

WATER PERMIT NO. 6442-3

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: no add'l

Source of Water Supply: groundwater

Water to be used for: irrigation

County: Clark

Type of Waste Disposal System:

Location: 2 miles northeast of Raymond

PRIORITY

Date Received: 9-18-2003

Application/License Fee: \$150

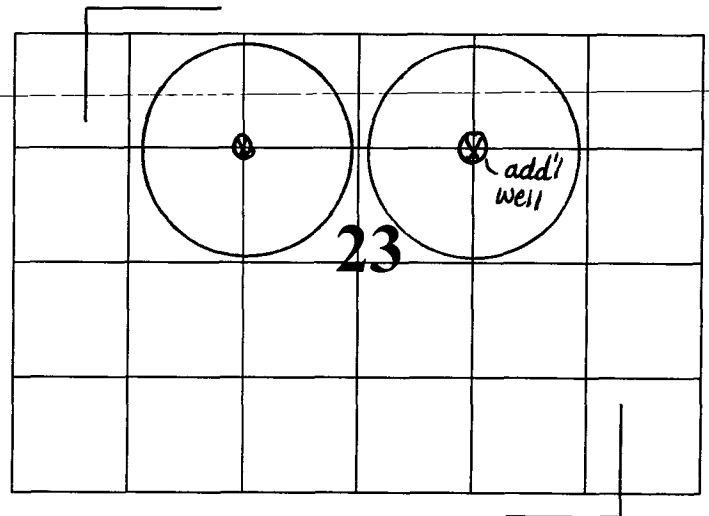
Corrected Application Received:

Period of Annual Use: May 1 – September 30

Remarks: additional diversion point to irrigate lands authorized by No. 6188-3

Diversion Point: center of NE ¼ Sec 23-T117N-
R59W

Land to be Irrigated: NE ¼ Sec 23-T117N-R59W



Depth of Well: 180

Well Driller:

Remarks:

Type of Map: aerial

Prepared by: Lisa Clausen, Clark Co. FSA

Reviewed and the Number Assigned on: 9-18-2003

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 6442-3

Date of first receipt of application September 18, 2003.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6442-3 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. 6442-3 appropriates an additional 2.22 cubic feet of water per second (cfs) from an additional well to irrigate acres authorized by Water Permit No. 6188-3. Water Permit No. 6188-3 authorizes 2.2 cfs from one well located in the center of the NW $\frac{1}{4}$ Section 23 to irrigate 320 acres located in the N $\frac{1}{2}$ Section 23; T117N-R59W. This permit authorizes 2.22 cfs from an additional well (Altamont Aquifer) approximately 180 feet deep located in the center of the NE $\frac{1}{4}$ Section 23 to irrigate the 160 acres located in the NE $\frac{1}{4}$ Section 23; T117N-R59W. This will allow both pivots to run simultaneously.
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 September 18, 2003.
4. The date of approval of Permit No. 6442-3 is December 1, 2003.
5. One-fifth of the construction is to be completed on or before June 1, 2006.
6. All construction is to be completed on or before December 1, 2008.
7. Water is to be put to beneficial use on or before December 1, 2012.
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. 6442-3 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) 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

DEC 29 2003

date



RECEIVED

SEP 18 2003

WATER RIGHTS
PROGRAM

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6442-3</u> (office use only) Hydrologic Unit <u>10160006</u>
	Basin <u>James River</u>
	Newspaper <u>Clark County Couriers, Clark S.D.</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.)

1. Name of Applicant Louis Fritz Phone 532-5744
(check one) ☐ Owner ☐ Tenant/lessee
- Mailing Address Rt 2 Box 10 Raymond State SD 57258
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 2.2 *CFS or 1800 **GPM ***AF Total Acreage 160 (no add'l)
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Altamont Aquifer Well
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Clark
Center of NE 1/4 of Sec 23-117-59
5. County or counties where water will be used Clark
6. Annual period during which water is to be used May 1 - September 30
7. 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
Same as Water Permit No. 6188-3			

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

Plan to construct an additional well and the corresponding diversion rate in order to operate pivots on both of the quarter sections authorized by Permit No. 6188-3. My current water permit authorizes a diversion rate of 2.2 cfs (1000 gpm) to irrigate the N 1/2 of Section 23, T117N, R59W.

