

**WATER PERMIT NO. 6234-3**

Name of Applicant: James Frankenstein

Address: 39190 181<sup>st</sup> St, Redfield SD 57469

Phone: 605 472-2548

Amount of Water Claimed: 1.67 cfs

Total Acres: 135 acres

Source of Water Supply: groundwater (two wells)

Water to be used for: irrigation

County: Spink

Type of Waste Disposal System:

Location: 8 miles southeast of Redfield

PRIORITY

Date Received: 10-20-2000

Fee: \$250.00

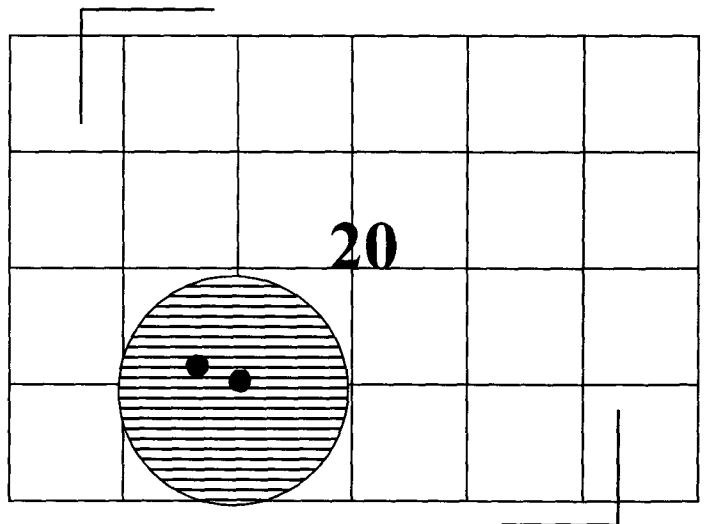
Corrected Application Received::

Period of Annual Use: May 1 – September 30

Remarks:

Diversion Point: NW ¼ SW ¼ and center of  
SW ¼ Sec 20-T115N-R63W

Land to be Irrigated: SW ¼ Sec 20-T115N-R63W



Depth of Well: 65 feet deep

Well Driller: : Pullman Well Drilling

Remarks:

Type of Map: aerial

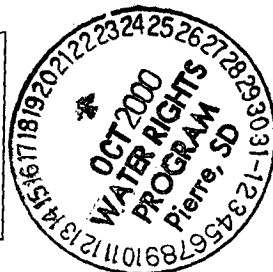
Prepared by: Shane Jordon, NRCS

Reviewed and the Number Assigned on: 10-20-2000

By: Karen Schlaak

Notice of Hearing - date to intervene: \_\_\_\_\_

|                                                                                                                    |                                           |                                                      |
|--------------------------------------------------------------------------------------------------------------------|-------------------------------------------|------------------------------------------------------|
| Mail to:<br>Water Rights Program<br>Joe Foss Building<br>523 E. Capitol<br>Pierre, SD 57501-3181<br>(605) 773-3352 | No. <u>6234-3</u>                         | (office use only)<br>Hydrologic Unit <u>10160006</u> |
|                                                                                                                    | Basin <u>James River</u>                  |                                                      |
|                                                                                                                    | Newspaper <u>Redfield Press, Redfield</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 James Frankenstein Phone 605-472-2548  
(check one) ☒ Owner ☐ Tenant/lessee  
Mailing Address 39190 181st St Redfield State S.D. 57469  
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.67 \*CFS or 750 \*\*GPM \*\*\*AF Total Acreage 135  
(\*Cubic Feet per Second) (\*\*Gallons per Minute) (\*\*\*Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply underground water
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 or 2 wells  
on SW 1/4 - 20 - 115 - 63 (NW 1/4 SW 1/4 and center SW 1/4)  
County Spink
- County or counties where water will be used Spink
- Annual period during which water is to be used May 1 to 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 |
|------------------------------|------------|--------------------------------------|-------|
| <u>center pivot</u>          | <u>135</u> | <u>SW 1/4 Sec. 20 - T115N - R63W</u> |       |
| <u>corners not irrigated</u> | <u>22</u>  |                                      |       |
|                              |            |                                      |       |
|                              |            |                                      |       |

8. Give a description of the project. (Attach sheet if more space is needed)  
I would like to irrigate 135 acres with a center pivot. Hopefully one well will work but if 2 are needed I have no problem with that. (shallow aquifer) one well 65-67 feet deep if second needed 50 feet.

