

cc Nelson

Considered: _____

WATER PERMIT NO. 5035-3MAP No. 5035-3Name of Applicant Ronald FrankensteinPost Office Address RR 2 Box 58, Redfield, S.D. 57469Amount of Water Claimed 2.23 Total Acres 160.00Source of Water Supply 4 wells all approx 40' deepWater to be used for IRR County SP

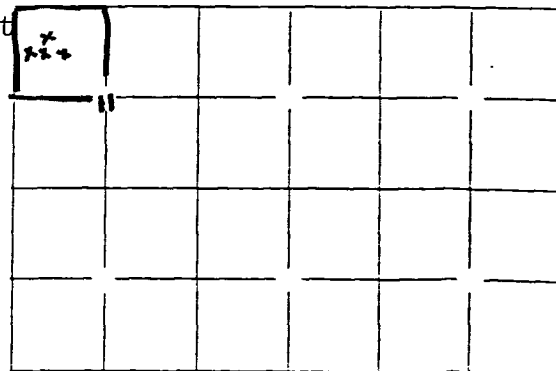
About _____ miles _____ of _____.

PROOF OF PUBLICATION: Received 12X 2-1-85 Not Received _____APPLICATION: Approved 3-6-85 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received 9/26/84 Fee 250.00 Remarks _____9/26/84Corrected Application Received 10/18/84 ^{Map} Period of Annual Use 3/1 to 11/1WATER QUALITY APPROVAL RECEIVED 11/13/84 APPROVED/CONDITIONAL (Circle one)WI-1 Description same as Application YES XX NO _____ REMARKS _____Diversion Point s Well #1 approximate center of NW $\frac{1}{4}$ Well #2, 600' west of center; Well #3, 1200' west
of center and Well #4 700' NW of center all in
Section 11-T115N-R63W

Land to be Irrigated _____

NW $\frac{1}{4}$, Section 11-T115N R63W

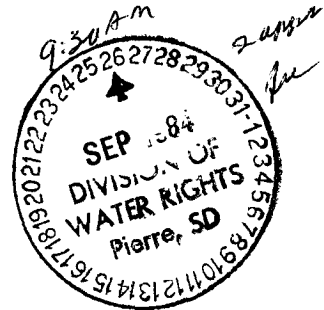
Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Wells Approx 40' deep REMARKS _____Type of Map aerial PREPARED BY ASCS Marvin Mannie Reviewed and the Numberassigned on 11/14/84

By

Betty Westlund

Betty Westlund NRA III

No. 5035-3Map No. 5035-3 Water Division No. 3 District JRAbove for Office Use 10160006Press Box 440
Redfield 57469

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 Ronald Frankenstein Phone No. 605 472 2000
 Post Office Address RR 2 Box 58 Redfield State SD 57469
(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 Ronald Frankenstein Farm Unit # 24. Amount of water claimed (cubic feet per second) 2.23 or max. Allowable _____5. Source of water supply Ground Water (4 wells)6. Location of point of diversion (1) Center of NW 1/4 11-115-63 (2) 600 ft. west of center
(3) 1200 ft. west of center (4) 700 ft. Northwest of center ;all locations relative to center of NW 1/4 11-115-63 County Spink7. Annual period or periods during which water is to be used March - November8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Total number of acres to be irrigated 160

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

Land Description	No. Acres Irr.
<u>SW 1/4 NW 1/4 11-115-63</u>	<u>40</u>
<u>SE 1/4 NW 1/4 11-115-63</u>	<u>40</u>
<u>NW 1/4 NW 1/4 11-115-63</u>	<u>40</u>
<u>NE 1/4 NW 1/4 11-115-63</u>	<u>40</u>

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 2 years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Redfield Press12. Principal Features of the Proposed Water Supply System. Redfield, S.D.

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

Pump Bowl

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

Mainline

C. Works proposed to apply water to beneficial use.

Center PivotEstimated 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)
County of Spink) ss.I, Ronald Frankenstein 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 Ronald Frankenstein
Subscribed and sworn to before me this 21st day of September, 1984
Max Evelyn Neal
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 5035-3

Ronald Frankenstein
(Applicant)

RT. 2 Box 58 Redfield
(Post Office Address)

South Dakota
(State)

With the following qualifications

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 adequate 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 September 26, 1984
Date of return to applicant for correction, amendments or changes required —, 19—
Date of receipt of corrected application —, 19—
Approved March 6, 1985, Recorded in Book — Page —

WATER RIGHT PERMIT NO. 5035-3

The Water Management Board hereby grants and issues this Water Right Permit No. 5035-3 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 September 26, 1984
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before September 6, 1987
3. The whole of said work is to be completed on or before March 6, 1990
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is March 6, 1994
5. The water appropriated shall be used for the purpose of Irrigation

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 2.23 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 March 6, 1994; said water to be used during the following described annual period: March 1 to November 1

APR 23 1985

Witness my hand this _____ day of _____, 19____

THE WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

D Well Information

- (1) Drill Hole, Diameter 30", Depth 40'
- (2) Casing, Type Plastic, Diameter 16", Thickness 5/16"
(wood, concrete, steel, etc.)
- (3) Screen, Type Stainless Steel, Diameter 16", Length 8 feet
- (4) Gravel Pack, Thickness 7", Length of gravel pack full

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)

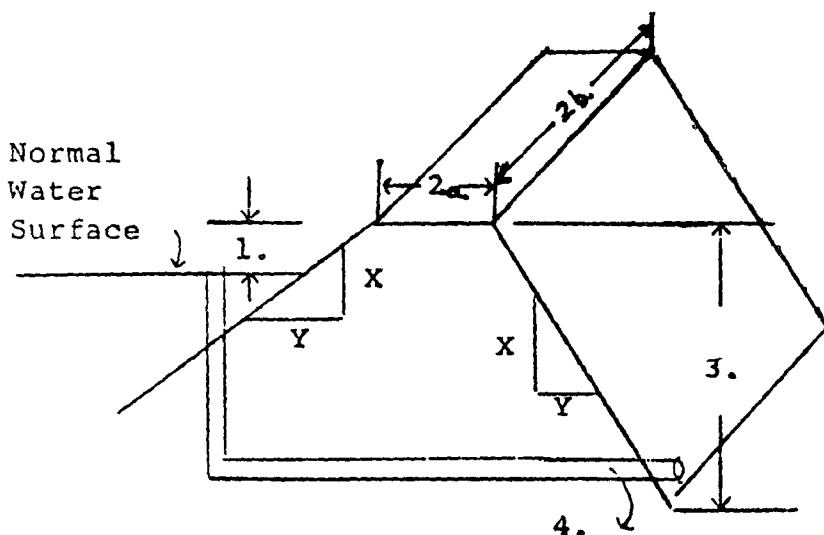
- Depth to top of water bearing material 18' - 20'
- Depth to bottom of water bearing material 38' - 40'
- Depth to water (ground surface to water level) 20'

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

- On same owner's property 220 rds.
- On property owned by others 120 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.