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

Subscribed and sworn to before me this 17th day of September 20 03

my comm. expires: 7-27-2008

Jean Lamb
Notary Public signature

(type or print in ink)

1. Well Information - Proposed Construction

- proposed construction*
- 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 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

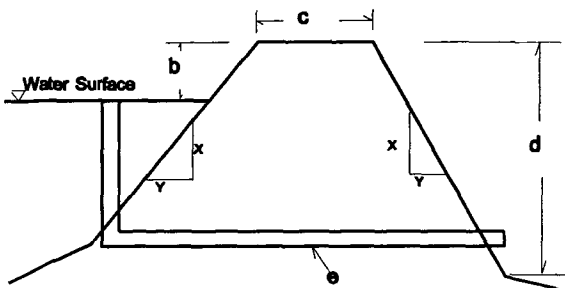
3. Dugout Information

- 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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date September 18, 2003

RECEIVED OF Louis Fritz, KR 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>60442-3</u> to Appropriate Water, to construct 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 _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	150.00

No.

000881

By

Darland Erbe

Chief Engineer

gm

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP



Clark County Farm Service Agency
by Lisa Clausen
9-17-03

6442-3

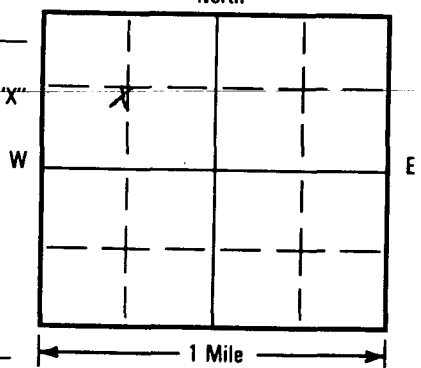
6188-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NE 1/4 NW 1/4 Sec 23 Twp 44 Rg 59
 County Clark
 North

Please mark well location with an "X"



Well Completion Date
6/10/02

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.) 3000 ft. from stock pond (identify source).

PROPOSED USE:

- ☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Forward Rotary

CASING DATA:

- ☐ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>10.5</u> LB/FT	<u>12</u> IN	<u>0</u> FT	<u>120</u> FT	<u>17.5</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Neat Cement</u>	<u>20</u>	<u>900</u> lb./gal	<u>0</u> ft	<u>40</u> ft
<u>Best Grout</u>		_____ lb./gal	<u>40</u> ft	<u>110</u> ft

Describe grouting procedure Cement mix with water then pumped thru screen line

SCREEN:

- ☐ Perforated pipe ☒ Manufactured

Diameter 12 IN Length 40 FEET

Material PVC

Slot Size 251 Set From 120 Feet to 160 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: Flushed with Chlorine
☐ NO, Why Not? back into well with chlorinated water

Laboratory sent to for water quality analysis

Smoking S.D.

Well Owner: Louie Fritz

Business Name: _____

Address: Raymond, S.D.

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top Soil</u>	<u>0</u>	<u>1</u>
<u>Yellow Clay</u>	<u>1</u>	<u>44</u>
<u>Blue Clay</u>	<u>44</u>	<u>105</u>
<u>Medium sand</u>	<u>105</u>	<u>140</u>
<u>Medium to coarse sand</u>	<u>140</u>	<u>160</u>
<u>Fine sand</u>	<u>160</u>	<u>195</u>
<u>Shale</u>	<u>195</u>	

STATIC WATER LEVEL 70 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped

Describe: Pumped with submersible pump

☐ Bailed

☐ Other

Pumping Level Below Land Surface

74 ft. After 6 Hrs. pumped 425 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate 800 GPM

REMARKS

RECEIVED

JUL 03 2002

WATER RIGHTS PROGRAM

This well was drilled under license # 285

And this report is true and accurate.

Drilling firm Manikowski Well Drilling

Signature of License Representative: Byron Manikowski

Signature of Well Owner or Equitable Property Holder: Louie Fritz

Date: 6/21/02

Clark Cg
Raymond Fritz

117-59 Sec. 23

NW Quarter

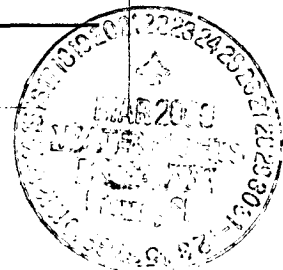
PULLMAN DRILLING — DRILLERS LOG

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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40			

REMARKS:



REPORT ON WATER PERMIT APPLICATION NO. 6442-3
For Louis Fritz
October 22, 2003

Application No. 6442-3 proposes to appropriate 2.22 cfs (1000 gpm) from one well approximately 195 feet deep to irrigate acres authorized by Water Permit No. 6188-3. Water Permit No. 6188-3 authorizes 2.2 cfs from one well located in the center of the NW ¼ of section 23 to irrigate 320 acres located in the N ½ of section 23; T117N R59W in Clark County. This application proposes to appropriate 2.22 cfs from an additional well approximately 180 feet deep located in the center of the NE ¼ of section 23 to irrigate 160 acres located in the NE ¼ of section 23; T117N R59W in Clark County. Approval of this application will allow two pivots to run at the same time.

