

Considered: _____

WATER PERMIT NO. 5665-3

Phone: 332-6355

Name of Applicant: Warren Friessen

Post Office Address: 601 S Marion Road, Sioux Falls SD 57106

Amount of Water Claimed: 0.53 cfs Total Acres: 37

Source of Water Supply: groundwater

Water to be used for: irrigation County: Minnehaha

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 4-24-92 Fee: \$150 Remarks _____

Corrected Application Received 4-28-92 Period of Annual Use May 1 - Oct 31

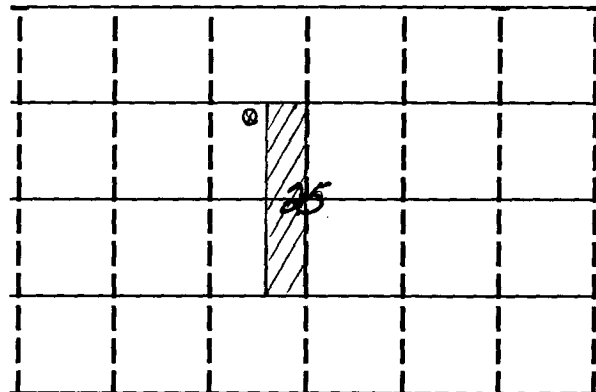
WATER QUALITY APPROVAL RECEIVED 5-6-92 APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point: SE 1/4 NW 1/4 Sec 25-T101N-R50W

Land to be Irrigated: E 1/2 SE 1/4 NW 1/4 and

E 1/2 NE 1/4 SW 1/4 Sec 25-T101N-R50W



Well Log: Driller: Lacey Drilling Licensed YES X NO _____

Depth of Well: 35' REMARKS _____

Type of Map: plat PREPARED BY: Orlin L. Jibben, P.E. Reviewed and the Number

Assigned on 5-13-92 By Karen Schlaak

(See instructions)

No. 5665-3 Hydrologic Unit 10170203
Basin Big Sioux River
Newspaper Argus Leader, PO Box 5034, SF

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____

1. Name of Applicant Warren Friessen Phone No. (605) 332-6355

Post Office Address 601 S. Marion Road Sioux Falls State SD 57106
(Street, R.R. or Box) (City) Zip Code

2. Amount of water claimed (c.f.s) 0.53 cfs Total acres irrigated 37

3. Source of Water supply ground water CSE 1/4 NW 1/4

4. Location of point of diversion See attached maps, proposed well is located on
adjacent property, also owned by the applicant, with legal description
of: Lot 5 (Ex E. 1296') of S.F. Farmstead Resub 25-101-50 Minnehaha
County

5. Counties where water will be used Minnehaha

6. Annual period during which water is to be used May/thru October 31

7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.
all in Sec 25-T101N-R50W

Land Description	No. Acres Irr.
Anderson's Tract 1 to	<u>37</u>
City of Sioux Falls	
<u>E 1/2 SE 1/4 NW 1/4</u>	<u>18.5</u>
<u>E 1/2 NE 1/4 SW 1/4</u>	<u>18.5</u>

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____ Other: X (Specify)

9. Crops to be Irrigated: None

10. Give a description of proposed project. (Attach sheet if more space is needed)

We wish to create a park-like area consisting of trees & grass as part of a future housing development. The only economical way of sustaining these plantings is by use of well water

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soil information and any other technical information.

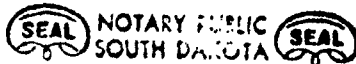
STATE OF SOUTH DAKOTA)
County of Minnehaha) ss

I, Warren L. Friessen, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Warren Friessen

Subscribed and sworn to before me this 22nd day of April 19 92

BETH A. WILCH



Beth A. Wilch
Notary Public
Expires 6-14-98



**SOUTH DAKOTA
WATER PERMIT No. 5665-3 IRRIGATION**

Date of first receipt of application April 24, 1992.

Date Soil/Water Compatibility Permit received May 5, 1992.

Date of return to applicant for corrections, amendments or changes April 27, 1992.

Date of receipt of corrected application April 28, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5665-3 to Warren Friessen, 601 S Marion Road, Sioux Falls SD 57106 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5665-3 appropriates 0.53 cubic feet of water per second from one well (Big Sioux:South Aquifer) 35 feet deep located in the SE 1/4 NW 1/4 Section 25 to irrigate 37 acres located in the E 1/2 SE 1/4 NW 1/4 and the E 1/2 NE 1/4 SW 1/4 Section 25; all in T101N-R50W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 - October 31.
3. The date from which applicant may claim right is April 24, 1992.
4. The date of approval of Permit No. 5665-3 is August 4, 1992.
5. One-fifth of the construction is to be completed on or before February 4, 1995.
6. All construction is to be completed on or before August 4, 1997.
7. Water is to be put to beneficial use on or before August 4, 2001.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The City of Sioux Falls has priority rights to this water under future use withdrawal permits, and this permit is approved subject to these prior rights, if or when, the city develops the reserved water supply.

(continued)

3. The well authorized by Permit No. 5665-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
4. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: _____

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

NOV 17 1992

date

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 20" Depth 35'
- b) Casing Type Steel Diameter 14" Thickness 3/8"
- c) Screen Type Stainless Steel Diameter 14" Thickness .040
- d) Gravel Pack Thickness 20' - 35' Length of Gravel Pack 15'
- e) Depth to Top of Water Bearing Material 15' 6"
- f) Depth to Water (ground surface to water level) 15' 6"
- g) Distance to nearest existing domestic well:

On applicants property 100' On property owned by others 250'
 All surrounding property will be serviced by City Water at such time
 that the total landscape area will need irrigation.