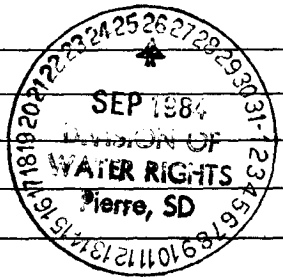
1. Freeboard _____
- 2a Crest width _____ b. length _____
3. Height of Dam _____
4. Outlet dimensions:
Pipe diameter _____
Spillway width _____
- X & Y slope:
Upstream _____
Downstream _____
- Surface area of impoundment _____
- Drainage area above dam _____

PULLMAN DRILLING — DRILLERS LOG

Ron Frankenstein		Spink County NW 11-115-63	9-17-84	2	Rayne
JOB NAME		LOCATION	DATE	RIG NO.	FOREMAN

Jt No.	DEPTH	TIME	REMARKS
1	20		0-2 Top Soil 2-18 yellow clay 18-26 med Sand
2	40		20-38 med Sand 38-40 Blue
3	60		40-60 Blue clay
4			
5			
6	20		0-2 top 2-20 yellow clay
7	40		20-40 med Sand
8	45		40-45 Blue clay
9			
10			20' 3" slotted .025
11			T.D. 40 Feet
12			Pumps 15-20 Air
13			Water Head 20 Feet
14			Concrete Sand Pack
15			
16			
17	20		0-2 top 2-20 yellow clay
18	40		20-36 med Sand 36-40 Blue clay
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
32			
33			
34			
35			
36			
37			
38			
39			
40			

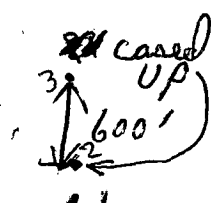
Rayne Pullman
Rig #12



E

REMARKS:

N

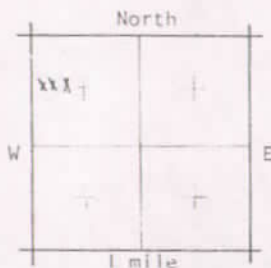


S

STATE OF SOUTH DAKOTA WELL DRILLERS REPORT

Location N 1/2 W 1/2 Sec 11 Twp 115 N Rg 23 W

County Spink



Please mark well location with an "X"

Well Completion Date 12-17-84

PROPOSED USE:

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

Method of Drilling:

Forward Rotary

WELL CONSTRUCTION:

Diameter of hole 4 3/4 inches Depth 40 feet

Casing: ☐ Steel ☒ Plastic ☐ Other
Specify

Pipe Weight Diameter From To
 lb/ft 4 3/4 inches 0 feet 20 feet

 lb/ft inches feet feet

Was a well screen used? ☒ Yes ☐ No

If Not Specify

Screen Type 40 in 40 Slot Size .025

Length Diameter

Was Casing left open end? ☐ Yes ☒ No

Was a Packer or seal used? ☒ Yes ☐ No

If so what material?

Was well gravel packed? ☒ Yes ☐ No

Was well grouted? ☐ Yes ☒ No

Describe grouting procedure

To what depth? Feet

What was grouting material?

If cement, how many sacks?

Location of packer(s) and screen or perforated pipe

WAS WELL PLUGGED OR ABANDONED ☐ Yes ☒ No

If so how and with what material?

Well Owner:

Name Ron Frankenstein

Address RR 2 Redfield

Well Log:

Depth

Formation	From	To
Topsoil	0	2
Yellow clay	2	18
med sand	19	38
Blue clay	38	40
Blue clay sand streaks	40	60
Topsoil	0	2
yellow clay	2	20
med sand	20	40
Blue clay	40	43

STATIC WATER LEVEL Feet

If flowing: closed in pressure PSI

GPM flow through inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify

Can well be completely shut off?

WELL TEST DATA:

☐ Pumped

☐ Bailed Describe:

☐ Other

Pumping Level Below Land Surface

 ft. After Hrs. pumped GPM

 ft. After Hrs. pumped GPM

 ft. After Hrs. pumped GPM

Remarks:

#3 0-3 Topsoil
3-18 yellow clay
18-20 brown clay
20-36 med sand
36-40 blue clay



This well was drilled under license # 440

and this report is true and accurate

P. Homan Well Drilling John J. Pullman
Drilling Firm Signed by

12-24-84
Date

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - DIVISION OF WATER RIGHTS
THIS IS TO CERTIFY THAT THE FOREGOING INFORMATION WAS RECEIVED FROM THE WELL DRILLER AND IS TRUE AND ACCURATE.
LAW 1-7-78, IT IS FURTHER CERTIFIED THAT THE FOREGOING INFORMATION IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR WELL DRILLING RECORDS.
SECTION 251 ROL NO 14-3
DATE RECEIVED 1-13-85
OFFICE OF RECORDS MANAGEMENT
PIERRE, SD

SOUTH DAKOTA WATER WELL COMPLETION REPORT

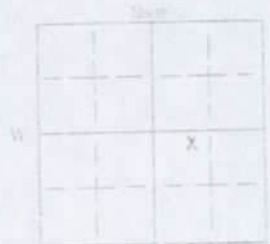
5035-3

4873

10-85

Location 11 mi. 15.6 mi. 6.4 mi.

County Spink



Please mark well location with an 'X'

Well Completion Date 12-12-88

PROPOSED USE

☐ Domestic
☒ Irrigation

☐ Municipal
☐ Industrial

☐ Domestic
☐ Other

Method of Drilling

Reverse

EASING DATA

☐ Steel

☒ Plastic

☐ Other

If other describe

PIPEWEIGHT	DIAMETER	INCM	VD	HOLE DIAMETER
15/FT	IN	5	FT	35
15/FT	IN	5	FT	35
15/FT	IN	5	FT	35
15/FT	IN	5	FT	35

GROUT

Was the well grouted? ☒ YES ☐ NO

To what depth? 20 FEET

What is grouting material? Portland Cement

If cement, number of sacks? 50

Describe grouting procedure line

What was grout weight? 1500 LB/GAL

SCREEN ☐ Perforated pipe ☒ Manufactured

Diameter 16 IN Length 6 FEET

Material Galvanized Steel

Slot Size 1/2 Set From 3/4 Feet To 4 1/2 Feet

Slot Size 1/2 Set From 3/4 Feet To 4 1/2 Feet

Slot Size 1/2 Set From 3/4 Feet To 4 1/2 Feet

Other information

Was a packer or seal used? ☐ YES ☒ NO

If so, what material?

Describe packer(s) and location?

