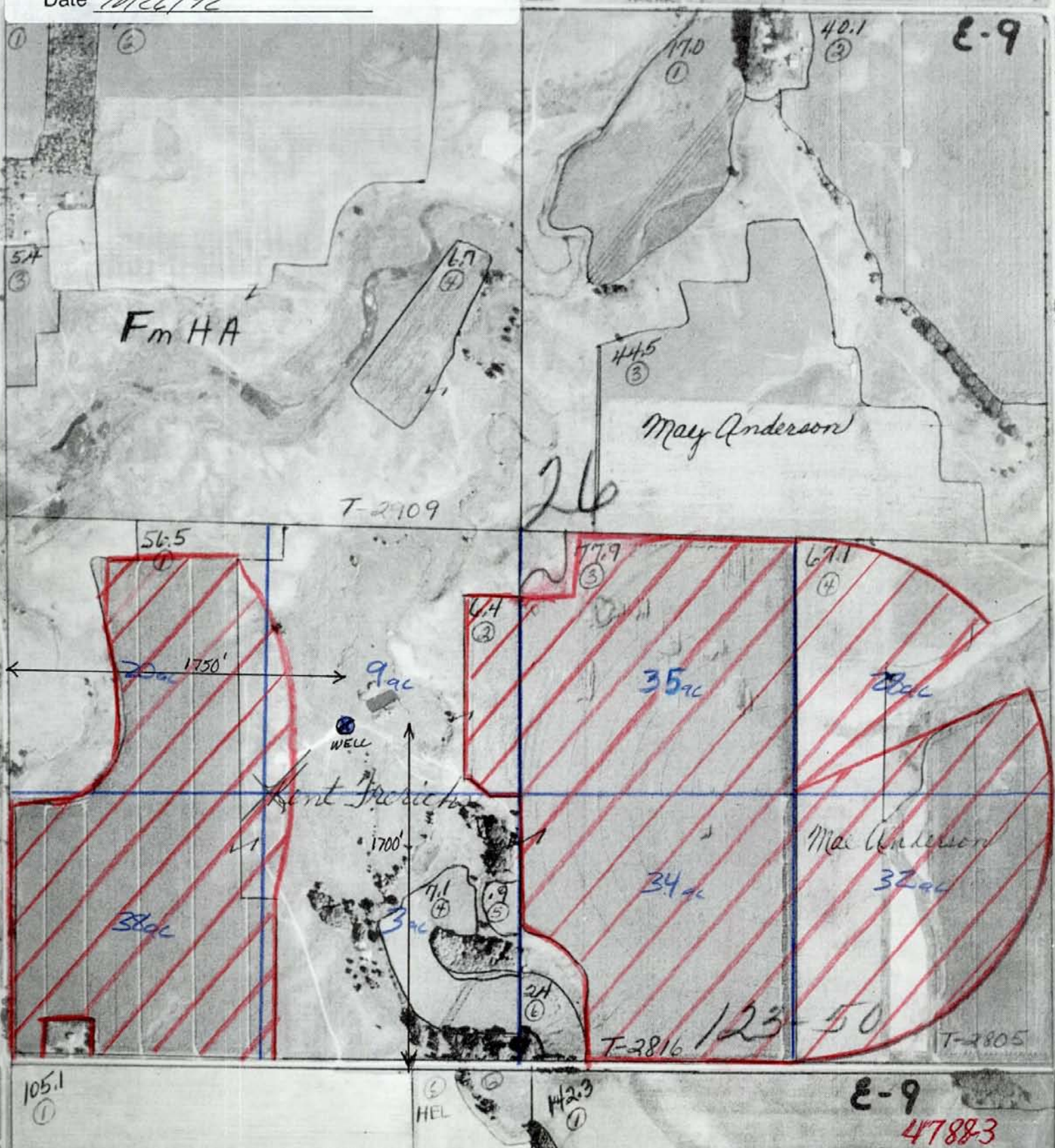
Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>4788-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch

NOT TO SCALE

Mark D Rath
 Mark D Rath
 Natural Resources Engineer
 Division of Water Rights
 Date 10/26/92