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

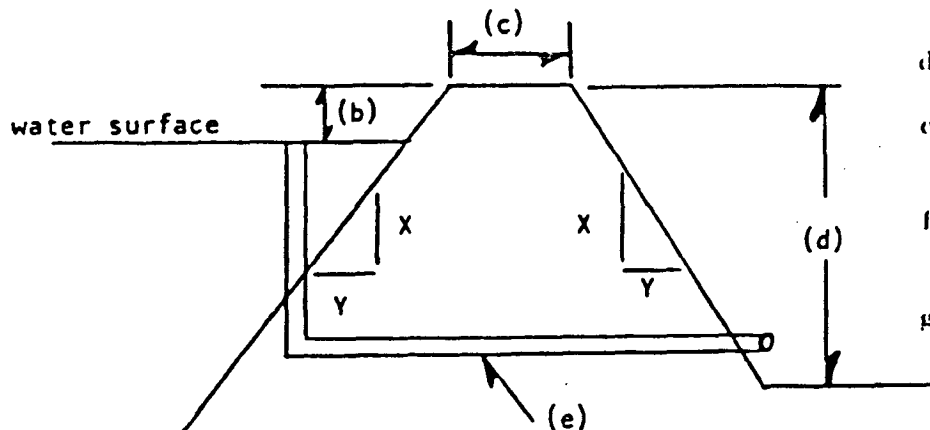
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Walter Friesen
 Signature of Applicant

Invoice

In Water Since 1946

LACEY WELL DRILLING

RR 1 - Box 24
Dell Rapids, SD 57022
Telephone (605) 428-5979

7505

Sold To Friesen Const.

DATE	5-5-96
CUSTOMER'S ORDER NO.	Pump & Trench
SHIP TO	

SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE. RETD.	PAID OUT	AMOUNT
QUANTITY	DESCRIPTION						PRICE
	6H300-1A Crown w/ 4" motor BKT 5HP 230V 1Ø CB						1474.60
30	3" x 4" pipe 21'-12"						251.90
	Thread pipe & splices						30.00
	14" casing. lid - welding						600.00
	4" Weld Check Valve						50.00
35	10.3 sub wire - ground wire						29.25
	4" coupler + motor shroud						40.00
	Time & Travel						180.00
							2116.25
							103.51
	300 gpm.						2219.82
	Total						

TERMS: Net Cash 30 Days - 1% Service Charge Per Month on Accounts 30 Days Past Due.

All claims and returned goods must be accompanied by this bill.

RECEIVED BY _____

RECEIVED

APR 17 1992

Wells
Test Drilling
Irrigation Supplies

Ans'd.....

In Water Since 1946

LACEY WELL DRILLING

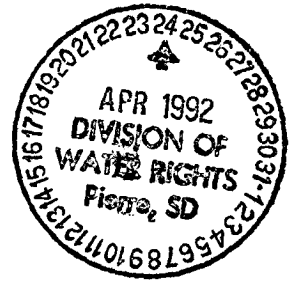
Box 796
Trent, South Dakota 57065
Telephone 428-5686 or 428-5979

Pumps
Water Specialists
Water Source Heat Pumps

4-15-92

WARREN.

WEVE'S A log on the test hole
WE drilled for you yesterday
0-4 topsoil (sandy) 4-25' medium sand,
25-35 finer sand, 35' CLAY
static water level 15'6"



Thanks
Jim
Lacey

10-85

Date 6-3-92



10.1
x Falls

5 Falls

35.5

*
↑
Proposed well
location.