Was well disinfected upon completion? ☐ YES ☒ NO

Explain

Bacteriological analysis ☐ YES ☒ NO

Laboratory sent to

Well Owner

Don Frankenstein

Address 222 Rockwell S.D. 57469

Phone ()

Depth

Formation	From	To
topsoil yellow clay	0	10
yellow clay-sandy	10	18
dark sand	18	22
medium sand & siltstone	22	40
blue clay	40	41

40'6" TD

STATIC WELL LEVEL 21 Feet

If flowing, closed or pressure PSI

GPM flow through inch pipe

Controlled by ☐ Valve ☐ Reducer ☐ Other

If other, control

Can well be completely shut off?

WELL TEST DATA

☒ Pumped 150 GPM

☐ Bailed Describe

☐ Other

Pumping Level Below Land Surface

11 After Hrs pumped GPM

11 After Hrs pumped GPM

11 After Hrs pumped GPM

REMARKS

This well was drilled under license # 440

And this report is true and accurate

Drilling firm Pullman Drilling

Signature of Licensee Representative

Rapi Pullman

Signature of Well Owner

Date 2-17-89

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY

THIS IS TO CERTIFY THAT THE MICROPHOTODUPLICATION IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTODUPLICATION PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN ACCORDANCE WITH THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTODUPLICATION REPRODUCTIONS.

REDUCTION 25% ROLL NO. 4-4 DATE MICROFILMED 3-9-90 CAMERA OPERATOR C. J. [illegible]



5035-3

10-85

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location Box 5035 Sec 11 Twp 15S R 63E

County

Spink

Please mark well location with an 'X'

Well Completion Date 12-14-88

PROPOSED USE

☐ Domestic
☒ Irrigation

☐ Municipal
☐ Industrial

☐ Farm House
☐ Stock

Method of Drilling

Reamer

CASING DATA

☐ Steel

☒ Plastic

☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
16/FT	IN	0	35	25
18/FT	IN	FT	FT	IN
18/FT	IN	FT	FT	IN
18/FT	IN	FT	FT	IN

GROUT

Was the well grouted? ☒ YES ☐ NOTo what depth? 20 FEETWhat is grouting material? cement P. 100If cement, number of sacks? 50Describe grouting procedure line

What was grout weight? _____ LB/GAL

SCREEN ☐ Perforated pipe ☒ ManufacturedDiameter 1 1/2 IN Length 6 FEET

Material _____

Slot Size Set from 3/5 Feet To 43 Feet

Slot Size Set from _____ Feet To _____ Feet

Slot Size Set from _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer's seal location? _____

Was well disinfected upon completion? ☒ YES ☐ NO

Explain _____

Bacteriological analysis ☐ YES ☒ NO

Laboratory sent to _____

Well Owner

Name Don ThompsonAddress Rd 2, Box 5035, Sec 11, Twp 15S, R 63E

Well Log

Depth

Formation

From

To

top soil yellow clay
 yellow clay fine sand
 med-coarse gravel like sand
 med-coarse gravel coarse sand
 blue clay

0	10
10	26
26	30
30	43
43	43

43 TD

STATIC WATER LEVEL 21 Feet

If flowing, used in pressure _____ PSI

BPM min _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducer ☐ Other

If other, specify _____

Can well be completely shut off? _____

WELL TEST DATA

☒ Pumped

☐ Bailed

☐ Other

Pumping level below land surface _____

ft	After	Hrs	pumped	GPM
220				

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

ft	After	Hrs	pumped	GPM

RECEIPT

Division of Water Rights

No 4 9772

South Dakota Department of Water and Natural Resources

Pierre, September 27, 19 84

RECEIVED OF Ronald Frankenstein, RR#2, Box 58, Redfield, SD 57469

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

Fee for Application for Permit No. 5035-3 to Appropriate Water, to construct works and to put water to beneficial use	250	00
Fee for Application for Permit No. to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No.		
Fee for Filing Transfer Form		
Fee for Filing Extension Request		
Fee for Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for		
(Any Other Work Provided by Law)	Total	250 00

By

Chief Engineer

JOHN WATER/ms



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322

Pierre, South Dakota 57501

Phone 605/773-3258

October 1, 1984

Ronald Frankenstein
Box 58
RR 2
Redfield, SD 57469

Dear Mr. Frankenstein:

In reviewing your soil and water compatibility application for the NW $\frac{1}{4}$ 11-115-63 = 160 acres, the irrigation staff is recommending a Conditional Approval of your application to the State Conservation Commission at their November 8, 1984 meeting. The Conditional is based on the clay content of soils which may inhibit the leaching of salts. The Restrictions and Management Recommendations are as follows:

RESTRICTIONS:

The two drainageways located in the eastern half of the quarter shall remain in grass to address erosion and wetness.

MANAGEMENT RECOMMENDATIONS:

We recommend the use of conservation tillage to reduce soil erosion and to conserve soil moisture. This practice along with contour farming in the area mapped as Zell-Grant Bend (110), may control the erosive nature of these soils.

It is also recommended that a deep ripper be used on the pothole mapped as 103 and 104 to improve drainage or leave this area in grass to address possible trafficability problems.

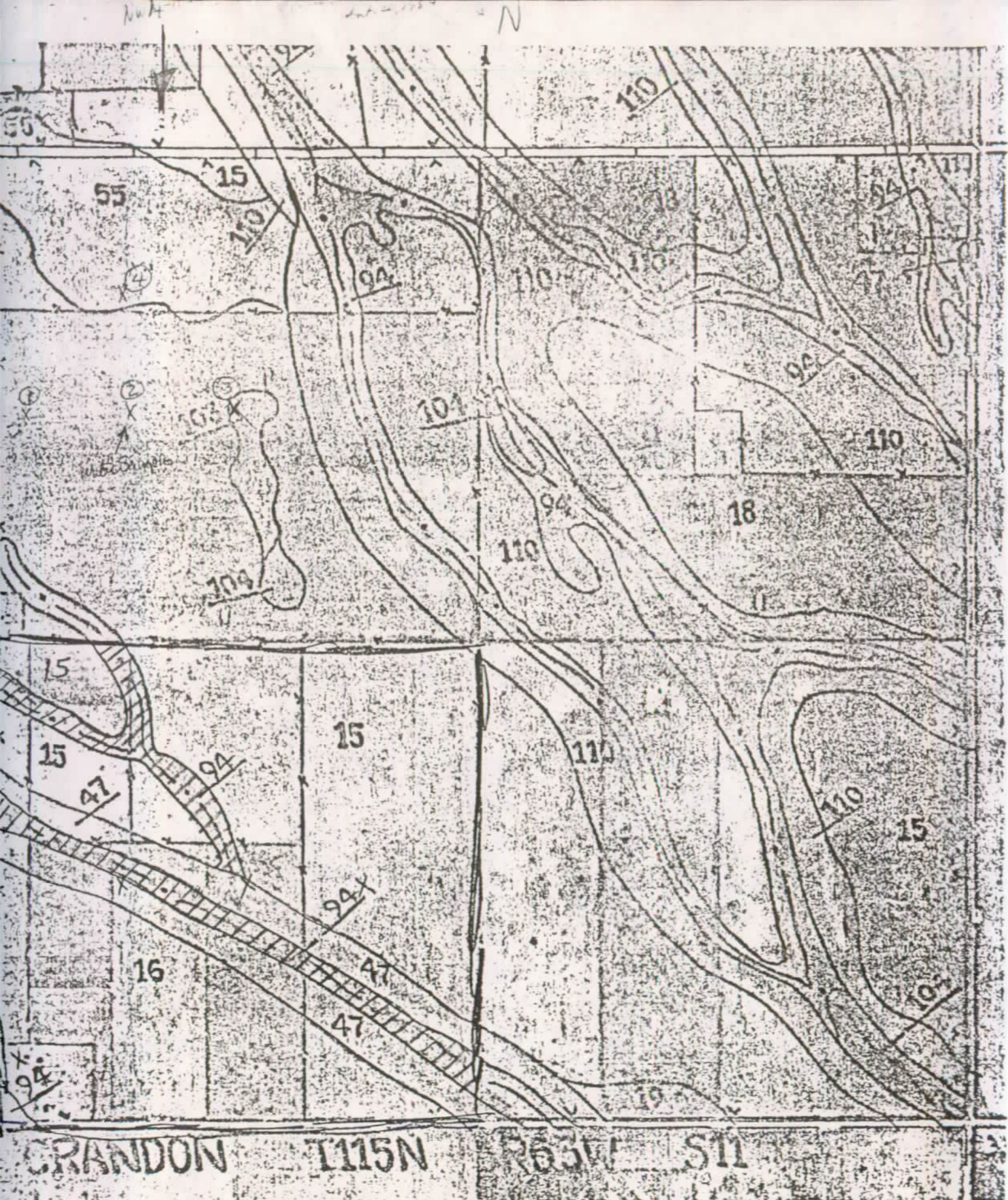
If you have any questions concerning your application please feel free to contact this office.