STATE OF SOUTH DAKOTA) SS

County of Spink)

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, James Frankenstein 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 James Frankenstein

Subscribed and sworn to before me this 19 day of Oct 2000

Galen G. Gillette  
Notary Public  
South Dakota

My commission expires August 29, 2003

Galen G. Gillette  
Notary Public signature

## Supplemental Information

(type or print in ink)

### 1. Well Information - Proposed Construction

- a) Drill Hole Diameter 30 inches Depth 65-67 feet
- b) Casing Type plastic Diameter 16 inch Thickness 3/4
- c) Screen Type plastic Diameter 16 inch Thickness 3/4
- d) Gravel Pack 14 inches Length of Gravel Pack 65 feet
- e) Depth to Top of Water Bearing Material 17-18 feet
- f) Depth to Water (ground surface to water level) 17 feet
- g) Distance to nearest existing domestic well:
- On applicants property none On property owned by others 3/4 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

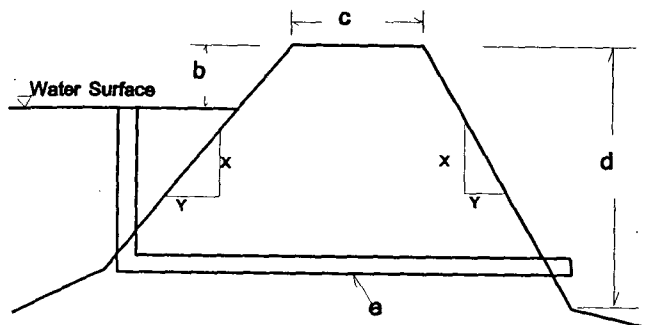
- a) Surface Dimensions \_\_\_\_\_ Depth \_\_\_\_\_
- b) Depth to water (ground surface to water level) \_\_\_\_\_

### 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

**SOUTH DAKOTA  
WATER PERMIT NO. 6234-3**

Date of first receipt of application October 20, 2000.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6234-3 to James Frankenstein, 39190 181<sup>st</sup> St, Redfield SD 57469 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. 6234-3 appropriates 1.67 cubic feet of water per second from 2 wells (Tulare Hitchcock Aquifer) approximately 65 feet deep located in the NW 1/4 SW 1/4 and the center of the SW 1/4 Section 20 to irrigate 135 acres located in the SW 1/4 Section 20; all in T115N-R63W.
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 October 20, 2000.
4. The date of approval of Permit No. 6234-3 is January 2, 2001.
5. One-fifth of the construction is to be completed on or before July 2, 2003.
6. All construction is to be completed on or before January 2, 2006.
7. Water is to be put to beneficial use on or before January 2010.
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 wells 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 wells authorized by Permit No. 6234-3 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.
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

JAN 29 2001

date



# RECEIPT

## Water Rights Program

South Dakota Department of Environment and Natural Resources

No 416661

Pierre, October 20, 2000, \_\_\_\_\_

RECEIVED OF James Frankenstein, 39+90 181st St, Redfield SD 57469

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

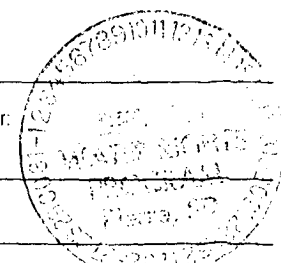
|                                                                                                                                 |       |        |
|---------------------------------------------------------------------------------------------------------------------------------|-------|--------|
| Fee for Application for Permit No. <u>6234-3</u> to Appropriate Water, to construct<br>and to put water to beneficial use _____ | 250   | 00     |
| Fee for Application for Permit No. _____ to Appropriate Water, for Future<br>Use _____                                          |       |        |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                                          |       |        |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water<br>License No. <u>6234-3</u>                  | 50    | 00     |
| Fee for Filing Transfer Form _____                                                                                              |       |        |
| Fee for Filing Extension Request _____                                                                                          |       |        |
| Fee for _____                                                                                                                   |       |        |
| _____                                                                                                                           |       |        |
| _____                                                                                                                           |       |        |
| (Any Other Work Provided by Law)                                                                                                | Total | 300 00 |

By Marland Erbele  
Chief Engineer

KS

## 07-92

Date:



# PULLMAN DRILLING — DRILLERS LOG

Phone: 1-800-451-4884

Jim Frankenstein

10-17-00

Paul Hobbs

JOB NAME

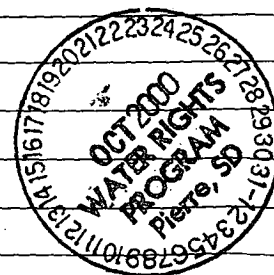
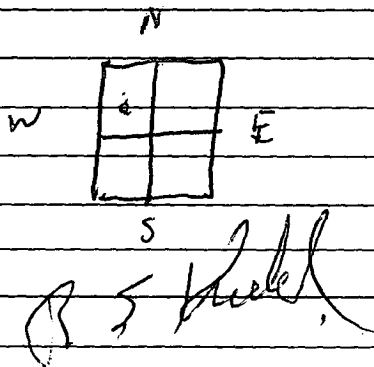
LOCATION

DATE

RIG NO. 11

FOREMAN

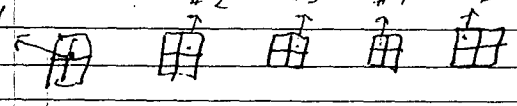
| Jt No. | DEPTH | TIME | REMARKS                                               |
|--------|-------|------|-------------------------------------------------------|
| 1      | 20    |      | 0-16 Yellow Clay 16-20 Yellow sand                    |
| 2      | 40    |      | 20-30 Fine to med gray sand 30-40 med. to Coarse sand |
| 3      | 60    |      | 40-50 med. sand 50-60 Med. to Fine sand               |
| 4      | 70    |      | 60-67 Med. to Fine sand 67-70 Blue Clay               |
| 5      |       |      |                                                       |
| 6      |       |      |                                                       |
| 7      |       |      |                                                       |
| 8      |       |      |                                                       |
| 9      |       |      |                                                       |
| 10     |       |      |                                                       |
| 11     |       |      |                                                       |
| 12     |       |      |                                                       |
| 13     |       |      |                                                       |
| 14     |       |      |                                                       |
| 15     |       |      |                                                       |
| 16     |       |      |                                                       |
| 17     |       |      |                                                       |
| 18     |       |      |                                                       |
| 19     |       |      |                                                       |
| 20     |       |      |                                                       |
| 21     |       |      |                                                       |
| 22     |       |      |                                                       |
| 23     |       |      |                                                       |
| 24     |       |      |                                                       |
| 25     |       |      |                                                       |

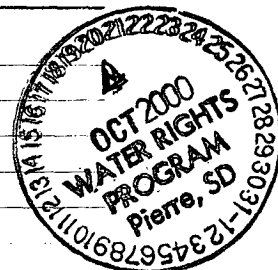


# PULLMAN DRILLING — DRILLERS LOG

Phone: 1-800-451-4884

Jim Frankenstein      ID-17-00      Paul Hoyer  
 JOB NAME      LOCATION      DATE      RIG NO.      FOREMAN