38.9

Area to
be irrigated

10+
Falls

25

35.6
40.2

9.4 20.9

T-9618

①

② ①

Non
Ag

49.9

47.5

①

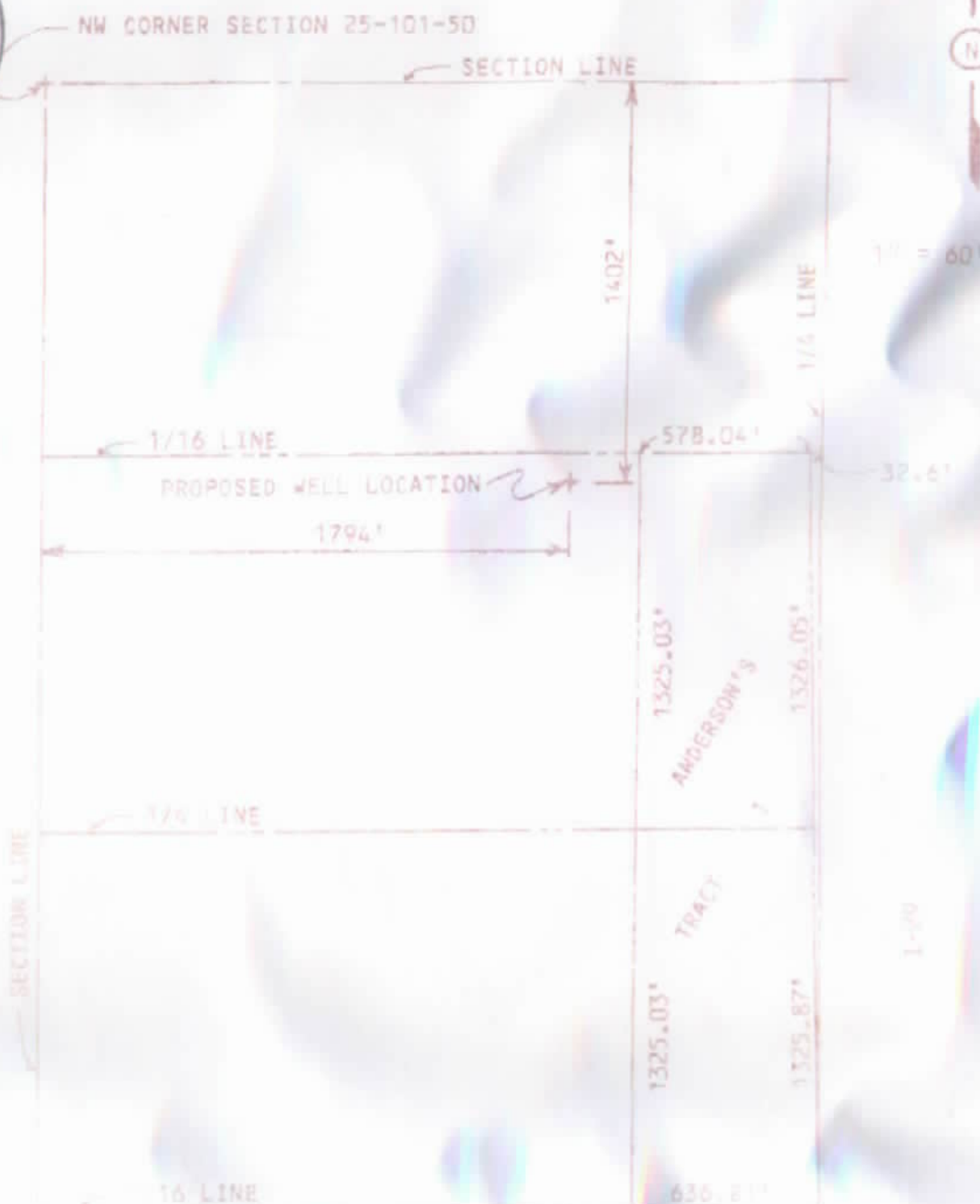
73420

101-50

11-4

5665-3

App'l, No. 5665-3



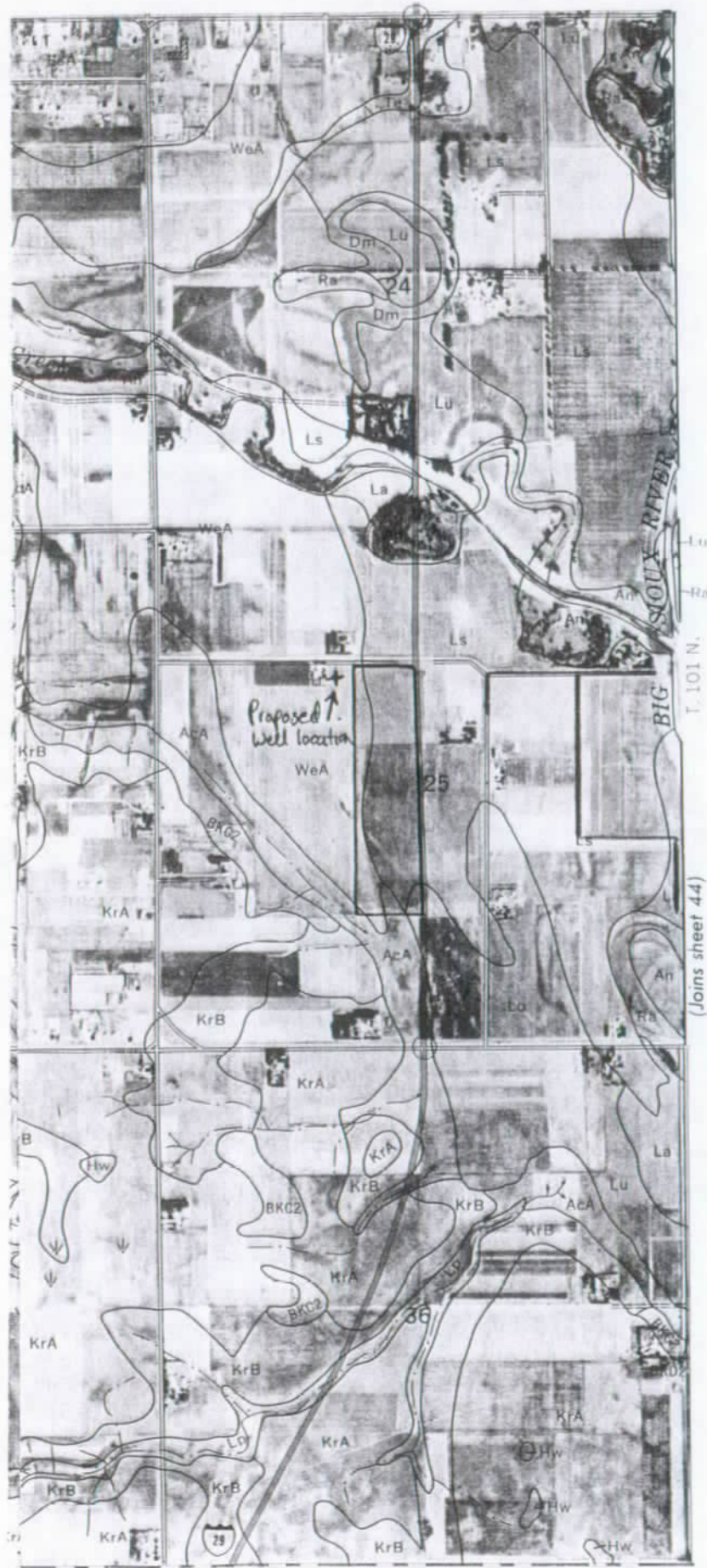
I, CLYDE C. JIBBEN, A REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE PROPOSED DIVERSION POINT LOCATION IS AS SHOWN ABOVE.