Sincerely,

Jim Stukel
Irrigation Program Administrator

cf





SW 1/4 11-115-63

Spink County

S

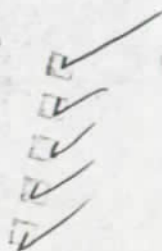


05524

State of South Dakota } ss
County of Spink, }

Filed for record this 18
day of August A. D. 1982
at 11:40 o'clock A. M. and
recorded in book 184 of
Miscellaneous Records page 596
Delores Hameltor
Reg. of Deeds

RECORDER
GRANTOR
GRANTEE
INDEX
COMPARED



By _____

for 6⁰⁰ 08

Upper left hand
quarter is
NW 1/4 11-115-63
which I desire a permit
for.

Lower left quarter
was for permit 4819-3
obtained in 1981.

Ronald T. Austin
Sept. 19, 1984



WATER RIGHTS DIVISION
(605) 773-3352

October 2, 1984

Ronald Frankenstein
RR#2, Box 58
Redfield, South Dakota 57469

Dear Mr. Frankenstein:

Your application dated September 21, 1984 for a permit to appropriate water from groundwater (4 wells) was received September 26, 1984.

We have not, as of this date, received the following information to further process your application:

A map showing the location of the diversion point(s) and lands to be irrigated. State in rods/feet from the Section line the exact location of the well(s) (or point of diversion). Our suggestion is that you use aerial photos which can be obtained from the ASC Office.

The map must be signed by a licensed land surveyor or a South Dakota Registered Professional Engineer or by a governmental employee who prepares such maps as a regular part of his governmental employment.

We sent over to the Division of Conservation for a copy of the map submitted with your WI-1 but it did not meet our requirements. In some cases maps submitted with water permit applications are poorly drawn. These maps are hard to interpret and do a disservice to the farmer applying for a water permit.

Upon receipt of the correct map and the soil/water compatibility approval from the State Conservation Commission further processing of your application will proceed.

Sincerely,

Betty Westlund
Natural Resources Analyst III

BW:ms

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

Office Use Only

4111

OWNERS NAME: Ronald Frankenstein OWNERS ADDRESS: Box 58 RR2
Redfield SD. 57469
COUNTY LAND LOCATED IN: Spink PHONE: 472 2000
TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

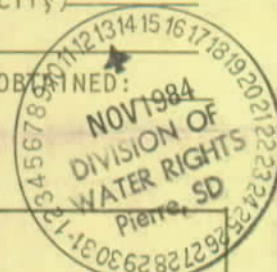
In accordance with State Law SDCL 46-5-6.5, if a water permit is granted with a conditional Soil/Water Compatibility permit, a copy of such conditional soil/water compatibility permit must be filed with the County Register of Deeds. This action must be taken by the holder of a water permit within 6 months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

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

1. WELL LOCATION OR DIVERSION POINT: Center of NW 1/4-11-115-63, 600' west, 1200' west, 700' north
2. SURFACE WATER SOURCE: Ground Water (four wells) about 40 ft. deep
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>8 NW 1/4-11-115-63</u>	<u>160</u>		

4. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ OTHER: _____ (Specify)
5. CROPS TO BE IRRIGATED: Corn, alfalfa, small grain
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: 84-0539 Sodium: 5.46
8. SALINITY (EC X 10⁶): 1200
9. SODIUM (SAR): 0.31
10. ADJUSTED (SAR): 0.81

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 4:00 a.m./p.m., on Sept. 18, 1984, at the following location: 600' west of center of NW 1/4-11-115-63 by Ronald Frankenstein (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

21st DAY OF September, 1984
Miss Evelyn Neal
(NOTARY PUBLIC)

Ronald Frankenstein
APPLICANT'S SIGNATURE

Yad W. Felt
Director, Division of Conservation

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.

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED

11-9-84

#4111

CONDITIONAL APPROVAL

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: Ronald Frankenstein

LEGAL DESCRIPTION: NW 11-115-63 = 160 acres

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

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

The two drainageways located in the eastern half of the quarter shall remain in grass to address erosion and wetness.

RECOMMENDED MANAGEMENT:

We recommend the use of conservation tillage to reduce soil erosion and to conserve soil moisture. This practice along with contour farming in the area mapped as Zell-Grant Band (110) may control the erosion nature of these soils.

It is also recommend that a deep ripper be used on the pothole mapped as 103 and 104 to improve drainage or leave this area in grass to address possible trafficability problems.

Signature
SIGNATURE

Date
DATE

REPORT ON APPLICATION NO. 5035-3

RONALD FRANKENSTEIN

January 7, 1985

This application requests 2.23 cfs from 4 wells (approximately 40 feet deep) to be located in the NW $\frac{1}{4}$ Section 11, T115N, R63W in Spink County. The water is to be used to irrigate the NW $\frac{1}{4}$ Section 11, T115N, R63W.