AQUIFER – ALTAMONT (A)

The Altamont is a buried outwash (sand and gravel) which is under confined or artesian conditions at this site. The Altamont underlies 537,200 acres and contains an estimated 3.326 million acre-feet of recoverable 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 aquifer as described in the Hedges report is roughly equivalent to the combined Altamont No. 2 and No. 3 of the Hamilton report.

The driller's log for the irrigation well completed in the northwest quarter of section 23 indicates yellow clay from 1- 44 feet, blue clay from 44 to 105 feet, medium sand from 105 to 140 feet, medium to coarse sand from 140 to 160 feet and fine sand from 160 to 195 feet. The completed well had a static water level of 70 feet below land surface and was capable of producing 425 gpm with a drawdown of four feet. This yields a specific capacity of 106 gpm/ft of drawdown.

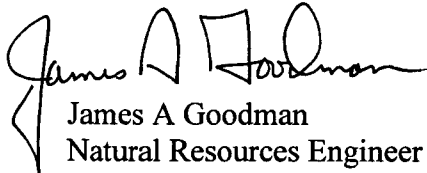
The Water Right Program does monitor two observation wells within a two mile radius of this application. These are CK-78D (located about two miles to the north) and CK-78E (located about one-half mile south of this application). Hydrographs for these two well are included with this report. In general, the water level record indicates that the aquifer does recharge, and that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2003).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing permit/right other than the applicant is located over two miles away. The applicant does have an existing irrigation well authorized by permit No. 6188-3 which is located about one-half west of the well for this application. Some overlapping drawdown may occur between wells, however, this is not expected to be adverse. Interference is not expected to be a concern.

CONCLUSIONS

1. Water is available from the Altamont aquifer.
2. The aquifer is under artesian conditions at this site. Drawdown created by pumping is not expected to be significant. Interference is not expected to be adverse or cause serious problems.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. No test hole information was filed with this application, however, the existing irrigation well log, along with observation well data and information from the county study was used to evaluate this application.