| Jt No. | DEPTH | TIME | REMARKS                                                                              |
|--------|-------|------|--------------------------------------------------------------------------------------|
|        |       |      | <u>#1</u>                                                                            |
|        | 20    |      | 0-16 Yellow Clay 16-20 Yellow sand                                                   |
| 2      | 40    |      | 20-40 Med. sand w/ coal                                                              |
| 3      | 60    |      | 40-50 Med. to coarse sand 50-60 Blue clay                                            |
| 4      |       |      | 3' well                                                                              |
| 5      |       |      | T.D. 53'                                                                             |
| 6      |       |      | 20' 0.14 3" slotted                                                                  |
| 7      |       |      | 33' 3" Blank                                                                         |
| 8      |       |      | Pumped w/ air 50 G.P.M.                                                              |
| 9      |       |      | <u>#2</u><br>Water head 16'                                                          |
| 10     | 20    |      | 0-16 Yellow Clay 16-20 Yellow sand                                                   |
| 11     | 40    |      | 20-30 Fine to med. sand 30-40 med. sand                                              |
| 12     | 60    |      | 40-50 med. to Fine sand 50-60 Blue clay                                              |
| 13     |       |      | <u>#3</u>                                                                            |
| 14     | 20    |      | 0-16 Yellow Clay 16-20 Yellow sand                                                   |
| 15     | 40    |      | 20-30 Fine to med sand 30-40 med. to coarse sand                                     |
| 16     | 60    |      | 40-50 med to coarse sand 50-60 Blue clay                                             |
| 17     |       |      | <u>#4</u>                                                                            |
| 18     | 20    |      | 0-16 Yellow Clay 16-20 Yellow sand                                                   |
| 19     | 40    |      | 20-30 Fine to med sand 30-40 med to Fine sand                                        |
| 20     | 60    |      | 40-50 med. to Fine sand 50-60 Fine to med. sand                                      |
| 21     | 70    |      | 60-67 Fine to med. sand 67-70 Blue Clay                                              |
| 22     |       |      | <u>#5</u>                                                                            |
| 23     | 20    |      | 0-16 Yellow Clay 16-20 Yellow sand                                                   |
| 24     | 40    |      | 20-30 Fine to med sand 30-40 med. to coarse sand                                     |
| 25     | 60    |      | 40-50 Med sand 50-60 med. to Fine sand                                               |
| 26     | 70    |      | 60-67 med. to Fine sand 67-70 Blue Clay                                              |
| 27     |       |      | Wants well for #5                                                                    |
| 28     |       |      |                                                                                      |
| 29     |       |      |                                                                                      |
| 30     |       |      | 420' from center                                                                     |
| 31     |       |      |                                                                                      |
| 32     |       |      | <u>#1</u> <u>#2</u> <u>#3</u> <u>#4</u> <u>#5</u>                                    |
| 33     |       |      |  |
| 34     |       |      |                                                                                      |
| 35     |       |      |                                                                                      |



Second well if needed →

First well →

MAP NOT TO SCALE  
THIS IS NOT AN OFFICIAL WETLAND MAP

DON LUDEMAN

T1442  
1.15.7

T1464

1.5.4

T666

2.5.2

1.130.5

NC

5.4

2.0

3.134.5

4.5.4

Shane Jordan

SW 1/4 20-115-63

NRCS-DC

10-19-00

Well No 1

420 feet

center of field

Well No 2 if needed  
20 feet from NC center

H19

4420-43L

1.5.0

T664

2.5.3

6.120.3

NC

3.134.0 115-63 NC

1.4.5

T1407

NC

3.5.0

6234-3



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 6234-3, James Frankenstein**

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. 6234-3, James Frankenstein, 39190 181<sup>st</sup> Street, Redfield SD 57469.

The Chief Engineer is recommending APPROVAL of Application No. 6234-3 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 wells authorized by Permit No. 6234-3 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.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer  
December 1, 2000

**REPORT ON WATER PERMIT APPLICATION NO. 6234-3**  
**for James Frankenstein**  
**November 8, 2000**

Application No. 6234-3 proposes to appropriate 1.67 cfs (750 gpm) from two wells approximately 65 feet deep located in the NW 1/4 SW 1/4 and the center of the SW 1/4 of section 20 to irrigate 135 acres located in the SW 1/4 of section 20; all in T115N R63W in Spink County.

**AQUIFER - TULARE HITCHCOCK (T-H)**

The Tulare Hitchcock is a surficial outwash (sand and gravel) which is under water table conditions in this area. The Tulare Hitchcock underlies 96,000 acres and contains an estimated 360,000 acre feet of recoverable water in storage in Spink County (Hedges, 1982). The aquifer is hydraulically connected to the Tulare Western Spink aquifer to the west and extends into Beadle County to the southeast. Ground water movement is from southwest to northeast across this area of Spink County (Hamilton, 1996). Recharge to the Tulare Hitchcock aquifer in Spink County has been estimated to be 0.83 inches annually (Kuiper, 1984). This equates to an annual volume of about 6,640 acre feet of water per year for the Spink County portion of the aquifer. Since 1979 (21 years), records of water usage for the Tulare Hitchcock aquifer indicate an average use of 2450 acre feet per year and a maximum water use of 4350 acre feet in 1996. It is obvious that water is still available. At a minimum, 2290 acre feet of additional water could be used in high water use year and using the average year, 4190 acre feet annually.

Test well information provided with the application indicates sand was encountered at a depth of about 16 feet and continued to a depth of about 67 feet. The water level was reported to be about 16 feet below land surface and the three inch test well was capable of producing 50 gpm using air to develop. Four other test holes were drilled in this same quarter section with the sand depth varying from 50 to 69 feet below land surface.

