

WATER PERMIT NO. 6188-3

Name of Applicant: Louis Fritz

Address: Rt 2 Box 10, Raymond SD 57258

Phone: 605 532-5744

Amount of Water Claimed: 2.2 cfs

Total Acres: 320

Source of Water Supply: groundwater

Water to be used for: irrigation

County: Clark

Type of Waste Disposal System:

Location: 2 miles northeast of Clark

PRIORITY

Date Received: 3-22-2000

Fee: \$325

Corrected Application Received: :

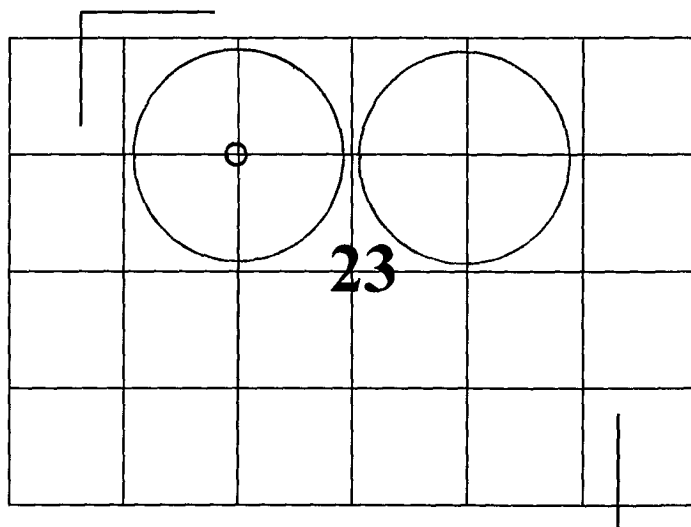
Period of Annual Use: May 1 – September 30

Remarks:

Diversion Point: center of NW ¼

Sec 23-T117N-R59W

Land to be Irrigated: N ½ Section 23-T117N-R59W



Depth of Well: 180 feet

Well Driller: : Pullman Drilling

Remarks:

Type of Map: aerial

Prepared by: Lisa Clausen, Clark Co. FSA

Reviewed and the Number Assigned on: 3-22-2000

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 6188-3**

Date of first receipt of application March 22, 2000.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6188-3 to Louis Fritz, Rt 2, Box 10, Raymond SD 57258 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. 6188-3 appropriates 2.2 cubic feet of water per second from one well (Altamont Aquifer) 180 feet deep located in the center of the NW ¼ Section 23 to irrigate 320 acres located in the N ½ Section 23; all in T117N-R59W.
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 – September 30.
3. The date from which applicant may claim right is March 22, 2000.
4. The date of approval of Permit No. 6188-3 is May 15, 2000.
5. One-fifth of the construction is to be completed on or before November 15, 2002.
6. All construction is to be completed on or before May 15, 2005.
7. Water is to be put to beneficial use on or before May 15, 2009.
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 well authorized by Permit No. 6188-3 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) from the producing formation to the surface pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele
Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 05 2000

date



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)	
	No. <u>6188-3</u>	Hydrologic Unit <u>10160006</u>
	Basin <u>James River</u>	
	Newspaper <u>Clark County Courier, Clark, SD</u>	



Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

- Name of Applicant LOUIS FRITZ Phone 605-532-5744
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address Route 2 Box 10 RAYMOND State SD 57258
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 2.2 *CFS or 900 **GPM ***AF Total Acreage 320.
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply WELL
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
CENTER OF NW 1/4 OF SEC 23-117-59
County CLARK
- County or counties where water will be used CLARK
- Annual period during which water is to be used MAY 1 - SEPT 30
- List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NW 1/4 NW 1/4 23-117-59	40	NE 1/4 NE 1/4 23-117-59	40
NE 1/4 NW 1/4 23-117-59	40	NW 1/4 NE 1/4 23-117-59	40
SE 1/4 NW 1/4 23-117-59	40	SE 1/4 NE 1/4 23-117-59	40
SW 1/4 NW 1/4 23-117-59	40	SW 1/4 NE 1/4 23-117-59	40

8. Give a description of the project. (Attach sheet if more space is needed)

INSTALL WELL AND PUMP AND APPLY WATER
FOR IRRIGATION BY MEANS OF A CENTER PIVOT.