James A Goodman
Natural Resources Engineer

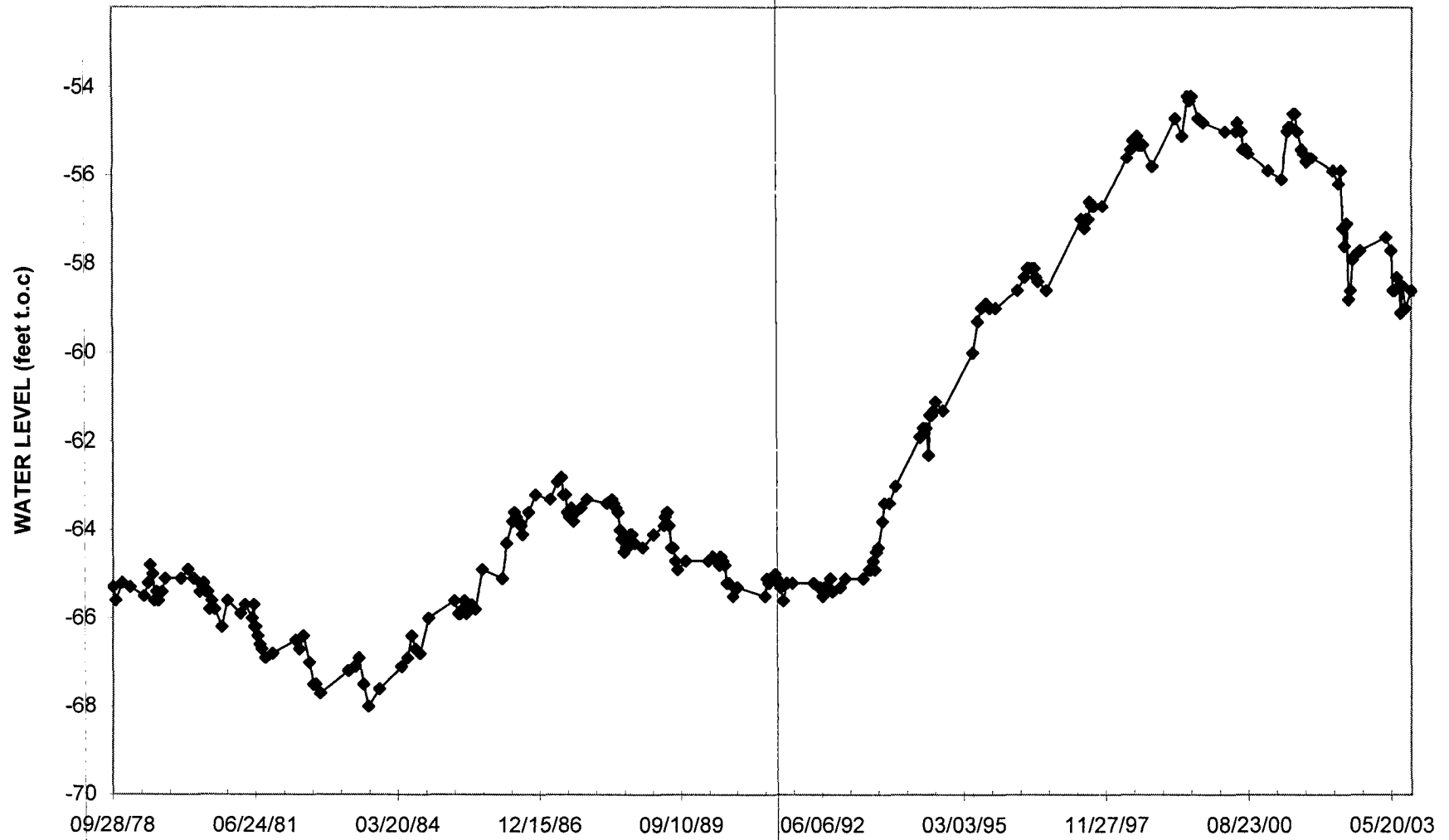
BIBLIOGRAPHY

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.

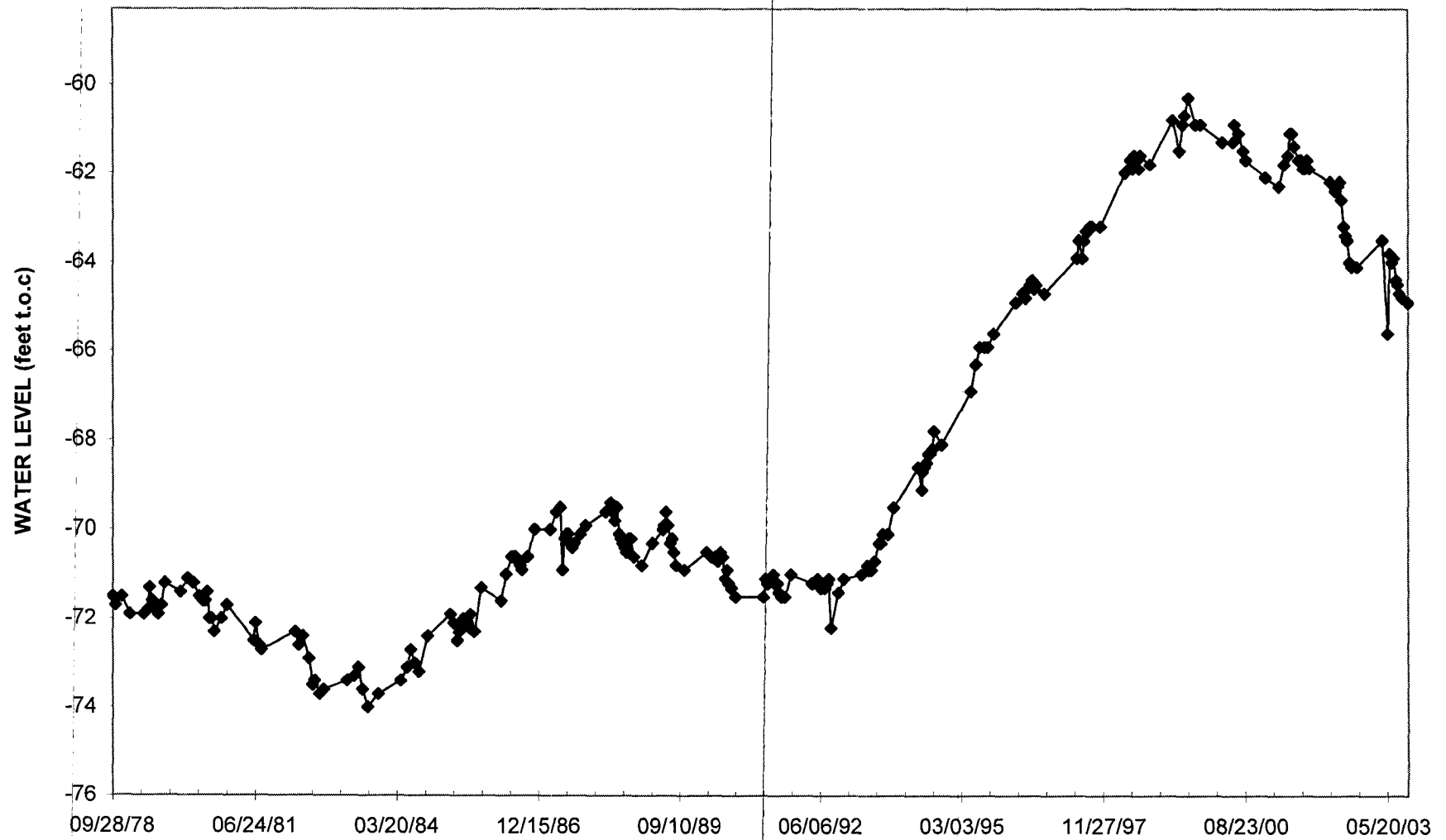
Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2003, Unpublished Observation Well Data for Clark County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL
CK-78E**