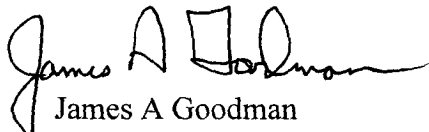
The Water Rights Program does monitor an observation well SP-82E which is located within one mile of this application. Water levels for this well show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2000). A hydrograph for this observation is included with this application.

**REVIEW OF EXISTING WATER PERMITS/RIGHTS**

There are seven existing water permits/rights within a one mile radius of this application. Three existing and one proposed irrigation wells are located in a one-half mile radius of the proposed wells for this application. Interference is not a concern. The water level record for observation well SP-82E does not indicate that pumping in the area causes significant drawdown.

## CONCLUSIONS

1. Water is available from the Tulare Hitchcock aquifer.
2. The aquifer is under water table conditions in this area. Drawdown created by pumping does not extend very far from individual production wells. This is shown by the observation well hydrograph for SP-82E. Interference is not expected to be a concern.
3. The well or wells authorized by this application must be constructed in accordance with SD Well Construction Standards.

  
James A Goodman  
Natural Resources Engineer

## BIBLIOGRAPHY

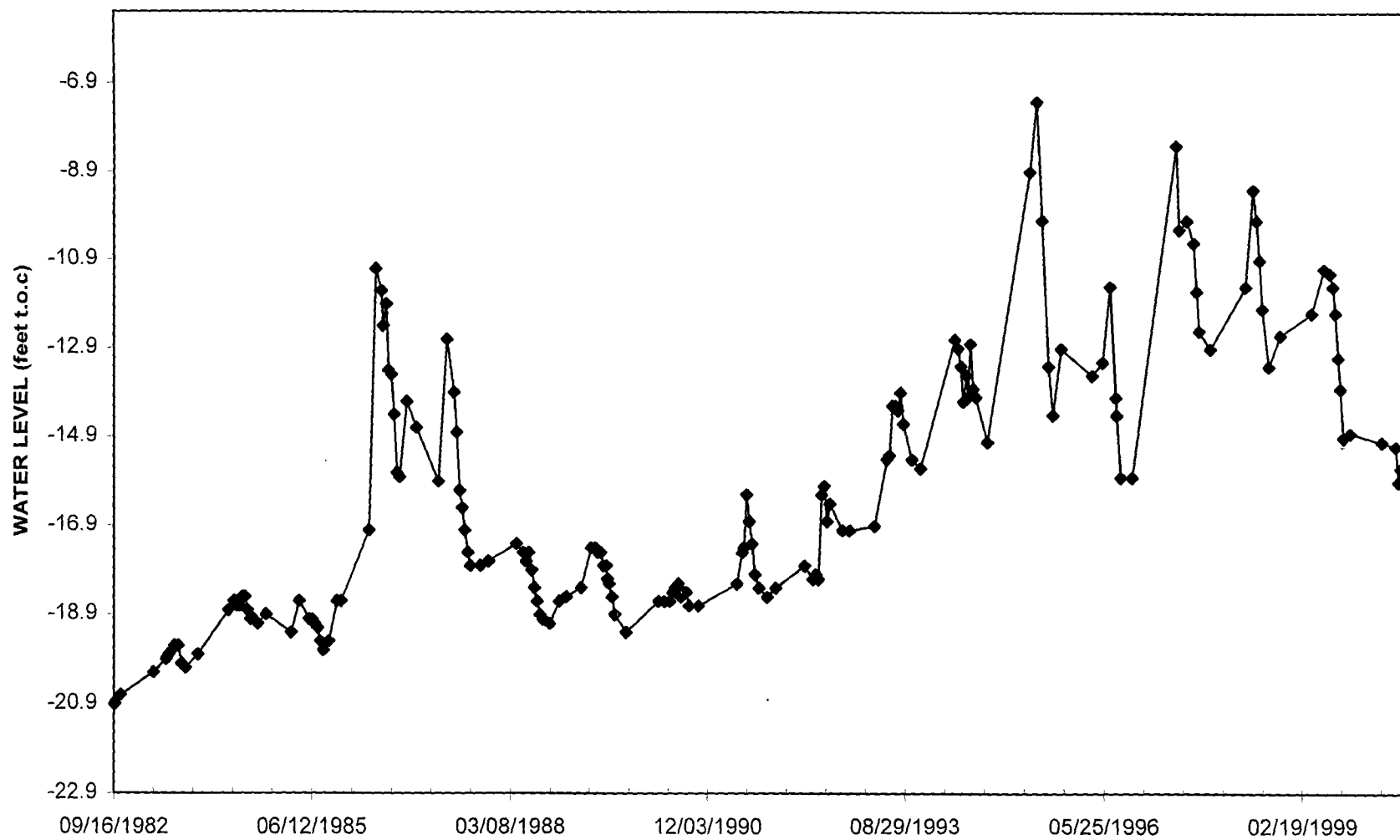
Hamilton, L.J., L.W. Howells, 1996, Water Resources of Spink County, South Dakota, Water Resources Investigations Report 96-4056, USGS, Rapid City, SD, 57702.