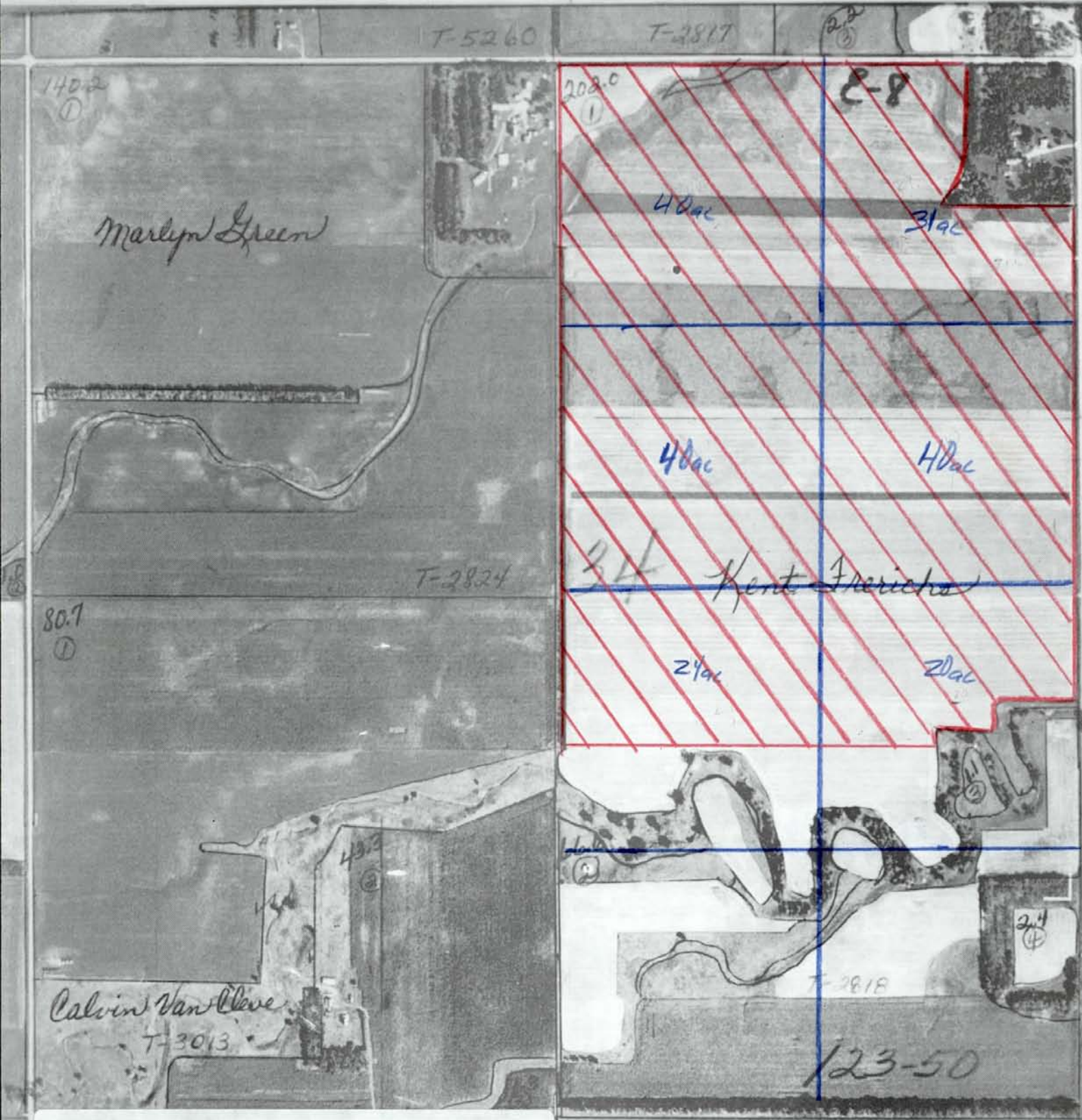
NOT TO SCALE



Mark D Rath

Mark D Rath
Natural Resources Engineer
Division of Water Rights
Date 10/26/92

NOT TO SCALE



Mark D Rath
Natural Resources Engineer
Division of Water Rights
Date _____

Conservation Plan Map
Roberts Conservation District
Kent, Frenchs
Route # 2 Box 44
Wilmot, S.D. 57279
Roberts County, S.D.
Date Prepared: 7-2-81