WATER RIGHTS' OBSERVATION WELL
CK-78D





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6442-3, Louis Fritz**

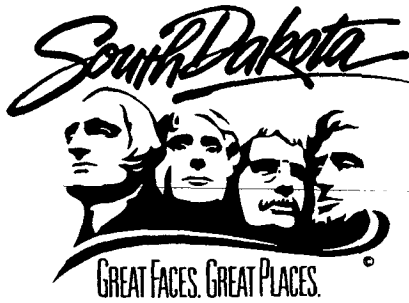
Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6442-3, Louis Fritz, Rt. 2 Box 10, Raymond SD 57258.

The Chief Engineer is recommending APPROVAL of Application No. 6442-3 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. 6442-3 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) 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.

Garland Erbele, Chief Engineer
October 30, 2003



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

www.state.sd.us/denr

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

October 31, 2003

Louis Fritz
Rt 2 Box 10
Raymond SD 57258

Dear Mr. Fritz:

Water Permit Application No. 6442-3 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). You will need to contact the newspaper and authorize publication of this notice. 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. Upon receiving authorization, 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 also 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 /ks

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

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

October 31, 2003

Clark County Courier
119 1st Ave E
Clark SD 57225

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6442-3 to Appropriate Water to be published twice. Please publish the first notice on November 12, 2003 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 (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 /KSS
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

No. 6442-3

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

Date _____
We are in receipt of your letter of October 31, 2003 enclosing Notice of Hearing to Appropriate Water by Application No. 6442-3 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 November 12, 2003 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6442-3 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 and additional 2.22 cubic feet of water per second (cfs) from an additional well to irrigate acres authorized by Water Permit No. 6188-3. Water Permit No. 6188-3 authorizes 2.2 cfs from one well located in the center of the NW ¼ Section 23 to irrigate 320 acres located in the N ½ Section 23; T117N-R59W. This application proposes to appropriate 2.22 cfs from an additional well (Altamont Aquifer) approximately 180 feet deep located in the center of the NE ¼ Section 23 to irrigate the 160 acres located in the NE ¼ Section 23; T117N-R59W. This will allow both pivots to run simultaneously.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6442-3 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 December 1, 2003.

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.

**NOTICE OF APPLICATION
NO. 6442-3**

to Appropriate Water

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application 6442-3 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 December 1, 2003.