Aquifer - Tulare:Hitchcock (T:H)

Geology and Aquifer Characteristics

The Tulare-Hitchcock is a Pliocene glacial outwash aquifer underlying 96,000 acres west of the James River in Spink County and containing approximately 360,000 acre feet of recoverable water (Hedges, Etal, 1982). The aquifer is under water table conditions in this area with saturated thickness of about 20 feet. The SDGS estimated a recharge rate of .83 in/yr for the Tulare-Hitchcock (Hedges, Etal, 1983).

Wells drilled for a permit in the same section as this application indicate a specific capacity of 27-40 gpm/foot or drawdown. In order to obtain the water needed for a center pivot it may be necessary to have the 4 wells requested by this application.

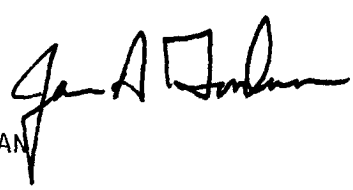
The Water Rights Division monitors 6 observation wells in this area (see sketch map). Hydrographs for these observation wells do not indicate water levels are declining (Well Files, 1985).

Review of Existing Water Permits

Permit No.	Name	Use	CFS	Acres	Wells	Aquifer	Licensing Status
3174-3	L. Marshall	Irrigation	1.33	131	2	T:H	No
3261-3A	W. Frankenstien	Irrigation	1.44	130	3	T:H	Yes
4703-3	W. Koester	Irrigation	1.11	130	3	T:H	Yes
4819-3	R. Frankenstien	Irrigation	1.44	121.1	3	T:H	Yes
4870-3	W. Koester	Irrigation	2.2	156	4	T:H	No.

Conclusions

1. Water is available from the Tulare:Hitchcock Aquifer.
2. Recharge rates are keeping pace with present withdrawals.
3. The aquifer is under water table conditions.
4. Interference is unlikely. Drawdowns from water table wells do not extend far from the production area.
5. The aquifer is relatively thin. This may require two, three or more wells to get the diversion rate needed to run a center pivot.
6. Permit No. 3174-3 may be located in a portion of the aquifer which is hydrologically isolated from the rest of the permits.
7. Permit No. 4870-3 is not yet developed. Therefore, diversions from this application are not reflected upon the aquifer.
8. The past year's wet weather caused a 1' to 2' rise in the water levels in the aquifer in most of the observation wells.



JAMES GOODMAN
Hydrologist

Bibliography

Hedges, L.S., S. Burch, D. Illes, R. Barari, R. Schoon, 1982, Evaluation of Groundwater Resources Eastern S.D., SDGS, Vermillion, S.D. 57069

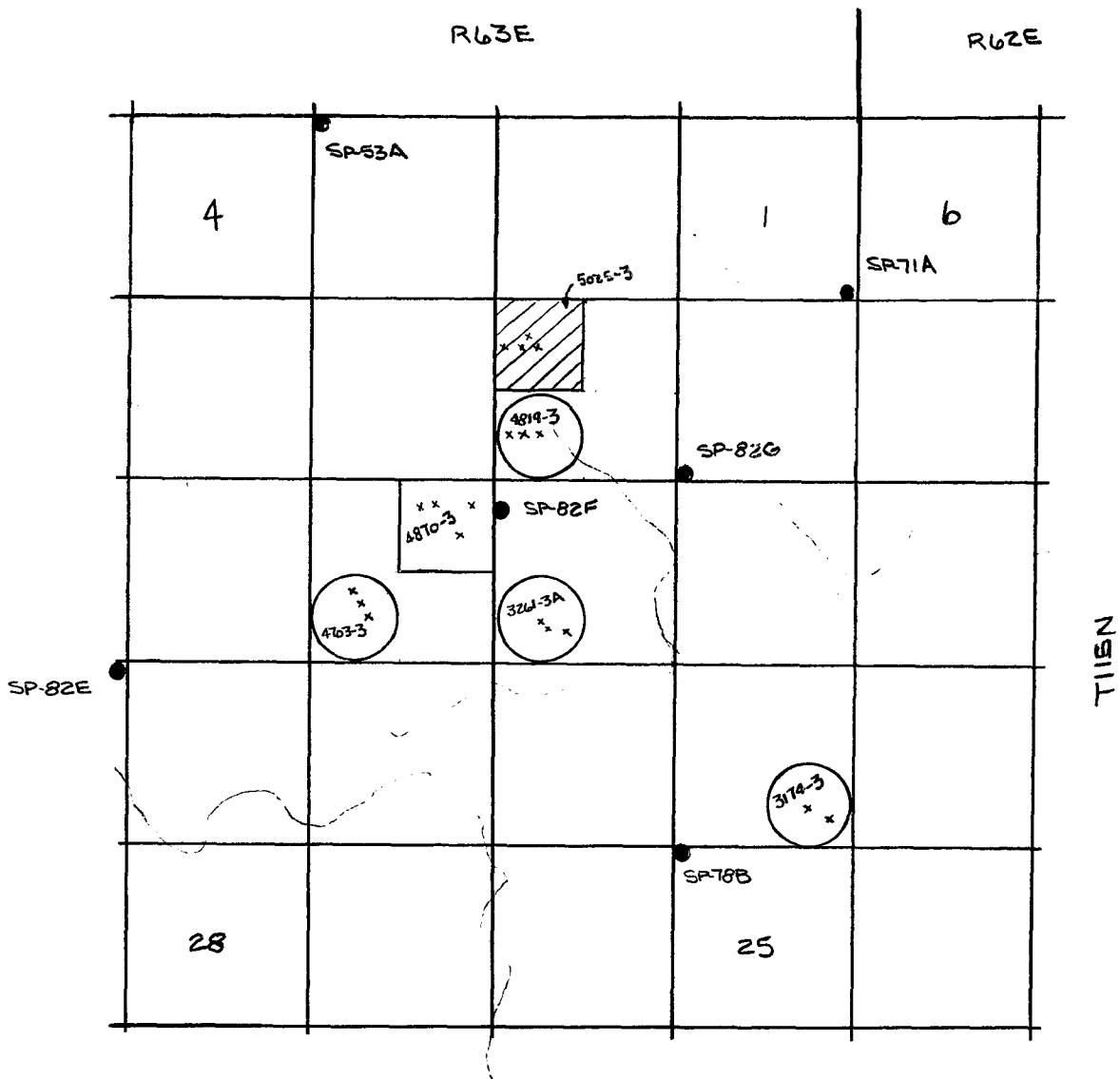
Hedges, L.S., J. Allen, D. Holly, 1983, Ground Water Recharge, SDGS, Vermillion S.D. 57069.

Well Files, 1985, Observation Well Files, DWNR, Water Rights Division, Joe Foss Bldg, Pierre SD, 57501.

SPINK COUNTY - SKETCH MAP FOR PERMIT APPLICATION # 5035-3

O OBSERVATION WELL
X IRRIGATION WELL

SCALE 1" = MILE



SHADED AREA - THIS APPLICATION

22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS



T115N

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION NO. 5035-3, Ronald Frankenstein

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 5035-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

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 adequate wells having prior water rights.