4-15-92

Clyde C. Jibben

PROFESSIONAL
LAND SURVEYOR
CLYDE C. JIBBEN

5665-3



(Joins sheet 44)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413190

Pierre, April 27, 1992

RECEIVED OF Warren Friessen, 3101 Marion Rd, Sioux Falls, SD 57106

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

Fee for Application for Permit No. <u>5665-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	150	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	150 00

By John Hotal
Chief Engineer

Department of Agriculture
WI#1
5/87

SOIL WATER COMPATIBILITY PERMIT



Office Use Only

4705

WR#

OWNERS NAME: WARREN FRIESSEN

OWNERS ADDRESS: 601 S MARION ROAD

SIOUX FALLS SD 57106

COUNTY LAND LOCATED IN: MINNEHAHA PHONE: 332-6355

LEGAL DESCRIPTION:

☒ Well

☐ Surface

1. LOCATION: Lot 5 (Ex E. 1296') of S.F. Varnstead Resub 25-T101N-R50W

Depth: _____

Legal Description	Acres	Legal Description	Acres
<u>E 1/2 SW 1/4 NW 1/4 25-T101N-R50W</u>	<u>18.5</u>		
<u>E 1/2 NE 1/4 SW 1/4 25-T101N-R50W</u>	<u>18.5</u>		

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: XXX (Specify)

3. CROPS TO BE IRRIGATED: Trees and Grass.

WATER QUALITY:

4. WATER SAMPLE NUMBER: 92-0148

7. ADJUSTED (SAR): 2.00

5. SALINITY (EC X 10⁶): 2150

8. PERCENT SODIUM: 9.87

6. SODIUM (SAR): 0.77

Requirements:

Maximum allowable limits of salt and sodium buildup in the profile at the root zone (upper 12 inches of the soil profile) at the beginning of the growing season apply. They become applicable upon the issuing of a Soil and Water Compatibility Permit by the Division, or the Commission.

Russell J. Stone
Director, Division of Conservation

MAY 1, 1992

Date

XXX APPROVED

DISAPPROVED

WAIVER

XXX REQUIREMENTS

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 27, 1992

Warren Friessen
601 S Marion Road
Sioux Falls SD 57106

Dear Mr. Friessen:

In regard to your water permit application received on April 24, 1992, the following information needs to be clarified in order to process your application.

On Item No. 2 of the application has not been completed. Under State Statutes you are allowed 1 cubic feet of water per second (cfs) for each 70 acres irrigated. This would mean that you are allowed 0.53 cfs for the 37 acres to be irrigated.

On Item No. 4, it would appear from the aerial photo and map submitted with your application, that the location of the well would be the SE 1/4 NW 1/4 Section 25-T101N-R50W. The location of the lands to be irrigated (Anderson's Tract 1) would be the E 1/2 SE 1/4 NW 1/4 and the E 1/2 NE 1/4 SW 1/4 Section 25-T101N-R50W with 18.5 acres located in each area (total 37 acres). Do you concur with these locations?

The water permit application can not be considered until the application is complete and a soil/water permit is obtained from the Department of Agriculture. Upon receipt of the above, further processing of your application will continue.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosure

File No.

Water Rights Division -DWNR
Conversation or File Documentation

NAME OF PERSON OR FILE: Cindy Friessen

ADDRESS: COUNTY: Minnehaha

DATE: 4-28-92 TELEPHONE:

RE: Pending application for Warren Friessen

COMMENTS:

Cindy stated she was the daughter of Warren Friessen and in regard to my letter dated April 27, 1992, they concurred with Item No. 2 of the application being 0.53 cfs.

They also agreed that the legal description of the land to be irrigated would be the E 1/2 SE 1/4 NW 1/4 and the E 1/2 NE 1/4 SW 1/4 Section 25 and that the well was located in the SE 1/4 NW 1/4 Section 25; all in T101N-R50W.

Karen Schlaak

Karen Schlaak
Natural Resources Analyst

REPORT ON APPLICATION NO. 5665-3
for Warren Friessen
June 12, 1992

Application No. 5665-3 proposes to appropriate 0.53 cfs (238 gpm) from one well approximately 35 feet deep located in the SE 1/4 NW 1/4 of section 25 to irrigate 37 acres located in the E 1/2 SE 1/4 NW 1/4 and the E 1/2 NE 1/4 SW 1/4 of section 25; all in T101N R50W in Minnehaha County.

AQUIFER - BIG SIOUX SOUTH (BS-S)

The Big Sioux South consists of glacial outwash (sand and gravel) and alluvium under unconfined (water table) conditions. The aquifer underlies 17,300 acres and contains an estimated 20,640 acre feet of recoverable water in storage in Minnehaha County (Hedges, 1982). The Big Sioux South aquifer extends into Lincoln County to the south, is hydraulically connected to the Big Sioux Southern Skunk Creek aquifer to the west and to the Big Sioux River. The aquifer also overlies the Sioux Quartzite which is also considered an aquifer in this area. Test hole information included with the application indicates that sand was encountered at a depth of 4 feet and extended to a depth of 35 feet. The static water level was reported to be 15.5 feet below land surface.

The Division of Water Rights monitors an observation well MN-57I which is located in this immediate area. The observation well is located within 1/2 mile of the proposed diversion point. Water levels for the Big Sioux South aquifer respond to climatic conditions, that is, rising rapidly during wet years (recharge) and declining gradually during dry years. The water level record indicates that the aquifer is capable of sustaining additional diversions (Water Rights, 1992).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

A portion of this permit application is located within the Future Use area (Permit No. 449-3) for the City of Sioux Falls. Interference is not expected to be a concern. Water levels do not fluctuate very much in response to pumping in shallow water table aquifers such as the Big Sioux South aquifer.