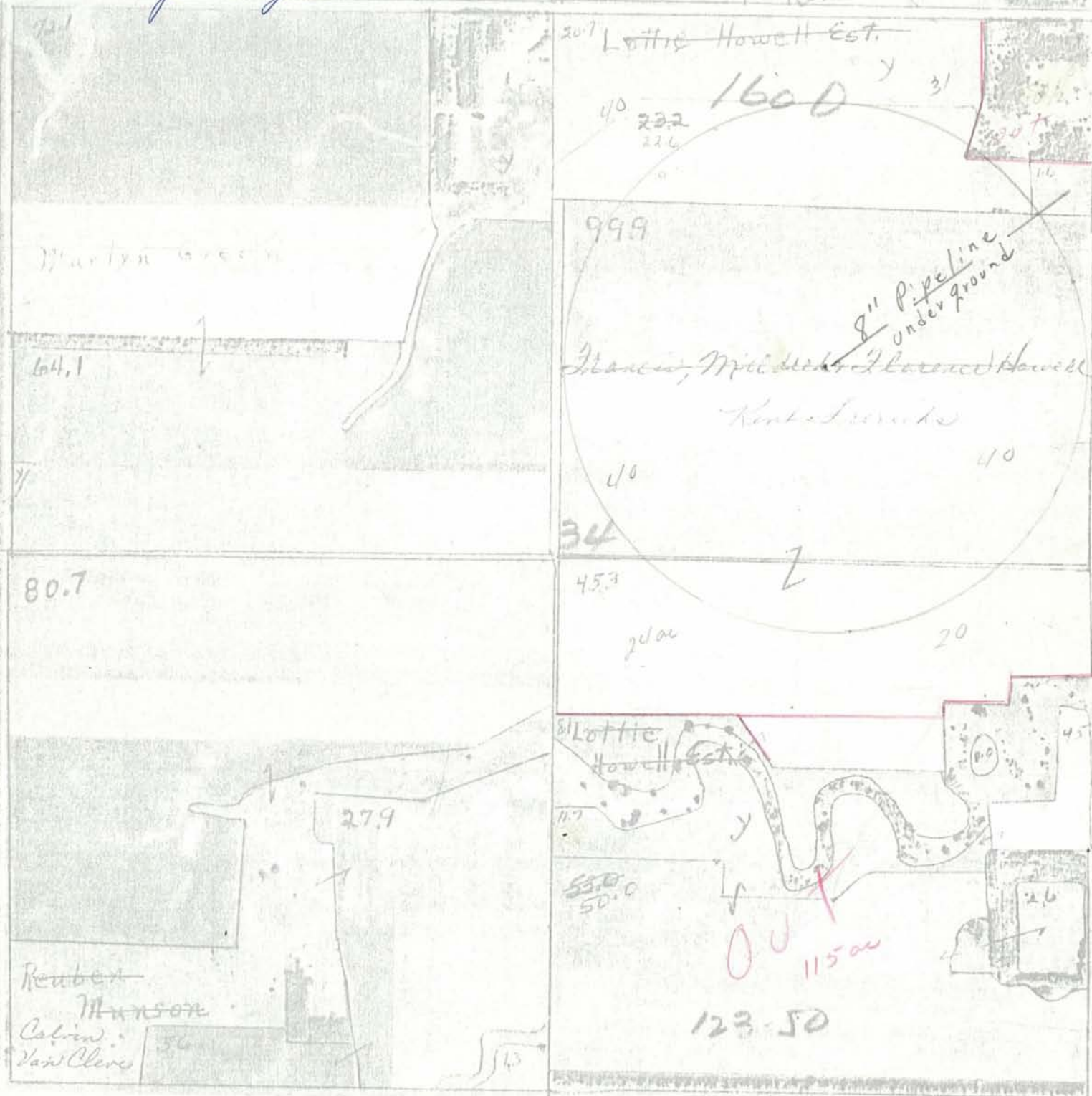
Prepared by: June Helgeson, Administrative Secretary
Roberts Conservation District

June Helgeson

RECEIVED

JUL 06 1981

South Dakota
Division of Conservation



1 of 3

Drawn 3998-3 appl 4788-3

NOT TO SCALE

RECEIVED

JUL 06 1981

South Dakota
Division of Conservation

Conservation Plan Map
Roberts Conservation District
Kent Frerichs
Route # 2 Box 44
Wilmet, S.D. 57279
Roberts County, S.D.

Date Prepared = 7-2-81

Prepared by: June Helgeson, Administrative Secretary
Roberts Conservation District

June Helgeson

135.0

Johnson Heirs

76.1

88.2

27

79.8

58

Kent Frerichs
Elmer Frerichs

6" above
ground pipeline

22.0

Eldon Christensen

123.50

34

72.1

Lottie Howell Est.