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

Kuiper, L.K., 1984, Appraisal of the Water Resources of the Eastern Part of the Tulare Aquifer, Beadle, Hand, and Spink Counties, South Dakota, WRI 84-4078, USGS, Huron, SD, 57350.

Water Rights, 2000, Unpublished Observation Well Data for Spink County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL  
SP-82E**





DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

December 5, 2000

Redfield Press  
Box 440  
Redfield SD 57469-0440

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6234-3 to Appropriate Water to be published twice. Please publish the first notice on December 13, 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 James Frankenstein, 39190 181<sup>st</sup> St, Redfield SD 57469 (Ph # 605 472-2548).

**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. 6234-3

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

Date \_\_\_\_\_

We are in receipt of your letter of December 5, 2000 enclosing Notice of Hearing to Appropriate Water by Application No. 6234-3 which was first published in our issue of \_\_\_\_\_. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Newspaper



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

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

December 5, 2000

James Frankenstein  
39190 181<sup>st</sup> St  
Redfield SD 57469

Dear Mr. Frankenstein:

Water Permit Application No. 6234-3 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 Redfield Press printed at Redfield, SD (Ph # 605 472-0822). 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.

Instruction to Newspaper - Publish first Notice on December 13, 2000 with the second publication 7 days later. The applicant is responsible for payment.

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Notice of Application No. 6234-2 to Appropriate Water

Notice is given that James Frankenstein, 39190 181<sup>st</sup> St, Redfield SD 57469 has filed an application for a water permit to appropriate 1.67 cubic feet of water per second from 2 wells (Tulare Hitchcock Aquifer) approximately 65 feet deep located in the NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  and the center of the SW  $\frac{1}{4}$  Section 20 to irrigate 135 acres located in the SW  $\frac{1}{4}$  Section 20; all in T115N-R63W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6234-3 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 January 2, 2001.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.





JAN 29 2001

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

James Frankenstein  
39190 181<sup>st</sup> St.  
Redfield SD 57469

Dear Mr. Frankenstein:

Enclosed is Water Permit No. 6234-3 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

**NOTICE OF COMPLETION OF WORKS AND  
APPLICATION OF WATER TO BENEFICIAL USE**

Date June 4, 2001

TO: Water Rights Program, DENR  
523 E. Capitol  
Pierre, SD 57501-3181

FROM: James Frankenstein  
(name)

39190 181st Street  
(address)

Redfield, SD. 57469 605-472-2548  
(city, state, zip) (phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

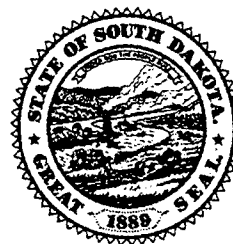
Water Permit No. 6234-3 states that the water use system is to be constructed by  
Jan 2, 2006, and water is to be put to beneficial use by Jan. 2010.  
(date) (date)

The water use system was completed on June 1, 2001.  
(date)

Applying the water to beneficial use was completed on June 1, 2001.  
(date)

You may schedule an investigation so that the water license may be issued.

James Frankenstein  
(signature)



**Permit No. 6234-3**  
**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, **October 2, 2006**, made a thorough examination of the water use system constructed by **James Frankenstein** of **39190 181<sup>st</sup> St., Redfield, SD 57469** holder of Permit No. **6234-3**, bearing the priority of **October 20, 2000** authorizing the diversion of **1.67** cu. ft. per second of the waters of the **Tulare:Hitchcock Aquifer** for **Irrigation** purposes, in **Spink** County.