STATE OF SOUTH DAKOTA) SS
County of Clark

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, Louis Fritz, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Louis Fritz

Subscribed and sworn to before me this 21st day of March 2000

Joan Lamb
Notary Public signature

My comm. expires: 7-27-2002

Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction - TEST LOG ATTACHED

- a) Drill Hole Diameter _____ Depth 180 ±
- b) Casing Type PVC Diameter 16 Thickness Sch 80
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:

On applicants property 1.25 miles On property owned by others 1/2 mile

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System _____

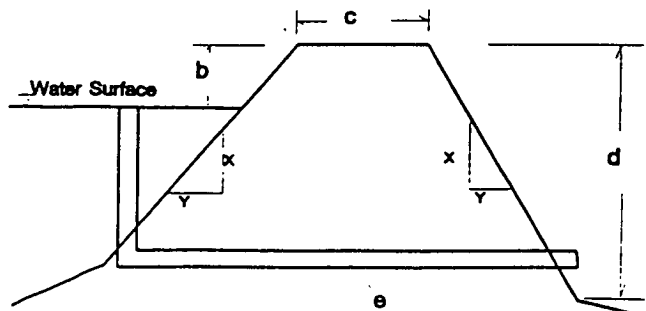
3. Dugout Information

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

4. Water Storage Dams

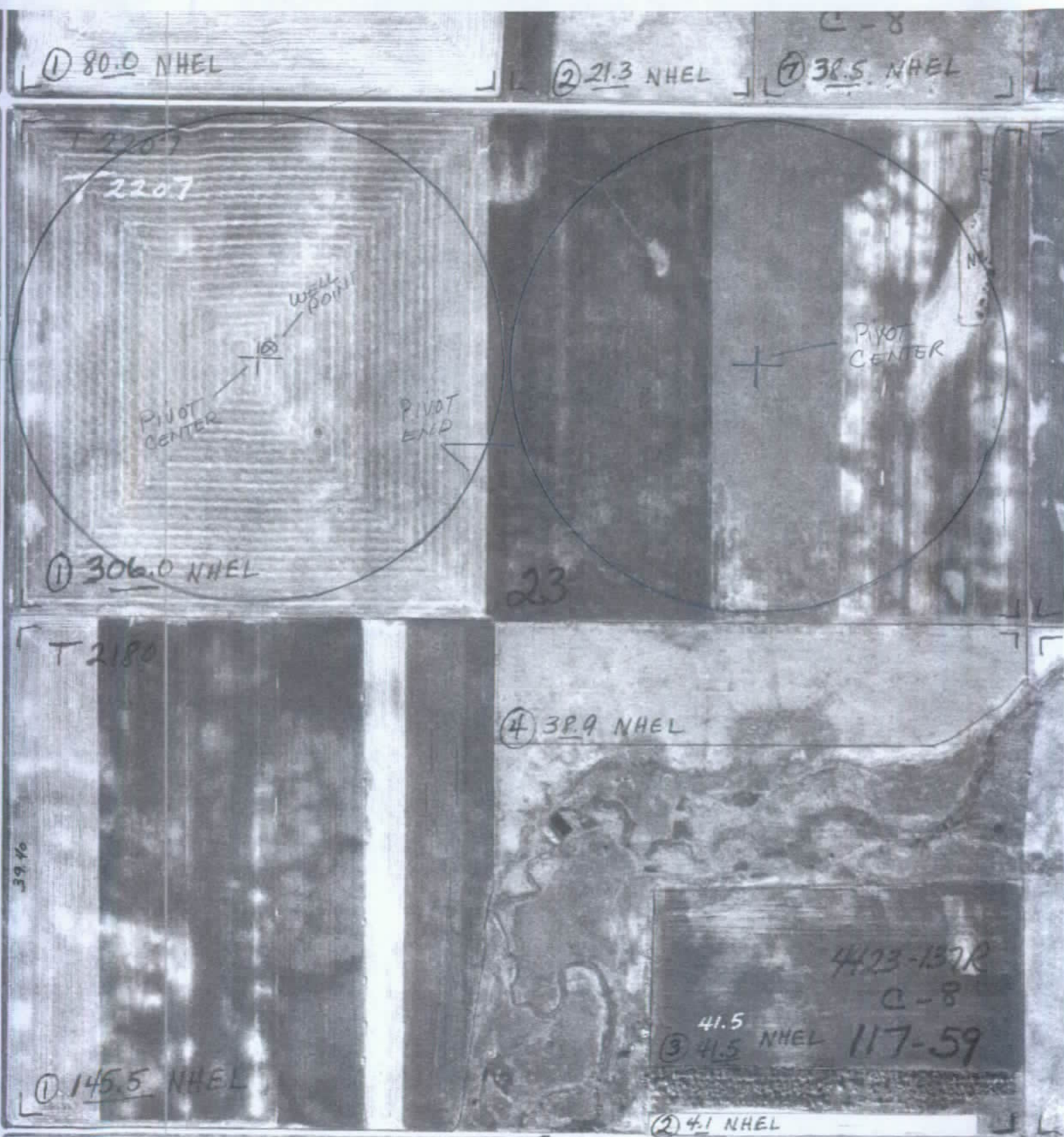
If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- 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 _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP