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

See the attached report for additional information.



JOHN HATCH, Chief Engineer
January 7, 1985

Instruction to Newspaper - Publish first publication of the following Notice on or before **January 23, 1985** with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. **5035-3** to Appropriate Water
and/or to Amend Water Permit or Water Rights No. _____

Notice is hereby given that **Ronald Frankenstein** whose mailing address is **Route #2, Box 38, Redfield**, South Dakota has made an application for a permit

to appropriate 2.23 cubic feet per second from four wells (all approximately 40 feet deep) to be located in the NW¼ Section 11, T115N, R63W to irrigate 160 acres located in the NW¼ Section 11, T115N, R63W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends **APPROVAL** of Application No. **5035-3** because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at **523 E. Capitol, Foss Building, Room 216, Pierre, South Dakota, March 6** 19 **85** at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by **February 22, 1985**. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; (ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; (future use) ~~46-5-38 thru 46-5-40; (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35; (10,000 AFA) 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by **February 22, 1985**.

No. 12

**NOTICE OF HEARING
On Application No. 5035-3
to Appropriate Water**

Notice is hereby given that Ronald Frankenstein, whose mailing address is Route No. 2, Box 38, Redfield, South Dakota, has made an application for a permit to appropriate 2.23 cubic feet per second from four wells (all approximately 40 feet deep) to be located in the NW 1/4 Section 11, T115N, R63W to irrigate 160 acres located in the NW 1/4 Section 11, T115N, R63W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5035-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at 523 E. Capitol, Foss Building, Room 216, Pierre, South Dakota, March 6, 1985, at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 4-26 must file a written petition with BOTH the Applicant and the Chief Engineer by February 22, 1985. The petition may be informal, but it must include a statement describing the petitioner's

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Spink) ss.

I, Pamela Rose hereby

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

Water was taken from the Redfield Press

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

Redfield Press of Redfield

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

January 23, 1985

January 30, 1985

Pamela Rose
(Signature)

Legals Dept.
(Title)

1/31/85
(Date Signed)

interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

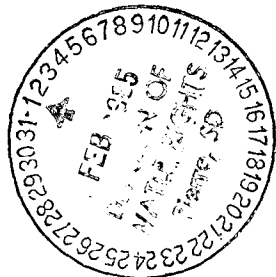
This application is made pursuant to the provisions of SDCL 46-1-1 through 46-1-9, 46-1-12 through 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 through 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 through 46-2A-10, 46-2A-12; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 through 74:02:01:15.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg., Pierre, SD (605-773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 22, 1985.

(Jan. 23, 30)

Cost of Printing: 86 lines x .25165
(line rate) = 22.059 x 80% (2nd week)
= 17.6472 + 22.059 = 39.706 = 39.71





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

5035-3

APR 23 1985

Ronald Frankenstein
Route #2, Box 58
Redfield, South Dakota 57469

Dear Mr. Frankenstein:

Enclosed herewith is your Water Permit No. 5035-3 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 5035-3.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your Water License may be issued to you, thus completing your acquisition of a Water Right.

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

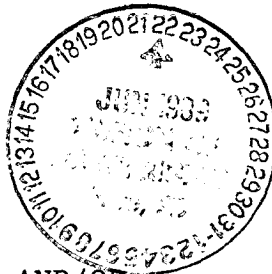
JH: ms

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

WNR-809-5/83



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

Post Office Redfield

Date June 20, 1989

TO: Water Rights
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. 5035-3.

Water Right Permit No. 5035-3 states that the diversion system is to be constructed by March 6, 1990, and that the water is put to beneficial use by March 6, 1994.

The diversion system was completed on ^{RTF} May 1, 1989. Applying the water to beneficial use was completed on ^{RTF} May 15, 1989.

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.

Ronald Tenbrunsel
(Signature)

Permit No. 5035-3
James River - Water District

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

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

I have this day, November 6, 1995, made a thorough examination of the water use system constructed by Ron Frankenstein of RR 2, Box 58, Redfield, SD 57469 holder of Permit No. 5035-3, bearing the priority of September 26, 1984 authorizing the diversion of 2.23 cu. ft. per second of the waters of ground water for irrigation purposes, in Spink County.

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

A. Works used to divert the water:

3 Western Land Roller 8 inch, 3 stage turbine pumps with 3 US Electric 10 Hp electric motors, Total capacity 550 gpm

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

about 1800 feet of 6 inch buried PVC pipe to Well #3 and about 600 feet of 8 inch to pivot

C. Works used to apply water to beneficial use:

Valley 7 tower center pivot

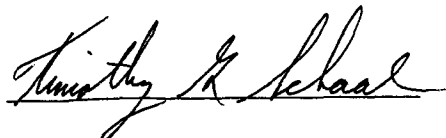
The system is in the following condition Good. The point of diversion is located Well #1--360 feet south & 130 feet east (NW 1/4 NW 1/4), Well #2--860 feet south & 260 feet east (NW 1/4 NW 1/4), and Well #3--1350 feet south & 700 feet east (SW 1/4 NW 1/4) from the NW corner of Sec. 11-T115N-R63W. The works are capable of diverting and conveying to the place of use 1.22 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:

NW 1/4 NW 1/4 Sec. 11-T115N-R63W—33 Acres	NW 1/4 NE 1/4 Sec. 11-T115N-R63W—1.5 Acres
SW 1/4 NW 1/4 “ “ —33 Acres	SW 1/4 NE 1/4 “ “ —1.5 Acres
NE 1/4 NW 1/4 “ “ —33 Acres	
SE 1/4 NW 1/4 “ “ —33 Acres	

comprising a total of 135 acres of land and the license should be issued for 1.22 cfs.