Inspection contact & relationship     **James Frankenstein (472-2548)**  
to permit holder, if applicable:

**A. Works used to divert the water:**

**Well Information:**

- 1) Well Drilling Firm: **Pullman Well Drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **67** feet
- 4) Well log is available **Y**
- 5) Comment:

**Casing:**

- 1) Diameter **16** inches
- 2) Length **47** feet
- 3) Type **Plastic**

**Screen:**

- 1) Type **PVC**
- 2) Length **20** feet
- 3) Static water level **15** feet

**Pump:**

- 1) Make **Western Land Roller**
- 2) Capacity **650** GPM

**Motor:**

- 1) Make **US Motor**
- 2) Horsepower rating **30** hp

**B. Works used to apply water to beneficial use:**

**Center pivot:**

- 1) Make Valley 8000
- 2) Number of towers 7
- 3) End gun Y
- 4) High or low pressure Low
- 5) Capacity 650 GPM

**Chemigation Equipment:**

- 1) Does chemigate N

**C. Compliance with Permit Requirements:**

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 3) Exceptions to compliance are: None

The system is in Good condition with the point(s) of diversion located as follows: Approximately 1475 feet north and 850 feet east of the SW corner of Section 20-T115N-R63W (N 44.752756. W -98.439707). The works are capable of diverting and conveying to the place of use 1.45 cu. ft. per second of water which is to be used for Irrigation purposes. Water has been put to beneficial use to the maximum extent as follows:

**Section 20-T115N-R63W**

**NW ¼ SW ¼ - 33.5 acres**

**NE ¼ SW ¼ - 33.5 acres**

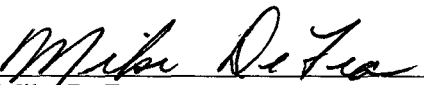
**SW ¼ SW ¼ - 33.5 acres**

**SE ¼ SW ¼ - 33.5 acres**

comprising a total of 134 acres of land and the license should be issued for 1.45 cfs.

All structures, wells and lands on map Y

Comments or other permit(s) associated with the project:

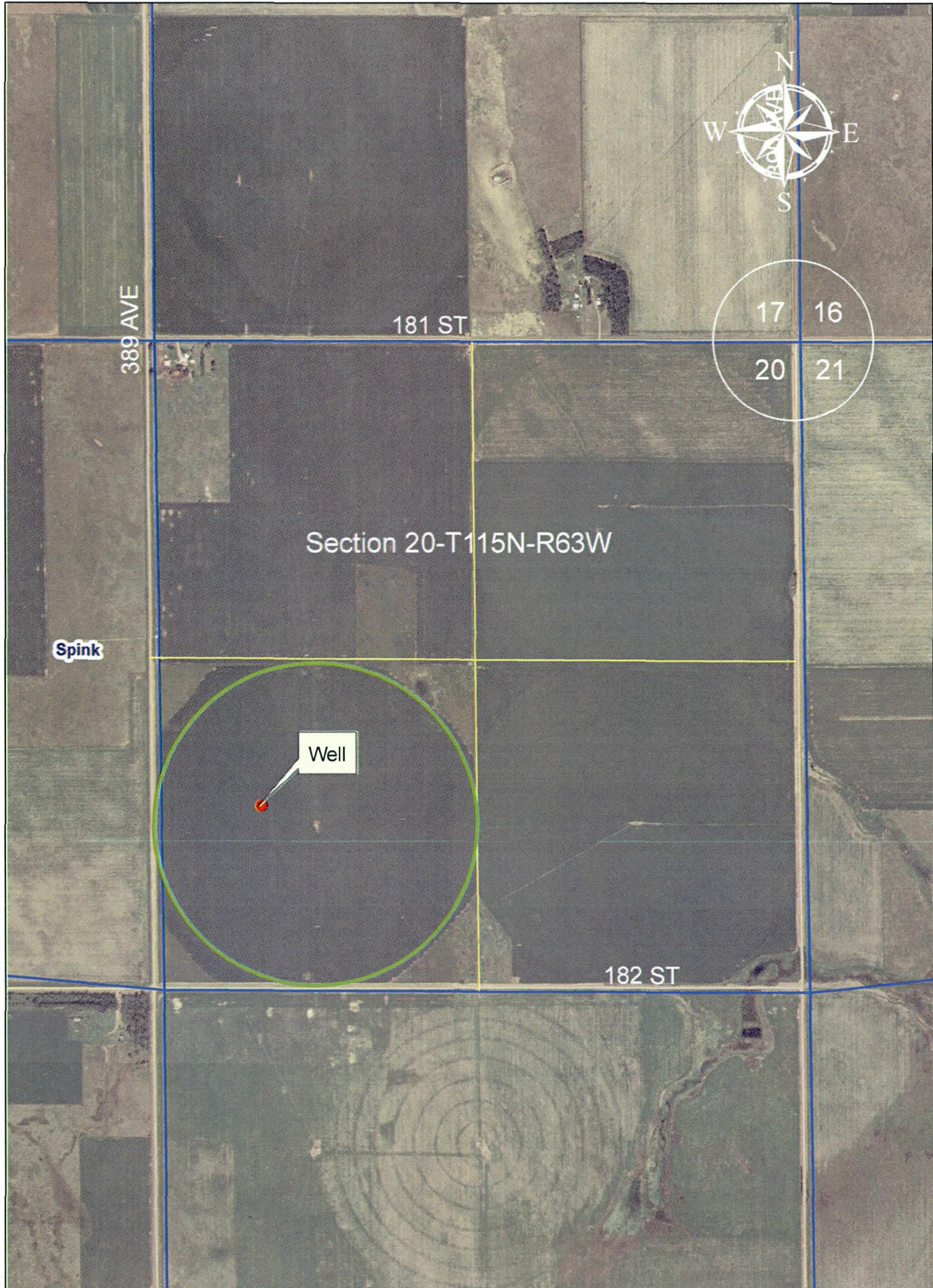
  
Mike DeFea

Natural Resources Project Engineer  
DENR, Water Rights Program

Date report completed: May 30, 2007

James Frankenstein  
39190 181th St.  
Redfield, SD 57469  
472-2548

Water Permit No. 6234-3



*Mike DeFea*

Mike DeFea  
Natural Resources Engineer  
DENR, Water Rights Program  
May 30, 2007



0 500 1,000 2,000 3,000 Feet



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

AUG 03 2007

6234-3

James Frankenstein  
39190 181<sup>st</sup> St  
Redfield SD 57469

Dear Mr. Frankenstein:

Enclosed is Water License No. 6234-3. 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 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. 6234-3, 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

# STATE OF SOUTH DAKOTA

## WATER LICENSE NO. 6234-3

(1) James Frankenstein, 39190 181<sup>st</sup> St, Redfield SD 57469 made Application No. 6234-3, October 20, 2000 for a water permit to divert 1.67 cubic feet of water per second from groundwater (two wells), Spink County, South Dakota for irrigation purposes. Permit No. 6234-3, with a priority date of October 20, 2000 was approved January 2, 2001 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before January 2, 2006 and for the application to beneficial use of water on or before January 2, 2010.

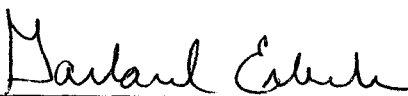
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 6234-3 is issued a license, bearing a priority date of October 20, 2000 to appropriate 1.45 cubic feet of water per second from groundwater (one well) to irrigate 134 acres.

The diversion point is located: approximately 1,475 feet north and 850 feet east of the southwest corner of Section 20-T115N-R63W (NW ¼ SW ¼). The acres authorized for irrigation are as follows:

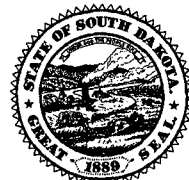
|                              |           |            |
|------------------------------|-----------|------------|
| <b>Section 20-T115N-R63W</b> | NW ¼ SW ¼ | 33.5 acres |
|                              | NE ¼ SW ¼ | 33.5 acres |
|                              | SW ¼ SW ¼ | 33.5 acres |
|                              | SE ¼ SW ¼ | 33.5 acres |
| <b>Total 134 acres</b>       |           |            |

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6234-3 including the following now applicable qualifications:

- The wells 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.
- The wells authorized by Permit No. 6234-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump 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.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

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

AUG 03 2007  
date



6234-3



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
<http://denr.sd.gov>

November 2, 2015

James Frankenstein  
39194 181<sup>st</sup> St  
Redfield SD 57469-7212

RE: Water Right/Permit Nos. 6234-3, 3261-3A, 2440-3, 2422-3, 2278-3

Dear Mr. Frankenstein:

Enclosed is a "Notice" dated October 23, 2015 concerning the 2015 irrigation questionnaires.

The notice was originally mailed to 39190 181<sup>st</sup> St, 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,

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

enclosures