CONCLUSIONS

1. Water is available from the Big Sioux South aquifer.
2. Interference is not expected to be a concern.
3. The diversion point and the north 1/2 of the irrigated lands are located within the Future Use area listed under Water Permit No. 449-3 for the City of Sioux Falls.

4. Any well authorized by this application must be constructed in accordance with SD Well Construction Standards.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Hedges, L.S., etal, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1992, Unpublished Observation Well Records for Minnehaha County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

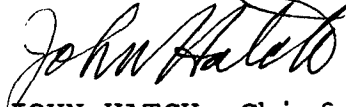
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5665-3, Warren Friessen

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 5665-3, Warren Friessen, 601 South Marion Road, Sioux Falls, SD 57106.

The Chief Engineer is recommending APPROVAL of Application No. 5665-3 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) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The City of Sioux Falls has priority rights to this water under future use withdrawal permits, and this application is approved subject to these prior rights, if or when, the city develops the reserved water supply.
3. The well authorized by Permit No. 5665-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
4. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.


JOHN HATCH, Chief Engineer
June 15, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

June 30, 1992

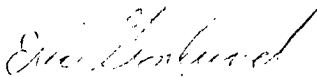
Warren Friessen
601 S Marion Road
Sioux Falls, SD 57106

Dear Mr. Friessen:

Water Permit Application No. 5665-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Argus Leader printed at Sioux Falls, SD (Ph # 331-2200). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 30, 1992

Argus Leader
PO Box 5034
Sioux Falls, SD 57117-5034

ATTENTION: Legal Department

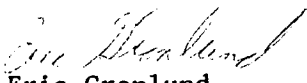
Enclosed is a Notice of Hearing on Application No. 5665-3 to be published twice. Please publish the first notice on July 8, 1992, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Warren Friessen, 601 South Marion Road, Sioux Falls, SD 57106 (Ph # 332-6355).

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
FIRST TRANSMITTAL NOTICE

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to
Appropriate Water by Application No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

Name _____

Newspaper _____

Instruction to Newspaper - Publish first Notice on July 8, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5665-3 to Appropriate Water

Notice is given that Warren Friessen, 601 South Marion Road, Sioux Falls, SD 57106 has filed an application for a water permit to appropriate 0.53 cubic feet of water per second from one well (Big Sioux:South Aquifer) 35 feet deep located in the SE 1/4 NW 1/4 Section 25 to irrigate 37 acres located in the E 1/2 SE 1/4 NW 1/4 and the E 1/2 NE 1/4 SW 1/4 Section 25; all in T101N-R50W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5665-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 27, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5665-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for August 4, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the August 4, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The August 4, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by July 27, 1992.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Minnehaha) ss.



I, M. DEVISH

certify that the attached printed Notice was taken

from the _____

A newspaper which during the whole time of pub
 said notice herein after stated, has been and is p
 published in the Argus Leader

city of Sioux Falls

County of Minnehaha and State of Sou
 that the said notice was published in said newspa
 following two dates:

Wednesday July 8, 1992

Wednesday July 15, 1992

Mary Devish
 (Signature) fw

Controller

(Title)

7/15/92

(Date Signed)

NOTICE OF HEARING on Application No. 5665-3 to Appropriate Water

Notice is given that Warren Friessen, 601 South Marion Road, Sioux Falls, SD 57106 has filed an application for a water permit to appropriate 0.53 cubic feet of water per second from one well (Big Sioux: South Aquifer) 35 feet deep located in the SE 1/4 NW 1/4 Section 25 to irrigate 37 acres located in the E 1/2 SE 1/4 NW 1/4 and the E 1/2 NE 1/4 SW 1/4 Section 25; all in T101N-R50W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5665-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the

Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 27, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5665-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for August 4, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the August 4, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The August 4, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief

Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by July 27, 1992.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.
 9742 July 8, 15, 1992

Cost of Printing: \$119.61



NOV 17 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Warren Friessen
601 S Marion Road
Sioux Falls, SD 57106

Dear Mr. Friessen:

Enclosed is Water Permit No. 5665-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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 the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

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.

1996 WATER MANAGEMENT BOARD IRRIGATION QUESTIONNAIRE
PLEASE FILL OUT AND RETURN BEFORE DECEMBER 20, 1996

5665-3 WARREN FRIESSEN 601 S MARION RD SIOUX FALLS SD 57106	CHANGES TO ADDRESS LABEL , IF ANY: Telephone No. <u>605-332-6355</u>
--	--

COMPLETE AND RETURN THIS FORM TO THE WATER RIGHTS PROGRAM AT 523 E CAPITOL, PIERRE, SD 57501-3181 (605) 773-3352

HAS SYSTEM BEEN CONSTRUCTED? YES _____ NO _____ Partially

DID YOU IRRIGATE IN 1996? YES _____ NO X IF YES, NUMBER OF ACRES IRRIGATED N/A

SOURCE OF WATER ground water

DID YOU CHEMIGATE IN 1996? YES _____ NO X

TYPE OF SYSTEM (CHECK ALL THAT APPLY):

CENTER PIVOTS _____ TOWLINES _____ BIG GUN _____

FLOOD _____ SPRINKLERS _____ OTHER X

COMMENT SECTION: We purchased the pump and built a stand pipe to fill our water truck. We pumped water for use in the I-29 + 26th St. Interchange project being constructed by Friessen Construction. Water was used on the embankment + granular material

THE PORTION OF THE FORM FOR REPORTING ACRES IRRIGATED IS ON THE BACK OF THIS PAGE. LISTED BELOW ARE TWO EXAMPLES OF HOW TO COMPLETE THE FORM:

EXAMPLE 1: IN JUNE & JULY, 130 ACRES WERE IRRIGATED USING A CENTER PIVOT SYSTEM (70 ACRES OF CORN & 60 ACRES OF BEANS). THE PUMP RATE OF THE PIVOT IS 800 GALLONS PER MINUTE AND YOU PUMPED 10 DAYS (@ 24 HOURS PER DAY) ON THE CORN AND 20 DAYS ON THE BEANS:

MONTH	CROP	ACRES	PUMP RATE	# DAYS	AVE/HRS DAY
JUNE	CORN	70	800 GPM	10	24
	BEANS	60	800 GPM	10	24
JULY					
	BEANS	60	800 GPM	10	24

EXAMPLE 2: IN JUNE, 40 ACRES OF ALFALFA WERE IRRIGATED (USING GATED PIPE @ 3000 GPM) FOR 5 DAYS - 24 HOURS PER DAY; 60 ACRES OF BEANS WERE IRRIGATED (USING BIG GUN @ 380 GPM) FOR 10 DAYS AT 24 HOURS PER DAY:

JUNE	ALFALFA	40	3000 GPM	5	24
	BEANS	60	380 GPM	10	24

PLEASE SPECIFY IF ACTUAL IRRIGATION HOURS OR KILOWATT HOURS ARE BEING REPORTED. FOR KILOWATT HOURS, INCLUDE DEPTH TO WATER & SYSTEM PRESSURE IN COMMENT SECTION.

REPORT ON INSPECTION OF PERMIT NO. 5665-3

DATE OF INSPECTION: 7-22-97

Other permit(s) associated with the project: none

NAME & ADDRESS OF INSPECTION CONTACT: Brad DeNeui, (605)366-8222

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: Forman for Friessen Construction

NAME & ADDRESS OF PERMIT HOLDER: Warren Friessen, 601 S. Marion Road, Sioux Falls, SD 57106 (605)332-6355

DIVERSION POINT LEGAL LOCATION: 1794' E and 1402' S of the NW corner of Section 25, T101N, R50W.

WELL INFORMATION:

- 1) Well Drilling Firm: Lacey Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 38.5 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 14 inches
- 2) Length 30 feet
- 3) Type steel

Screen:

- 1) Type stainless steel
- 2) Length 8.5 feet
- 3) Static water level 14 feet

Pump:

- 1) Make Crown
- 2) Model 6H300-1A
- 3) Size 4 inch
- 4) Capacity 300 GPM

Motor:

- 1) Make BKT
- 2) Model No. 23OU 10 CB
- 3) Horsepower rating 5 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type pvc
- 2) Size 4 inches
- 3) Length 365 feet

SYSTEM TYPE: Sprinkler system with risers running off of hoses to water approximately 1000 trees.

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period ready to start, probably this fall, have not needed it yet.

Permit No. 5665-3
Sioux Falls - 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, July 22, 1997 made a thorough examination of the water use system constructed by Warren Friessen of 601 S. Marion Road, Sioux Falls, SD 57106 holder of Permit No. 5665-3, bearing the priority of April 24, 1992 authorizing the diversion of 0.53 cu. ft. per second of the waters of Big Sioux: South Aquifer for irrigation purposes, in Minnehaha County.

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

A. Works used to divert the water:

One well 38.5 feet deep with 30 feet of 14 inch steel casing and 8.5 feet of stainless steel screen. Crown pump model no. 6H300-1A 300 gpm capacity and BKT motor model no. 230U 10 CB rated at 5 hp.

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

365 feet of 4 inch pvc pipe.

C. Works used to apply water to beneficial use:

Sprinkler system with risers connected to hoses.

The system is in the following condition good. The point of diversion is located 1794' E and 1402' S of the NW corner Section 25, T101N, R50W. The works are capable of diverting and conveying to the place of use 0.667 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:

Section 25, T101N, R50W:

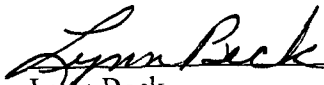
SW¹/₄ NW¹/₄ 2.5 acres

SE¹/₄ NW¹/₄ 0.5 acres

comprising a total of 3 acres of land and the license should be issued for 0.043 cfs.