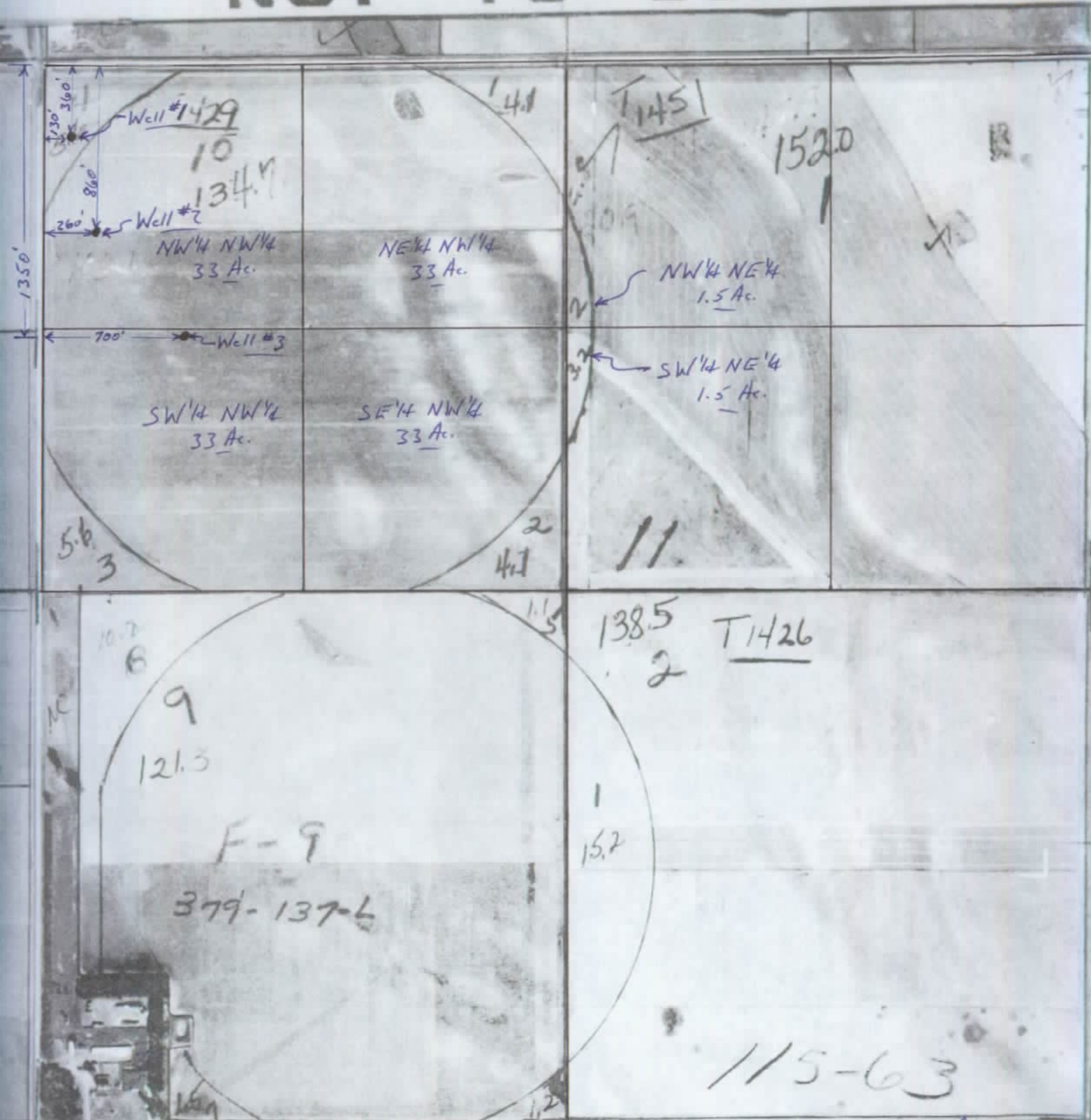
Applicable permit qualifications have been complied with: Yes X

Exceptions to compliance are: none Date Report Completed: December 18, 1995



Timothy G. Schaal, P.E.
 Natural Resources Engineer
 DENR, Water Rights Program

NOT TO SCALE



Timothy L. Schaal
Natural Resources Eng III
December 18, 1995

5035-3

REPORT ON INSPECTION OF PERMIT NO. 5035-3

DATE OF INSPECTION: November 6, 1995

NAME & ADDRESS OF INSPECTION CONTACT/ Ron Frankenstein

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: owner

NAME & ADDRESS OF PERMIT HOLDER: Ron Frankenstein, RR 2 Box 58, Redfield, SD 57469

DIVERSION POINT LEGAL LOCATION: Well #1--360 feet south & 130 feet east of the NW corner Sec.11-T115N-R63W (NW 1/4 NW 1/4); Well #2--860 feet south & 260 feet east of the NW corner Sec.11-T115N-R63W (NW 1/4 NW 1/4) and Well #3--1350 feet south & 700 feet east of the NW corner of Sec. 11-T115N-R63W (SW 1/4 NW 1/4)

WELL INFORMATION:

- 1) Well Drilling Firm: Pullman Well Drilling
- 2) No. of Wells 3
- 3) Depth(s) 40 to 43 feet
- 4) Well log is available yes
- 5) Comment: XXXX

Casing: All 3 wells:

- 1) Diameter 16 inches
- 2) Length 34 to 37 feet
- 3) Type PVC

Screen: All 3 wells:

- 1) Type Johnson stainless steel
- 2) Length 6 feet
- 3) Static water level 21 feet

Pump:

- 1) Make 3 Western Land Roller pumps
- 2) Model XXXX
- 3) Size 8
- 4) Capacity 550 total gpm

Motor:

- 1) Make 3 US Electric Motors
- 2) Model No. TU TE
- 3) Horsepower rating 10 hp

DISTRIBUTION LINES OR CANALS:

about 1800 ft. of 6 inch buried PVC to Well #3 and about 600 ft. of 8 inch to pivot

SYSTEM TYPE:

Center pivot:

- 1) Make Valley
- 2) Overall length 1300 +/- feet
- 3) Number of towers 7
- 4) Distance between towers XXX feet
- 5) End gun Yes
- 6) High or low pressure low (22 psi)
- 7) Capacity 550 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate NO

PERMIT QUALIFICATIONS AND REGULATIONS:

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

Licensing of Acreage Outside of Permitted Area

NAME: Ronald Frankenstein

ADDRESS: RR 2, Box 58, Redfield, SD 57469

DATE: June 27, 1996 **COUNTY:** Brown

AUTHORITY

Pursuant to SDCL 46-5-30.5, acreage developed for irrigation outside of the area described on the permit may be licensed provided the following conditions are met:

NO INCREASE IN PERMITTED ACREAGE OR WATER APPROPRIATED:

The acreage developed for irrigation is 135 acres as compared to 160 acres authorized by the permit. Licensing of the permit will result in a reduction in the amount of water appropriated.

UNPERMITTED ACREAGE:

- **Contiguous to Permitted Acreage**

The unpermitted 3 acres are located in the NE 1/4 of Section 11-T115N-R63E and are a portion of the acreage irrigated by the center pivot located in the NW 1/4 of the same section.

- **Owned by Same Property Owner**

This property is also owned by Ronald Frankenstein.

- **Developed Prior to Expiration of Construction Period**

This system was developed prior to the end of the construction period.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the 3 acre area be included in the water license.

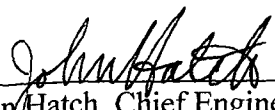


Timothy G. Schaal, P.E.

Natural Resources Engineer
DENR, Water Rights Program

The Chief Engineer makes a finding pursuant to SDCL 46-5-30.5 that:

This acreage change does not ^{adversely} impair existing water rights and the overall project, as developed, is consistent with the original application. Licensing of the unpermitted acreage may occur without application or publication pursuant to SDCL 46-2A-4.



John Hatch, Chief Engineer
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 9, 1996

5035-3

Ronald Frankenstein
RR 2, Box 58
Redfield, SD 57469

Dear Mr. Frankenstein:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 5035-3, has been completed. Your final water right document, the Water License, can now be issued.