Clark Cg
Raymond Fritz

117-59 Sec. 23

NW Quarter

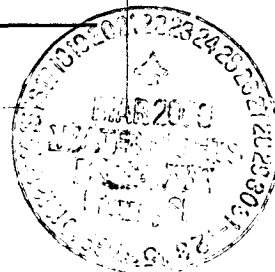
PULLMAN DRILLING — DRILLERS LOG

Phone: 1-800-451-4884

Job Name	Location	Date	Rig No.	Foreman
Louis Fritz	Raymond S.D.	3/1/00	11	SDP

Jt No.	DEPTH	TIME	REMARKS
1	20		0-20 Yellow clay
2	40		20-40 Yellow clay
3	60		40-44 Yellow clay 44-60 Blue clay
4	80		60-70 Blue clay 70-77 Yellow clay 77-80 coarse sand gravel
5	100		90-100 Blue clay small streaks
6	120		100-105 Blue clay 105-120 med coarse sand Bottom looked better
7	140		120-135 med coarse sand gravel 135-140 med sand
8	160		140-160 med coarse sand gravel and clay Break
9	180		160-180 med sand clay breaks pecks
10	195		180-195 Fine sand 195-200 shale
11			
12			
13			
14			
15			Cased up about 165'
16			
17			37' of 3" screen .025 slot
18			128' of 3" Blank
19			
20			
21			Water head about 90'
22			
23			pumped with air from 120'
24			
25			Louis Fritz
26			RB2 BRC 10 Raymond S.D
27			
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REMARKS:



RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 416436

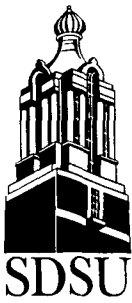
Pierre, _____ March 22, 2000

RECEIVED OF Lous or Jacquelyn Fritz, RR 2, Box 10, Raymond, SD 57258
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>6188-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	325	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. <u>6188-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	375 00

By Harold Eschle 
Chief Engineer



South Dakota
State University



Water Resources Research Institute
Water Quality Laboratory
Water Pesticide Laboratory

Box 2120, Ag. Engineering 211
SDSU
Brookings, SD 57007
Phone: 605-688-4910
FAX: 605-688-4917
E mail: WRISDSU@MG.SDSTATE.EDU

March 17, 2000

Louis Fritz
RR 2 Box 10
Raymond, SD 57258

Dear Mr. Fritz:

Enclosed is a copy of the analysis of your water sample which you submitted to us for testing. We have identified the source of your water as taken from a unknown source at an unknown depth in an unknown location. We have assigned it lab number 00-0136.