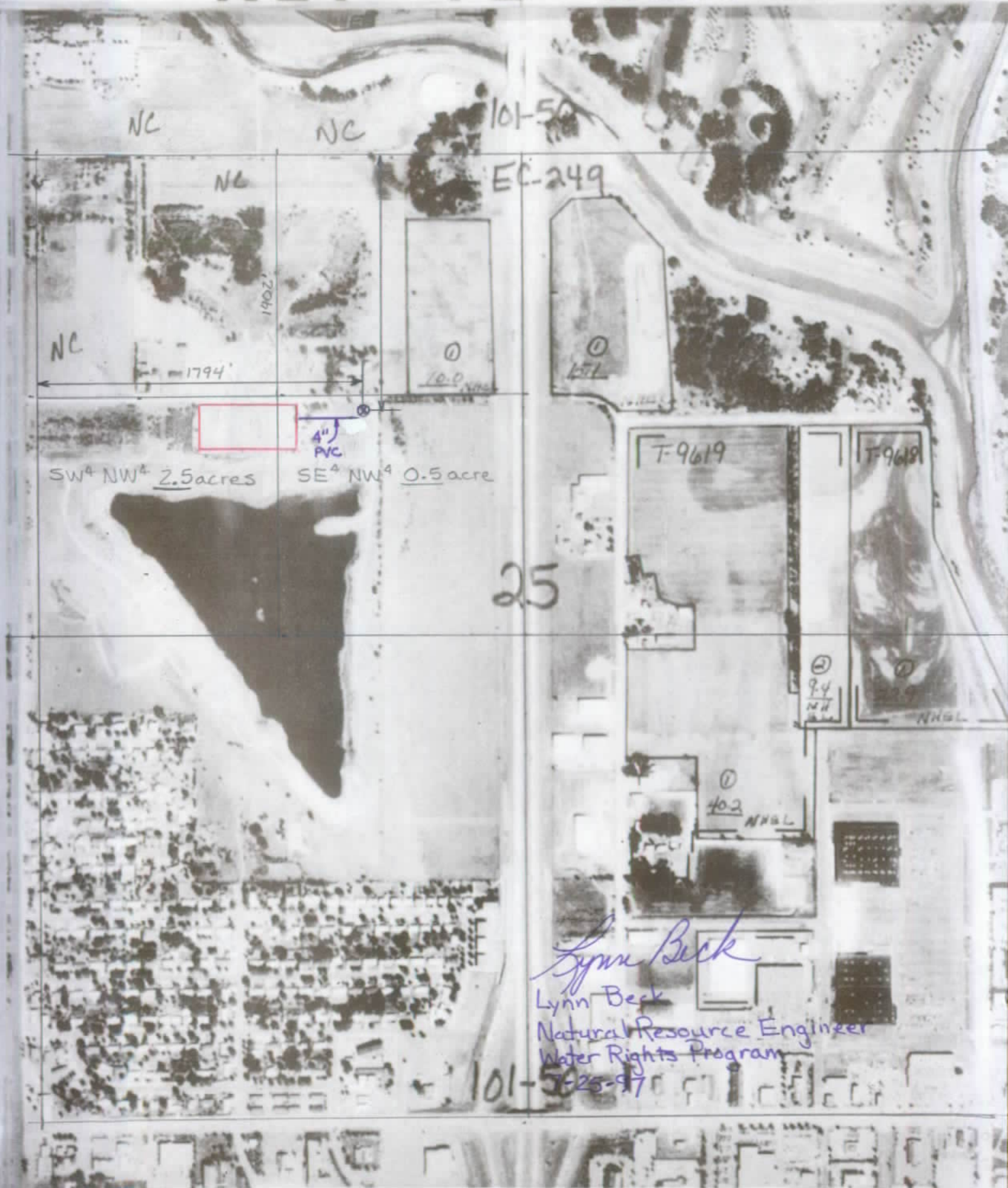
Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none


Lynn Beck
Natural Resources Engineer
DENR, Water Rights Program

7-25-97
Date

NOT TO SCALE



Licensing of Acreage Outside of Permitted Area

NAME: Warren Friessen

ADDRESS: 601 S. Marion Road, Sioux Falls SD 57106

DATE: 8-25-97 **COUNTY:** Minnehaha **TELEPHONE:** (605) 366-8222

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:

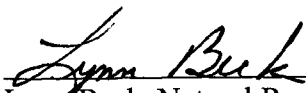
The acreage developed for irrigation is **3** acres as compared to **37** acres authorized by the permit. Licensing of the permit will result in a reduction in the amount of water appropriated.

UNPERMITTED ACREAGE:

- **Contiguous to Permitted Acreage**
yes
- **Owned by Same Property Owner**
yes
- **Developed Prior to Expiration of Construction Period**
yes

RECOMMENDED ACTION

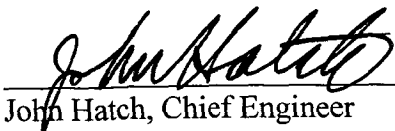
Based on the above criteria, it is recommended that the **3** acre area be included in the water license.



Lynn Beck, Natural Resources Engineer
Water Rights Program

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

This acreage change does not 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

9-5-97

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5665-3

(1) Warren Friessen, 601 S Marion Rd., Sioux Falls, SD 57106 made Application No. 5665-3, April 24, 1992 for a water permit to divert 0.53 cubic feet of water per second from ground water (one well - Big Sioux:South Aquifer), Minnehaha County, South Dakota for irrigation purposes. Permit No. 5665-3, with a priority date of April 24, 1992 was approved August 4, 1992 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before August 4, 1997 and for the application to beneficial use of said water on or before August 4, 2001.

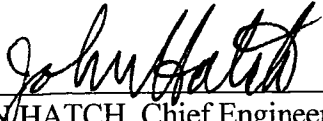
A July 22, 1997, investigation of the water use system found the acreage had been developed outside of the permitted area. Pursuant to SDCL 46-5-30.5, the Chief Engineer made a finding that the acreage change does not impair existing water rights and the overall project, as developed, is consistent with the original application. Licensing of the unpermitted acreage may occur without application or publication pursuant to SDCL 46-2A-4.

(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 0.043 cubic feet of water per second for beneficial use. The location of the diversion point is 1,794'E and 1,402'S of the NW corner of Section 25, T101N, R50W (SE¼ NW¼).

(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:

T101N, R50W, Section 25	SW¼ NW¼	2.5 acres
	SE¼ NW¼	0.5 acres
	Total	3.0 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Warren Friessen, 601 S Marion Rd., Sioux Falls, SD 57106 the holder and/or owner of Water Permit No. 5665-3 is issued a license to appropriate water, the right to use 0.043 cubic feet of water per second from ground water (one well - Big Sioux:South Aquifer) with a priority date of April 24, 1992 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. 5665-3 and subject to South Dakota State Law.


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

NOV 17 1997

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 4, 1997

5665-3

Warren Friessen
601 S. Marion Road
Sioux Falls, SD 57106

Dear Mr. Friessen:

The investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 5665-3, 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 investigation 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.