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 &
Natural Resources

11-12-21

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

**APPLICATION #6442-3 TO
APPROPRIATE WATER
LOUIS FRITZ**

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:

**November 12, 2003
November 19, 2003**

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

\$44.60

William J. Krikac

Subscribed and sworn to before me this

CEIVED

21 2003

WATER RIGHTS
PROGRAM

19th day November 2003

Kimberly L. Seefeldt

Notary Public
Clark County, South Dakota

My commission expires: 10-02-07



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 29 2003

Louis Fritz
Rt 2 Box 10
Raymond SD 57258

Dear Mr. Fritz:

Enclosed is Water Permit No. 6442-3 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



**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 28, 2005

6442-3

Louie Fritz
RR 2 Box 10
Raymond SD 57258

Dear Mr. Fritz:

Thank you for taking the time to visit with me regarding the irrigation questionnaire for Water No. 6442-3. Based on the numbers you gave me, I completed a questionnaire for you and am enclosing a copy for your records.

I reviewed our files and did find the form you completed for Water Permit No. 6188-3. I have enclosed a copy of that form also. Typically, as a rule of thumb, if an irrigator has more than one permit and only submits one form, I will call them and ask if all information was included on the one form. In your case, I evidently didn't realize one of the forms was missing.

We now have everything we need from you regarding last year's irrigation questionnaires. If I can answer any questions for you, please contact me.

Sincerely,

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



6442-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
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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.



6442-3

**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

Permit No. 6188-3 and 6442-3**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, **June 21, 2006**, made a thorough examination of the water use system constructed by **Louis Fritz** of **41725 168th St., Raymond, SD 57258** holder of Permit No. **6188-3 and 6442-3**, bearing the priority of **March 22, 2000 and September 18, 2003** authorizing the diversion of **2.20 and 2.20** cu. ft. per second (cfs) of the waters of the **Altamont Aquifer** for **Irrigation** purposes, in **Clark** County.

Inspection contact & relationship **Louis Fritz**
to permit holder, if applicable:

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

- 1) Well Drilling Firm: **Pullman Drilling and Manikowski Well Drilling**
- 2) No. of Wells **2**
- 3) Depth(s) (feet)

NW Well: 195**NE Well: 195**

- 4) Well log is available **Y**

Casing:

- 1) Diameter **12** (inches)
- 2) Length (feet)

NW Well: 165**NE Well: 120**

- 3) Type **Steel**

Screen:

- 1) Type **PVC**
- 2) Length (feet)

NW Well: 37**NE Well: 40**

- 3) Static water level (feet)

NW Well: Unknown

NE Well: 70

Pumps:

NW Well

- 1) Make **Goulds Submersible**
- 2) Model **10RLC**
- 3) Size **60 hp**
- 4) Capacity **800** GPM

NE Well

- 1) Make **Grundfos**
- 2) Model **800S-750-3A**
- 3) Size **75 hp**
- 4) Capacity **800** GPM

B. Works used to apply water to beneficial use:

Center pivot: Both Pivots are Identical

- 1) Make **(2) Valley**
- 2) Overall length **1290** feet
- 3) Number of towers **7**
- 4) End gun **Y**
- 5) High or low pressure **High**

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**

Report of Examination of Works

Permit No. 6188-3 & 6442-3

The system is in **Good** condition with the point(s) of diversion located as follows:

NW Well: Approximately 1320 feet south and 1320 feet east of the NW corner of Section 23-T117N-R59W (N 44.93194, W -97.89620).

NE Well: Approximately 1285 feet south and 1330 feet west of the NE corner of Section 23-T117N-R59W (N 44.93201, W -97.88625).

The works are capable of diverting and conveying to the place of use **3.56** 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 23-T117N-R59W

NW ¼ - 134 acres

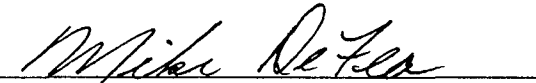
NE ¼ - 134 acres

comprising a total of **268** acres of land and the license should be issued for **3.56** cfs.

All structures, wells and lands on map **Y**

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

Water Permit No. 6188-3 authorizes the diversion of 2.20 cfs of water from the Altamont aquifer to irrigate 268 acres in the NW ¼, NE ¼ Section 23-T117N-R59W. Water Permit No. 6442-3 authorizes an additional 2.20 cfs of water from the same aquifer in order to operate the two pivot systems simultaneously. Water Permit No. 6188-3 and Water Permit No. 6442-3 should be incorporated to reflect the system as developed while each retaining their priority dates of March 22, 2000 and September 18, 2003.