160.0

23.2

3 of 3

Map # 3998-3 Appl 4788-3

2 805 000 FEE1



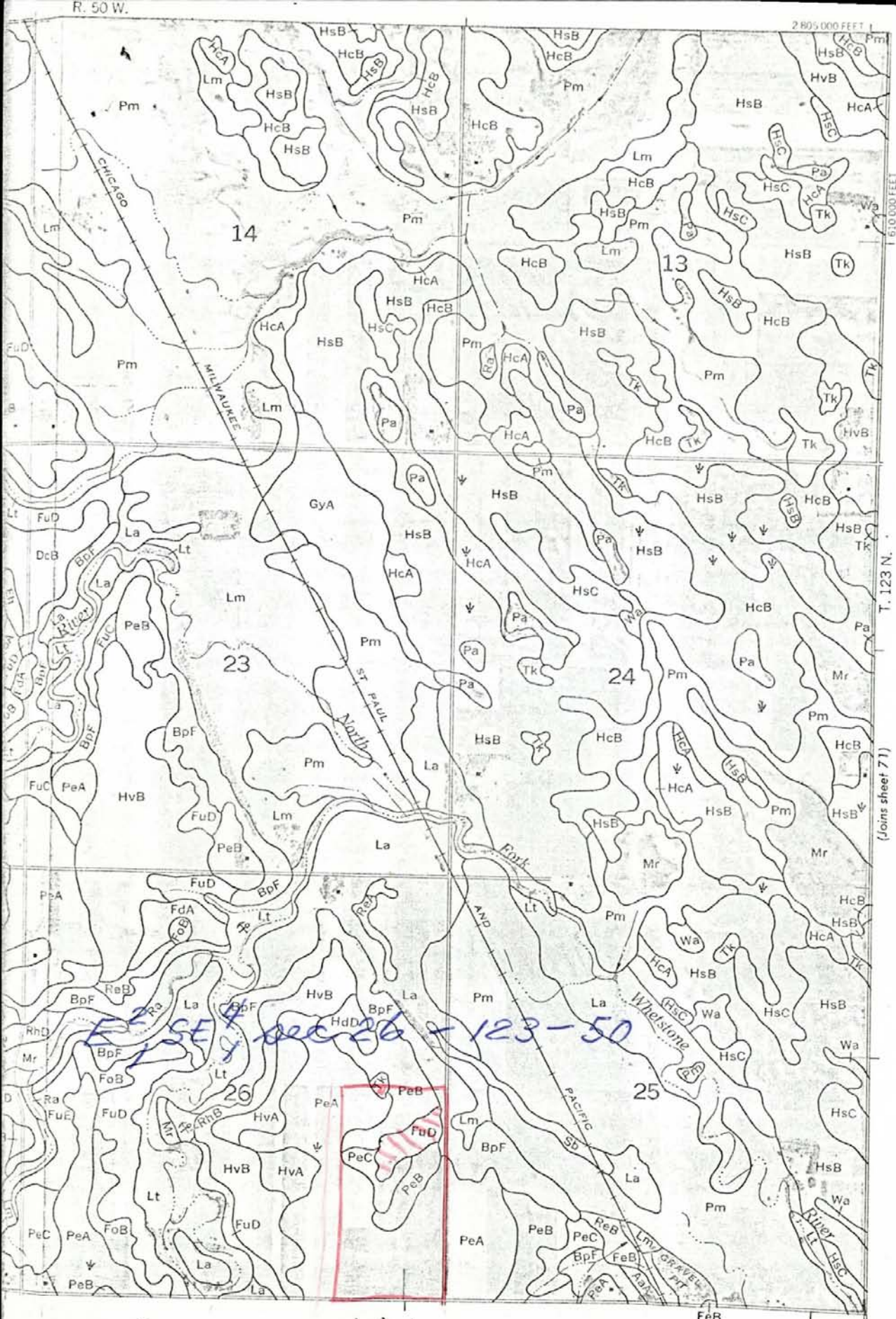
T. 123 N.

(Joins sheet 71)

NW⁴ 26

✓ Anderson $w^2, 5$

4788-3



E 2 SE 4 sec 26 + 123-50

NW 26

J Anderson W 25



4-788-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 2009

4788-3
5194-3

Kent Frerichs
13497 465th Ave
Wilmot SD 57279

Dear Mr. Frerichs:

Thank you for calling with the information for your 2008 irrigation questionnaires. I have completed forms for you and indicated on each that no irrigation was done due to adequate moisture.

Enclosed as we discussed, are copies of the following:

- Water Right No. 4788-3
- Water Right No. 5194-3
- Cancelled Water Right No. 3927-3
- Hydrograph and water level readings for observation well RB-77M (located in the NE corner of Section 35, T123N, R50W)
- A set of water permit application forms. These are for your son in the event he chooses to file an application on the land he purchased.

If necessary, additional forms are available for downloading on our website at:
<http://www.state.sd.us/denr/des/waterrights/waterprg.htm>

If I can answer any questions for you, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us