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

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

Sincerely,

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 29 1996

5035-3

Ronald Frankenstein
RR 2, Box 58
Redfield, SD 57469

Dear Mr. Frankenstein:

Enclosed is Water License No. 5035-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415017 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. 5035-3, 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

ks
enclosures

RECEIPT

415017

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ July 16, 19 96

RECEIVED OF Frankenstein Farm, Inc., RR 2, Box 58, Redfield, SD 57469

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>5035-3</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
Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5035-3

(1) Ronald Frankenstein, RR 2, Box 58, Redfield SD 57469 made Application No. 5035-3, September 26, 1984 for a water permit to divert 2.23 cubic feet of water per second from groundwater (four wells), Spink County, South Dakota for irrigation purposes. Permit No. 5035-3, with a priority date of September 26, 1984 was approved March 6, 1985 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 6, 1990 and for the application to beneficial use of said water on or before March 6, 1994.

Pursuant to SDCL 46-5-30.5, the Chief Engineer made a finding that acreage developed for irrigation outside of the area described on the permit does not adversely impair existing water rights.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.22 cubic feet of water per second for beneficial use. The location of the diversion points are: Well #1 - 360 feet south & 130 feet east (NW 1/4 NW 1/4), Well #2 - 860 feet south & 260 feet east (NW 1/4 NW 1/4) and Well #3 - 1,350 feet south & 700 feet east (SW 1/4 NW 1/4) from NW corner of Section 11-T115N-R63W.

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

Section 11-T115N-R63W			
NW 1/4 NW 1/4	33 acres	NW 1/4 NE 1/4	1.5 acres
SW 1/4 NW 1/4	33 acres	SW 1/4 NE 1/4	1.5 acres
NE 1/4 NW 1/4	33 acres		
SE 1/4 NW 1/4	33 acres	Total	135 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Ronald Frankenstein, RR 2, Box 58, Redfield SD 57469 the holder and/or owner of Water Permit No. 5035-3 is issued a license to appropriate water, the right to use 1.22 cubic feet of water per second from groundwater (three wells) with a priority date of September 26, 1984 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 Water Permit No. 5035-3 and subject to South Dakota State Law.


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

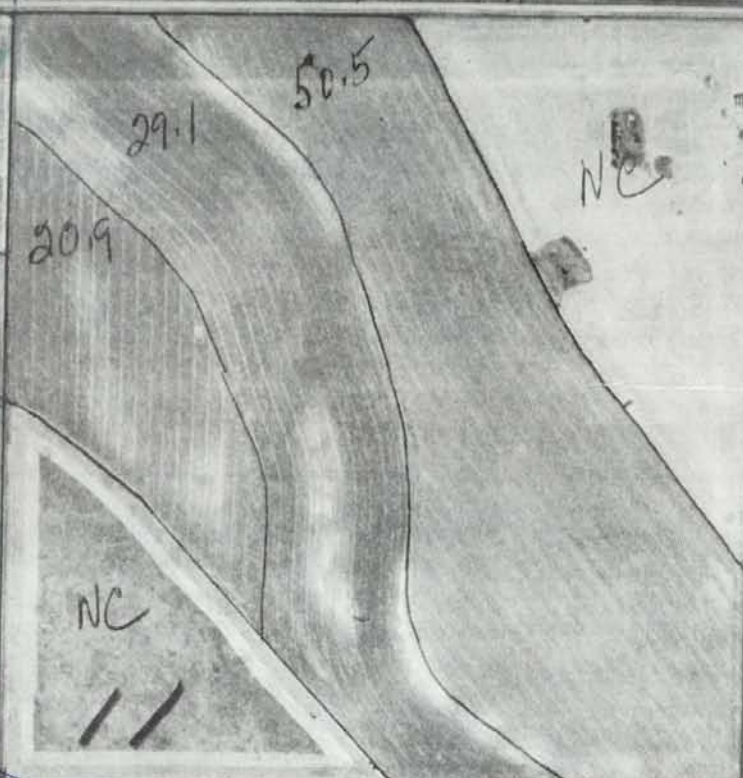
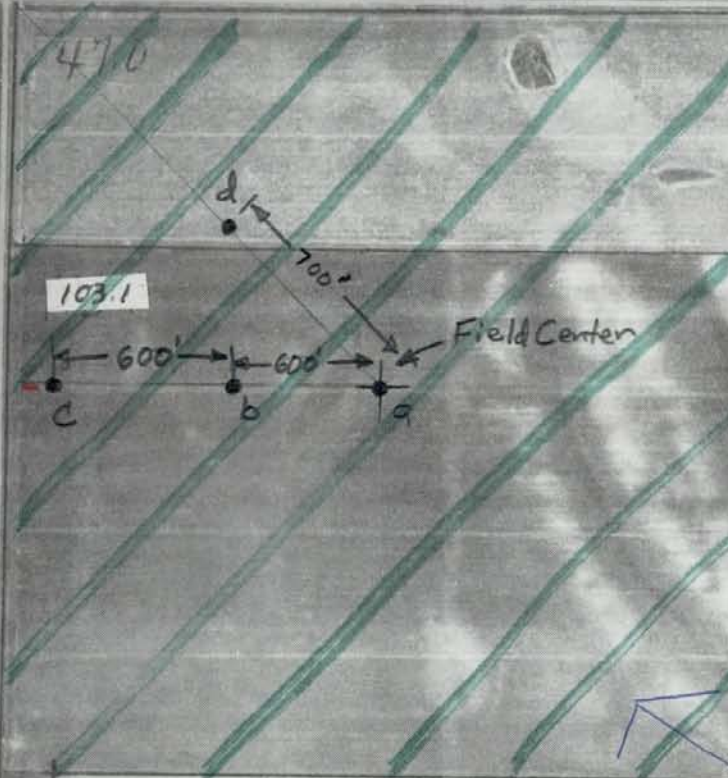
JUL 29 1996

date



NOT TO SCALE

NW 1/4 11-115-63



Intended Production Well Locations

1353

- a. Center of Quarter Section
- b. 600 ft. west of center
- c. 1200 ft. west of center
- d. 700 ft. Northwest of center

Area to irrigate shaded:

Ronald Frankenstein
Rapid, S.D. 57469
379-137-L

153.7 Ron Frankenstein owns this quarter of land and would like to get a permit to irrigate the NW 1/4 of 11-115-63

Marvin Mannie 10-15-84
County Executive Director
Spink County ASCS office

115-63

A/M # 5035-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 26, 2009

4819-3
5035-3

Ronald L Frankenstein
39198 180th St
Redfield SD 57469-7222

Dear Mr. Frankenstein:

Enclosed is a "Notice" dated October 16, 2009 concerning your 2009 irrigation questionnaires.

The notice was originally mailed to 17992 392nd Ave, Redfield SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath".

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

enclosures