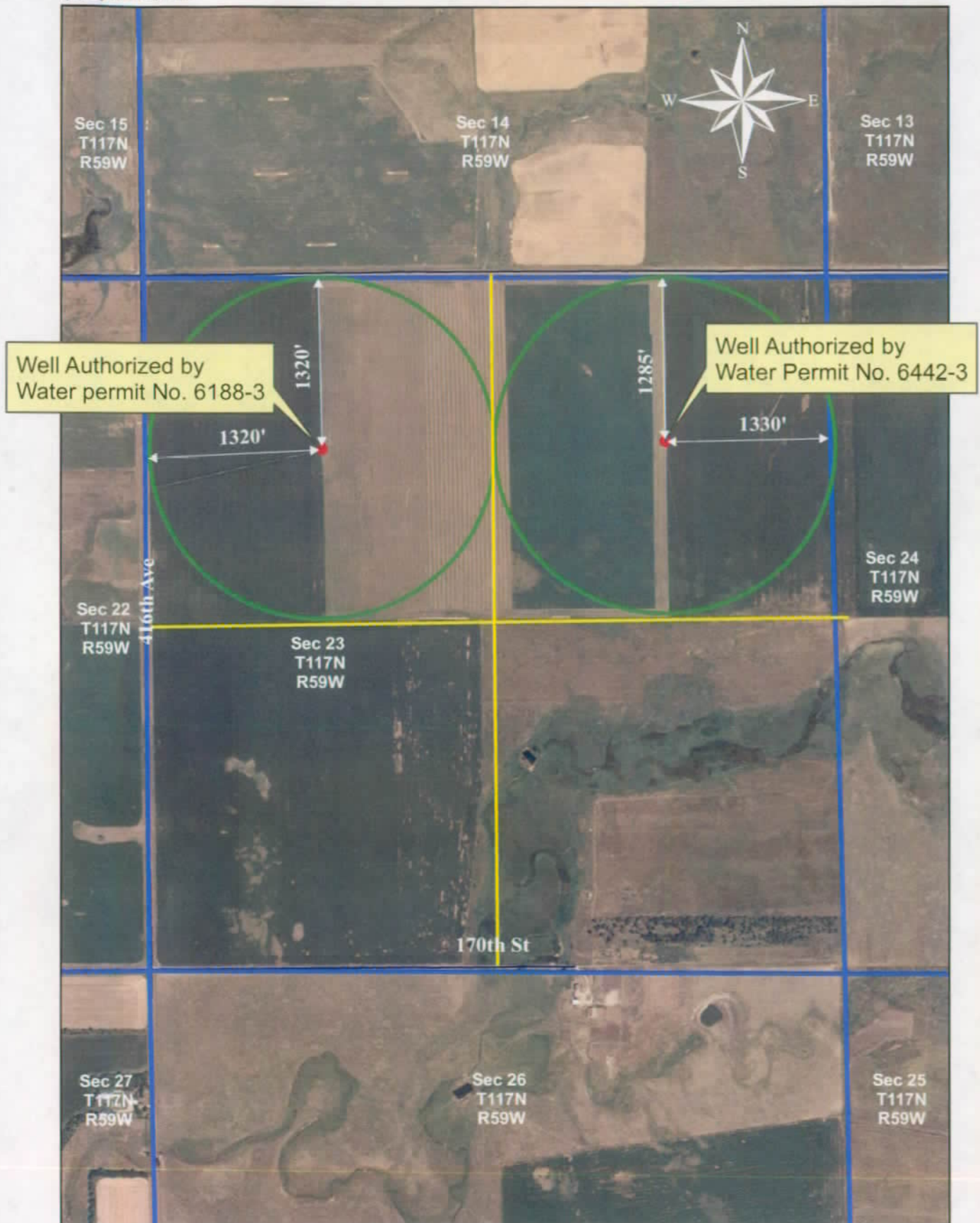
Mike DeFea

Natural Resources Project Engineer
DENR, Water Rights Program

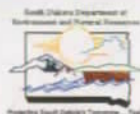
Date report completed: **January 9, 2008**

Louis Fritz
Rt 2 Box 10
Raymond, SD 57258
(605) 532-5744

Water Permit Nos. 6188-3 & 6442-3



Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
January 9, 2008



0 0.125 0.25 0.5 Miles

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location Center 1/4 NE 1/4 Sec. 23 Twp 17N Rg 69W

County

North

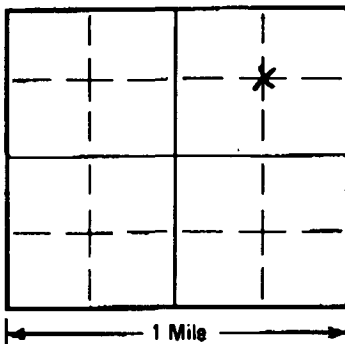
Clark

Please mark well location with an "X"

W

E

Well Completion Date

3-21-04

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.): 1300 ft. from stock dam (identify source).