Your water, as represented by this sample, is classified as a high salinity, low sodium hazard for irrigation usage. The electrical conductivity (EC) of this water is 1750 micromhos/cm. The main ions in this water are: calcium (Ca) and sulfate (SO₄).

I have plotted your approximate water quality in red on the outside back cover of the enclosed pamphlet (AES 13). The range in the sodium hazard, from 2.96 to 7.90, is dependent upon the leaching fraction that may result if irrigation water is applied. The higher sodium hazard is associated with no leaching, and the lower sodium hazard is associated with normal leaching fractions (0.03-0.05). The leaching fraction is defined as the amount of water lost below the root zone annually, divided by the total amount received into the soil profile.

This water can be used for irrigation purposes for most normal soils which have adequate internal drainage. This means that if the water table is greater than 10 feet below ground surface the majority of the year and there are no tight impermeable layers within the root zone which may create a perched water table, the salts (ions) that do exist in the water will be able to be leached downward below the root zone where they do little or no harm to growing crops. The probability for soil salinization from this water is low when used on soils with good subsurface drainage.

The boron level 0.54 ppm for this water poses a low toxicity level for most normal crops in this area. I have enclosed a sheet that tells the boron toxicity levels for major crops.

I am forwarding a copy of this letter and water analysis to the Division of Water Rights in Pierre for their information and/or action. If you have further questions regarding this water analysis, please do not hesitate to call or write.

Sincerely,

C. Gregg Carlson, Professor
Water Resources Institute

Enclosures

cc: Division of Water Rights

REPORT OF WATER ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, SD 57007

03/14/2000
Clark

Bill To: Fritz, Louis
RR 2 Box 10
Raymond, SD 57258
cc: Clark County Extension Of
PO Box 10
Clark, SD 57225

Date Rec'd 03/03/2000
Lab Sample No 00-0136
Source
Depth
Legal ID:

Calcium (Ca)	184 ppm	9.20 me/l
Magnesium (Mg)	56 ppm	4.61 me/l
Sodium (Na)	179 ppm	7.78 me/l
Potassium (K)	9 ppm	0.24 me/l
Sulfate (SO4)	666 ppm	13.87 me/l
Nitrate as N (NO3)	0.005 ppm	me/l
Organic Nitrogen as N	ppm	
Ammonia Nitrogen as N	ppm	
Nitrite as N (NO2)	ppm	
Ortho Phosphorus	ppm	
Total Phosphorus	ppm	
Chloride (Cl)	31 ppm	0.87 me/l
Bicarbonate (HCO3)	439 ppm	7.20 me/l
Carbonate (CO3)	0 ppm	me/l
Iron (Fe)	ppm	me/l
Fluoride (F)	ppm	me/l
Manganese (Mn)	ppm	
Boron (B)	0.54 ppm	
Hardness (EDTA as CaCO3)	690 ppm	40.38 gpg
Total Solids	ppm	
Total Cations		21.83 me/l
Total Anions		21.94 me/l
Alkalinity (Methyl Orange)	360 ppm(as CaCO3)	
Alkalinity (Phenolphthalein)	0 ppm(as CaCO3)	
Electrical Conductivity	1733 micromhos per cm at 25°C	
Sodium Adsorption Ratio (SAR)	2.96 Adjusted SAR	7.90
Sodium	35.64 % of Cations	
Residual Sodium Carbonate	0.00 me/l	
pH	7.71	

gpg = grains per gallon
me/l = milliequivalents per liter

ppm = parts per million

COMMENTS:

Analysis By: Shirley Mittan

Service Performed:	Analysis Cost:	81.00	Amount Received:	.00
Irrigation Analysis	Sales Tax:	3.24	AMOUNT DUE:	84.24
	Total Cost:	84.24		

Make checks payable to: SDSU Water Quality Lab
Please write lab number on your check!
Lab Sample No. 00-0136

REPORT ON WATER PERMIT APPLICATION NO. 6188-3

for Louis Fritz
March 29, 2000

Application No. 6188-3 proposes to appropriate 2.2 cfs (987 gpm) from one well approximately 180 feet deep located in the center of the NW 1/4 of Section 23 to irrigate 320 acres located in the N 1/2 of Section 23; all in T117N-R59W in Clark County.

AQUIFER - ALTAMONT (A)

The Altamont is a buried outwash (sand and gravel) which is under confined or artesian conditions at this site. The driller's log filed with the application indicates medium to coarse sand and gravel beginning at 105 feet and extending to a depth of 160 feet followed by medium sand with clay breaks to 180 feet and fine sand from 180 to 195 feet all below land surface. The test well as completed had a static water level of 90 feet below land surface. The Altamont underlies 537,200 acres and contains an estimated 3.326 million acre feet of water in storage in Clark County (Hedges, 1982). Ground water movement is from east to west across the area of this application (Hamilton, 1986). The Altamont described in the Hedges report is roughly equivalent to the combined Altamont No. 2 and No. 3 of the Hamilton Report.

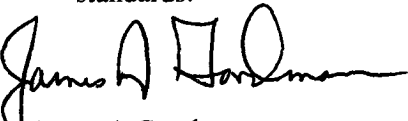
The Water Rights Program monitors two observation wells completed into the Altamont aquifer in this area. Observation well CK-78D is located about two miles north of the well for this application and observation well CK-78E is located less than one mile south of the well for this application. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2000). Hydrographs for these two observation wells are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing permitted diversion from the Altamont aquifer is water right No. 3198A-3. Water Right No. 3198A-3 is located about two miles northwest of the well for this application. Interference is not a concern. Drawdown created by pumping should not be significant at the distance between diversion points. This is illustrated by the observation well hydrographs which do not indicate that drawdown is a significant factor.

CONCLUSIONS

1. Water is available from the Altamont aquifer.
2. The aquifer is confined and under artesian conditions in this area. Drawdown will be created by pumping, however, there does not appear to be much head pressure at this site. It is not expected that drawdown will be significant nor cause adverse effects on existing water rights/permits.
3. The well authorized by this application, if approved, must be constructed in accordance with SD Well construction standards.