RECEIPT

Division of Water Rights

415449

South Dakota Department of Environment and Natural Resources

Pierre, _____ August 25, 19 97

RECEIVED OF Friessen Construction Co., Inc., 601 S. Marion Rd., Sioux Falls, SD 57106
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>5665-3</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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 17 1997

5665-3

Warren Friessen
601 S. Marion Rd.
Sioux Falls, SD 57106

Dear Mr. Friessen:

Enclosed is Water License No. 5665-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415449 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. 5665-3, 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 investigation of your water use system found that pump capacity of the well to be 300 gallons per minute (0.667 cubic feet of water per second). Under South Dakota Water Law, you can divert a maximum of 1.00 cfs for every 70 acres irrigated. Based upon this ratio, the water license was issued for a maximum allowable diversion rate of 0.043 cfs (= 19 gallons per minute) for irrigation of the 3 acres in the S1/2 NW1/4 Section 25.

1998 WATER MANAGEMENT BOARD IRRIGATION QUESTIONNAIRE
PLEASE FILL OUT AND RETURN BEFORE DECEMBER 1, 1998

Im

5665-3
 WARREN FRIESSEN
 601 S MARION RD
 SIOUX FALLS, SD 57106

CHANGES TO ADDRESS LABEL, IF ANY:

Telephone No. 605-332-6355

COMPLETE AND RETURN THIS FORM TO THE WATER RIGHTS PROGRAM AT 523 E CAPITOL, PIERRE, SD 57501-3181 (605) 773-3352

IS SYSTEM CONSTRUCTED? YES X NO DID YOU IRRIGATE IN 1998? *YES X *NO

* IF YES, NUMBER OF ACRES IRRIGATED *IF NO, LIST REASON(S) IN COMMENT SECTION

IS LAND ENROLLED IN CRP? YES NO X IF YES, THROUGH WHAT YEAR?

DID YOU CHEMIGATE IN 1998? YES NO X

SOURCE OF WATER well

TYPE OF SYSTEM (CHECK ALL THAT APPLY):

CENTER PIVOTS TOWLINES BIG GUN

FLOOD SPRINKLERS X OTHER Soaker Hose

April + May

June, July, August, Sept.

COMMENT SECTION:

April + May sprinklers used at a rate of 300 gpm.
Soaker hose was installed in June + rate dropped
to 120 gpm.



THE PORTION OF THE FORM FOR REPORTING ACRES IRRIGATED IS ON THE BACK OF THIS PAGE.
LISTED BELOW ARE TWO EXAMPLES OF HOW TO COMPLETE THE FORM:

EXAMPLE 1: IN JUNE & JULY, 130 ACRES WERE IRRIGATED USING A PIVOT SYSTEM (70 ACRES OF CORN & 60 ACRES OF ALFALFA). THE PUMP RATE OF THE PIVOT IS 800 GALLONS PER MINUTE AND YOU PUMPED 8 DAYS (@ 24 HOURS PER DAY) ON THE CORN AND 22 DAYS ON THE ALFALFA:

MONTH	CROP	ACRES	PUMP RATE	# DAYS	AVE/HRS DAY
JUNE	CORN	70	800 GPM	8	24
	ALFALFA	60	800 GPM	10	24
JULY					
	ALFALFA	60	800 GPM	12	24

EXAMPLE 2: IN JUNE, 40 ACRES OF ALFALFA WERE IRRIGATED (USING GATED PIPE @ 3000 GPM) FOR 5 DAYS - 24 HOURS PER DAY; 60 ACRES OF BEANS WERE IRRIGATED (USING BIG GUN @ 380 GPM) FOR 10 DAYS AT 24 HOURS PER DAY:

JUNE	ALFALFA	40	3000 GPM	5	24
	BEANS	60	380 GPM	10	24

PLEASE SPECIFY IF ACTUAL IRRIGATION HOURS OR KILOWATT HOURS ARE BEING REPORTED. FOR KILOWATT HOURS, INCLUDE DEPTH TO WATER & SYSTEM PRESSURE IN COMMENT SECTION.

MONTH IRRIGATED	CROP TYPE	ACRES IRRIGATED	PUMP RATE/GPM	DAYS PER MONTH	AVE/HRS PER DAY
-----------------	-----------	-----------------	---------------	----------------	-----------------

MARCH	<u>NONE</u>				
APRIL	Trees	7	300	14	10
MAY	Trees	7	300	17	8
JUNE	Trees	5	120	16	12
JULY	Trees	5	120	18	12
AUGUST	Trees	5	120	20	10
SEPTEMBER	Trees	5	120	13	8
OCTOBER	<u>NONE</u>				

IF MORE ROOM IS NEEDED, PLEASE INCLUDE THE INFORMATION ON A BLANK SHEET OF PAPER



5665-3
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 20, 2017

NOTICE

TO: WARREN FRIESSEN, 615 S MARION RD, SIOUX FALLS, SD 57106
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program
SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5665-3. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5665-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5665-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. 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(s) is (are) received in this office before the **March 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

January 23, 2017

5665-3

Cynthia Monnen
Friessen Construction Co., Inc.
615 S Marion Road
Sioux Falls, SD 57106

Dear Ms. Monnen:

I am writing to acknowledge receipt of the 2016 irrigation questionnaire for Water Right No. 5665-3, listed in the name of Warren Friessen.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right No. 5665-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2022

NOTICE

TO: WARREN FRIESSEN, 615 S MARION RD, SIOUX FALLS, SD 57106
FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5665-3. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5665-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5665-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. 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(s) is (are) received in this office before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: ZAOKPT**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 25, 2022

5665-3

Cynthia Friessen Monnin, President
Friessen Construction
615 S Marion Rd
Sioux Falls SD 57106

Dear Ms. Monnin:

I am writing to acknowledge receipt of your 2021 irrigation questionnaire.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Permit No. 5665-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us