PROPOSED USE:

- ☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Forward RotaryCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>class 200</u> LB/FT	<u>12</u> IN	<u>11</u> FT	<u>174</u> FT	<u>17 1/2</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>bottom to top</u>	<u>30</u>	<u>9.7</u> lb./gal	<u>0</u> ft	<u>174</u> ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure from line from bottom of hole to topSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 12 IN Length 20 FEETMaterial stainless steelSlot Size 0.70 Set From 174 Feet to 194 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

X YES, How: chlorinatedX NO, Why Not? water flushed

Laboratory sent to for water quality analysis _____

back in well
Tests have been sent on other wells for irrigation use.Well Owner: Louis Fritz

Business Name: _____

Address: RT 2 Box 10
Raymond, SD

WELL LOG:

DEPTH

FORMATION	DEPTH	
	FROM	TO
Top soil	0	1
yellow clay	1	39
Blue clay	39	72
Gravelly till	72	76
Blue clay	76	111
Fine silty sand	111	140
medium to coarse sand	140	210
Blue clay & sand layers	210	215

STATIC WATER LEVEL 99 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ PumpedDescribe: 50 hp submersible pump☐ Bailed☐ Other

Pumping Level Below Land Surface

114 ft. After 4 Hrs. pumped 900 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 285

And this report is true and accurate.

Drilling firm Manikowski Well DrillingSignature of License Representative: Byron Manikowski

Signature of Well Owner or Equitable Property Holder: _____

Date: 3/26/04

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6442-3

(1) Louis Fritz, 41725 168th St, Raymond SD 57258 made Application No. 6442-3, September 18, 2003 for a water permit to divert 2.22 cubic feet of water per second from ground water (one additional well – Altamont Aquifer), Clark County, South Dakota to irrigate land described in Water Permit No. 6188-3. Permit No. 6442-3, with a priority date of September 18, 2003 was approved December 1, 2003 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before December 1, 2008 and for the application to beneficial use of said water on or before December 1, 2012.

Water Permit No. 6188-3, with a priority date of March 22, 2000, authorizes diversion of 2.20 cfs from one well to irrigate 320 acres in the N ½ Section 23, T117N, R59W. Water Permit No. 6442-3 was obtained to add a well and diversion rate to irrigate the same land allowing the two pivots to run simultaneously.

The applicable portions of Water Permit No. 6188-3 have been incorporated into this water license. A priority date of March 22, 2000 is retained for diversion of water from the well in the NW ¼ Section 23 and a priority date of September 18, 2003 is retained for diversion of water from the well in the NE ¼ Section 23, T117N, R59W.

(2) It is certified that the permit holder 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 3.56 cubic feet of water per second for beneficial use. The location of the diversion points are:

- **NW well:** 1,320 feet S & 1,320 feet E of the NW corner of Section 23, T117N, R59W (center of NW ¼ - priority date of March 22, 2000);
- **NE well:** 1,285 feet S & 1,330 feet W of the NE corner of Section 23, T117N, R59W (approximate center of NE ¼ - priority date of September 18, 2003)

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

Section 23, T117N, R59W	NW ¼	134 acres
	NE ¼	134 acres
	Total	268 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Louis Fritz, 41725 168th St, Raymond SD 57258 the holder and/or owner of Incorporated Water Right No. 6442-3 is issued a license to appropriate water, the right to use 3.56 cubic feet of water per second from ground water (two wells) with priority dates of March 22, 2000 (1.78 cfs) and September 18, 2003 (1.78 cfs) from the locations specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation.

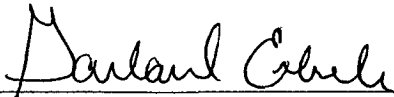
This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Right No. 6442-3 and subject to the following qualifications:

- The wells 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.

continued

Water License No. 6442-3

- The wells authorized by Permit No. 6188-3 and 6442-3 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) from the producing formation to the surface pursuant to Section 74:02:04:28 (*wells are in place and logs on file with the Water Rights Program*).
- This Water Right is subject to the irrigation water use questionnaire being submitted each year.



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

APR 02 2008

date





**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.