James A Goodman
Natural Resources Engineer

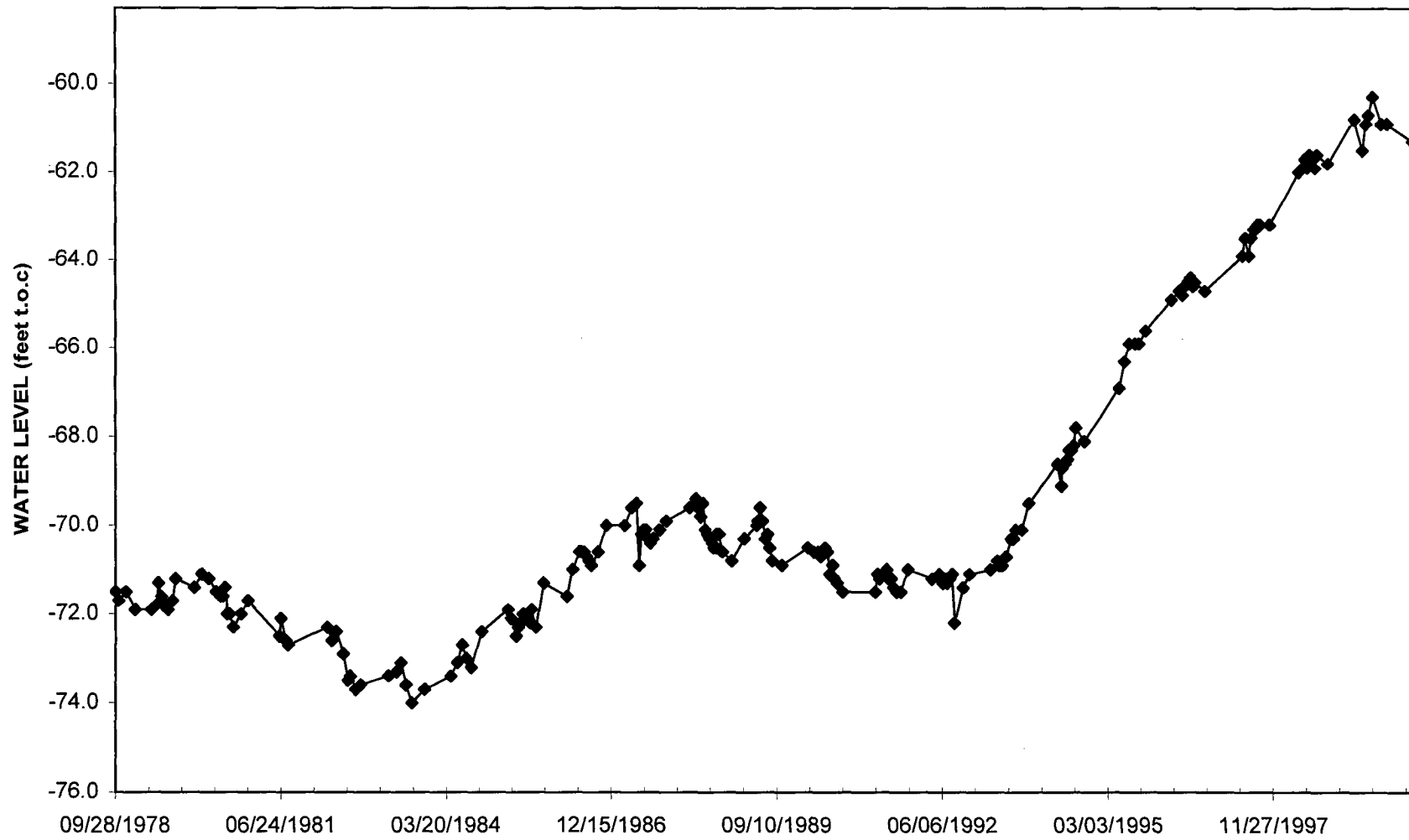
BIBLIOGRAPHY

Hamilton, L.J., 1986, Geology and Water Resources of Clark County, South Dakota, Bulletin 29, Part II: Water Resources, SD DENR, SDGS, Vermillion, SD, 57069.

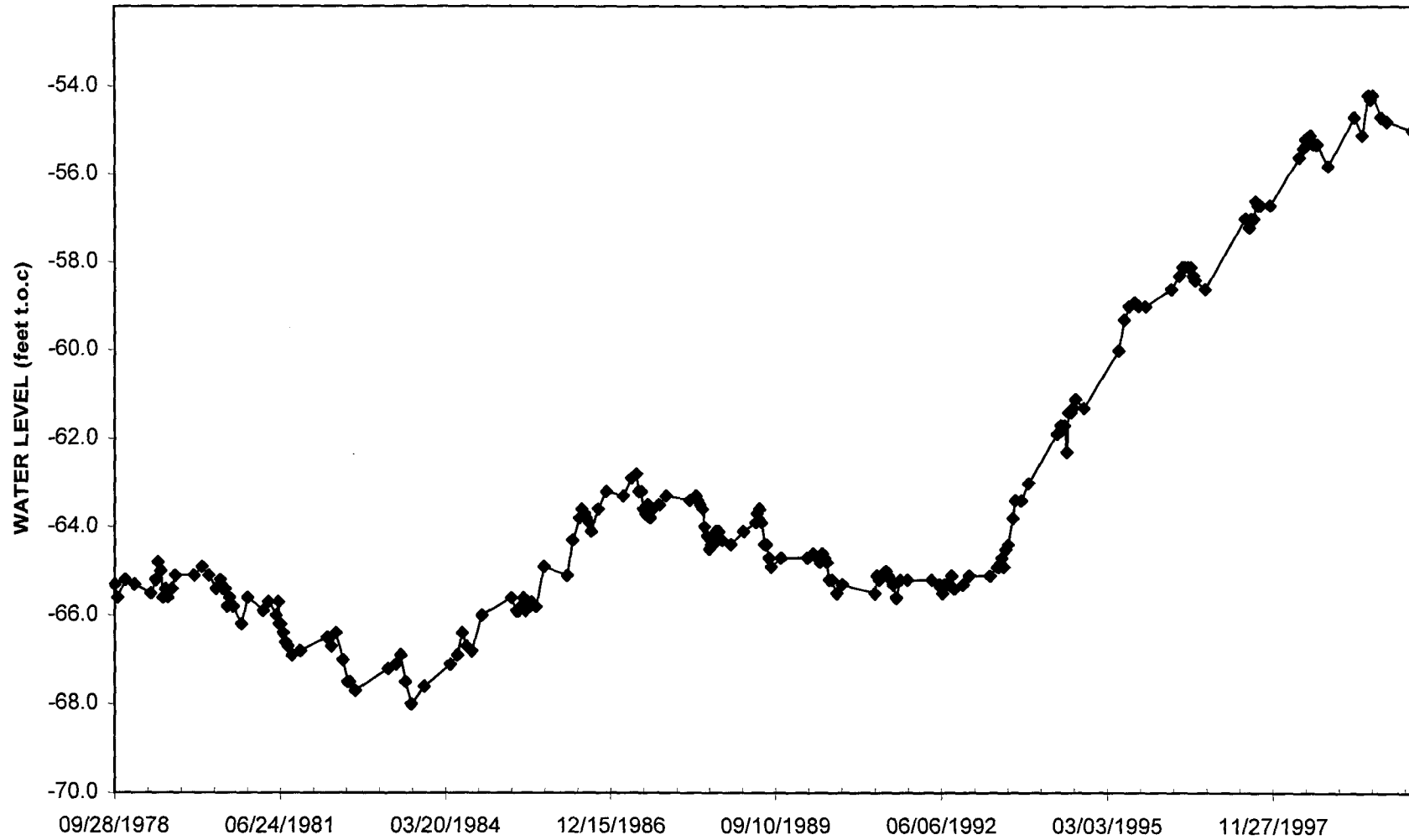
Hedges, L.S., et al., 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2000, Unpublished Observation Well Data for Clark County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
CK-78D



WATER RIGHTS' OBSERVATION WELL CK-78E



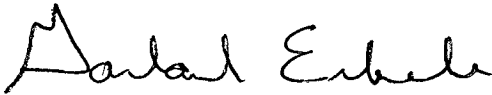
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6188-3, Louis Fritz**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6188-3, Louis Fritz, Rt. 2, Box 10, Raymond, SD 57258.

The Chief Engineer is recommending APPROVAL of Application No. 6188-3 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 well authorized by Permit No. 6188-3 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) from the producing formation to the surface pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

A handwritten signature in black ink, appearing to read "Garland Erbele". The signature is fluid and cursive, with the first name "Garland" being more prominent than the last name "Erbele".

Garland Erbele, Chief Engineer
April 18, 2000



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

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

April 19, 2000

Louis Fritz
Rt 2, Box 10
Raymond, SD 57258

Dear Mr. Fritz:

Water Permit Application No. 6188-3 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 Clark County Courier printed at Clark, SD (Ph # (605) 532-3654). 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
www.state.sd.us/denr

April 19, 2000

Clark County Courier
117 1st Ave. E
Clark, SD 57225

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6188-3 to Appropriate Water to be published twice. Please publish the first notice on April 26, 2000, 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 Louis Fritz, Rt 2, Box 10, Raymond, SD 57258 (Ph # (605) 532-5744).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CU T HERE-----

No. 6188-3

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

Date _____

We are in receipt of your letter of April 19, 2000, enclosing Notice of Hearing to Appropriate Water by Application No. 6188-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on April 26, 2000, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6188-3 to Appropriate Water

Notice is given that Louis Fritz, Rt 2 Box 10, Raymond SD 57258 has filed an application for a water permit to appropriate 2.2 cubic feet of water per second from one well (Altamont Aquifer) 180 feet deep located in the center of the NW ¼ Section 23 to irrigate 320 acres located in the N ½ Section 23; all in T117N-R59W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6188-3 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 May 15, 2000.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

**NOTICE OF APPLICATION NO.
6188-3 to Appropriate Water**

Notice is given that Louis Fritz, Rt 2 Box 10, Raymond, SD 57258, has filed an application for a water permit to appropriate 2.2 cubic feet of water per second from one well (Altamont Aquifer) 180 feet deep located in the center of the NW 1/4 Section 23 to irrigate 320 acres located in the N 1/2 Section 23, all in T117N-R59W.

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Nettie H. Myers, Secretary
Dept. of Environment and Natural
Resources

4-26-20



Affidavit of Publication

State of South Dakota

§

County of Clark

William J. Krikac of said county, being first duly sworn, on oath says that he is the publisher of the **Clark County Courier**, a weekly newspaper printed and published in Clark in said County of Clark and has a full and personal knowledge of all the facts therein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the

**SD Dept. Environment & Nat'l. Resources
Water Rights Program
Notice of Application #6188-3**

a printed copy of which, taken from the paper in which same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for

(two)

successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

**April 26
May 3**

that the full amount of the fees for the publication of the annexed notice is

\$35.03

William J. Krikac

Subscribed and sworn to before me this

4th day of May, 2000

Mauley Thawitz

Notary Public

Clark County, South Dakota

My commission expires

7-9-2005



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

JUN 05 2000

Louis Fritz
Rt 2, Box 10
Raymond, SD 57258

Dear Mr. Fritz:

Enclosed is Water Permit No. 6188-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures



6188-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2006

NOTICE

TO: LOUIS FRITZ, RT 2 BOX 10, RAYMOND, SD 57258
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6188-3 & 6442-3. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 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) 6188-3 & 6442-3 qualification:

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

The hearing will be held at 10:30 am, March 2, 2006 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) 6188-3 & 6442-3 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 on/or before February 24, 2006, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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.

6188-3



Track & Confirm

Current Status

You entered 2303 2160 0000 0799 4923

Your item was delivered at 3:50 pm on January 26, 2006 in RAYMOND, SD 57258. The item was signed for by J LFRITZ.

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U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 4923

LOUIS FRITZ
RT 2 BOX 10
RAYMOND SD 57258

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:
Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com®
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail™ Service
☐ First-Class Mail® parcel
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PS Form 153, May 2002

(See Reverse)



6188-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 9, 2006

6188-3
6442-3

Louis Fritz
41725 168th St
Raymond SD 57258

Dear Mr. Fritz:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Permit Nos. 6188-3 and 6442-3.

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
Environmental Scientist
Water Rights Program
(605) 773-3352

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 02 2008

6188-3
6442-3

Louis Fritz
41725 168th St
Raymond SD 57258

Dear Mr. Fritz:

Enclosed is Water License No. 6442-3. This is the final water right document completing your process of obtaining a Water Right. Also included with your license is a map prepared by the staff engineer who conducted the field investigation.

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. 6442-3, 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.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: The applicable portions of Water Permit No. 6188-3 were incorporated into Water License No. 6442-3.