

WATER PERMIT NO. 6858-3

Name of Applicant: Gary or Amy Freeburg

Address: PO Box 188, Gayville SD 57031

Phone: 605 267-4426

Amount of Water Claimed: 2.0 cfs

Total Acres: 35 add'l

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation

County: Yankton

Type of Waste Disposal System:

Location: 3 miles west of Volin

PRIORITY

Date Received: 5-29-2007

Application/License Fee: \$200

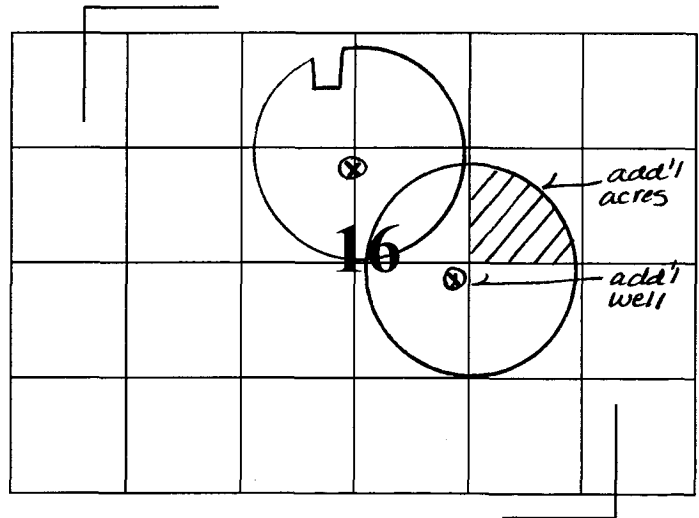
Corrected Application Received:

Period of Annual Use: April 1 – October 31

Remarks: Add'l well to irrigate acreage authorized by Water Permit No. 6650-3 and 35 additional acres

Diversion Point: NW ¼ SE ¼ Sec 16-T94N-R54W

Land to be Irrigated: SE ¼ NW ¼ Sec 16-T94N-R54W



Depth of Well: 80 feet deep

Well Driller: : Hammond Wetmore Drilling

Remarks:

Type of Map: aerial

Prepared by: Eric Gronlund

Reviewed and the Number Assigned on: 5-29-07

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

RECEIVED
MAY 29 2007
WATER RIGHTS
PROGRAM

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)	
	No. <u>6858-3</u>	Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>	
	Newspaper <u>Daily Press & Dakotan</u> PO Box <u>56</u> <u>605-665-7811</u> <u>Yankton SD 57078</u>	

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. 6650-3
(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) New well
to feed the 2nd center pivot system.

- Name of Applicant Gary or Amy Freeburg Phone 605-267-4426
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 102 Iverson Street PO Box 188 Gayville State SD 57031
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 2.0 *CFS or 900 **GPM ***AF Total Acreage 35
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply ground
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 well in NE corner
of NW 1/4 of SE 1/4 of Section 16, T94N, R54W in
Yankton County. (NW 1/4 SE 1/4) County Yankton
- County or counties where water will be used Yankton
- Annual period during which water is to be used April thru October 31
- 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
SW 1/4 of NE 1/4 of Section 16	35A		
SE 1/4 of NE 1/4 of Section 16	35A	owners Gary, Rick & Julie Smith	
NW 1/4 of SE 1/4 of Section 16	35A		
NE 1/4 of SE 1/4 of Section 16	35A		

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

Irrigate 140 Acres crop land from one well using a center
pivot machine.

STATE OF SOUTH DAKOTA) SS
County of Yankton

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, Amy Freeburg, 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 Amy Freeburg

Subscribed and sworn to before me this 24th day of May 2007

Notary Public signature

My Commission Expires November 2012

SOUTH DAKOTA
WATER PERMIT NO. 6858-3

Date of first receipt of application May 29, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6858-3 to Gary or Amy Freeburg, PO Box 188, Gayville SD 57031 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. 6858-3 appropriates an additional 2.0 cubic feet of water per second (cfs), authorizes an additional well and irrigation of 35 additional acres than currently authorized by Water Permit No. 6650-3. Water Permit No. 6650-3 authorizes 2.0 cfs from one well to irrigate 215 acres located in the E 1/2 NW 1/4, W 1/2 NE 1/4, N 1/2 SE 1/4 Section 16-T94N-R54W. This permit appropriates 2.0 cfs from an additional well completed into the Missouri:Elk Point Aquifer (80 feet deep) located in the NW 1/4 SE 1/4 Section 16 to irrigate 35 additional acres located in the SE 1/4 NE 1/4 Section 16; all in T94N-R54W. The additional well will serve a pivot that will irrigate 35 additional acres to the 105 acres located in the SW 1/4 NE 1/4, N 1/2 SE 1/4 Section 16-T94N-R54W currently authorized by Water Permit No. 6650-3. This permit allows two pivots to run independently.
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: April 1 – October 31.
3. The date from which applicant may claim right is May 29, 2007.
4. The date of approval of Permit No. 6858-3 is August 13, 2007.
5. One-fifth of the construction is to be completed on or before February 13, 2010.
6. All construction is to be completed on or before August 13, 2012.
7. Water is to be put to beneficial use on or before August 13, 2016.
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 wells authorized by Permit Nos. 6650-3 and 6858-3 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.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

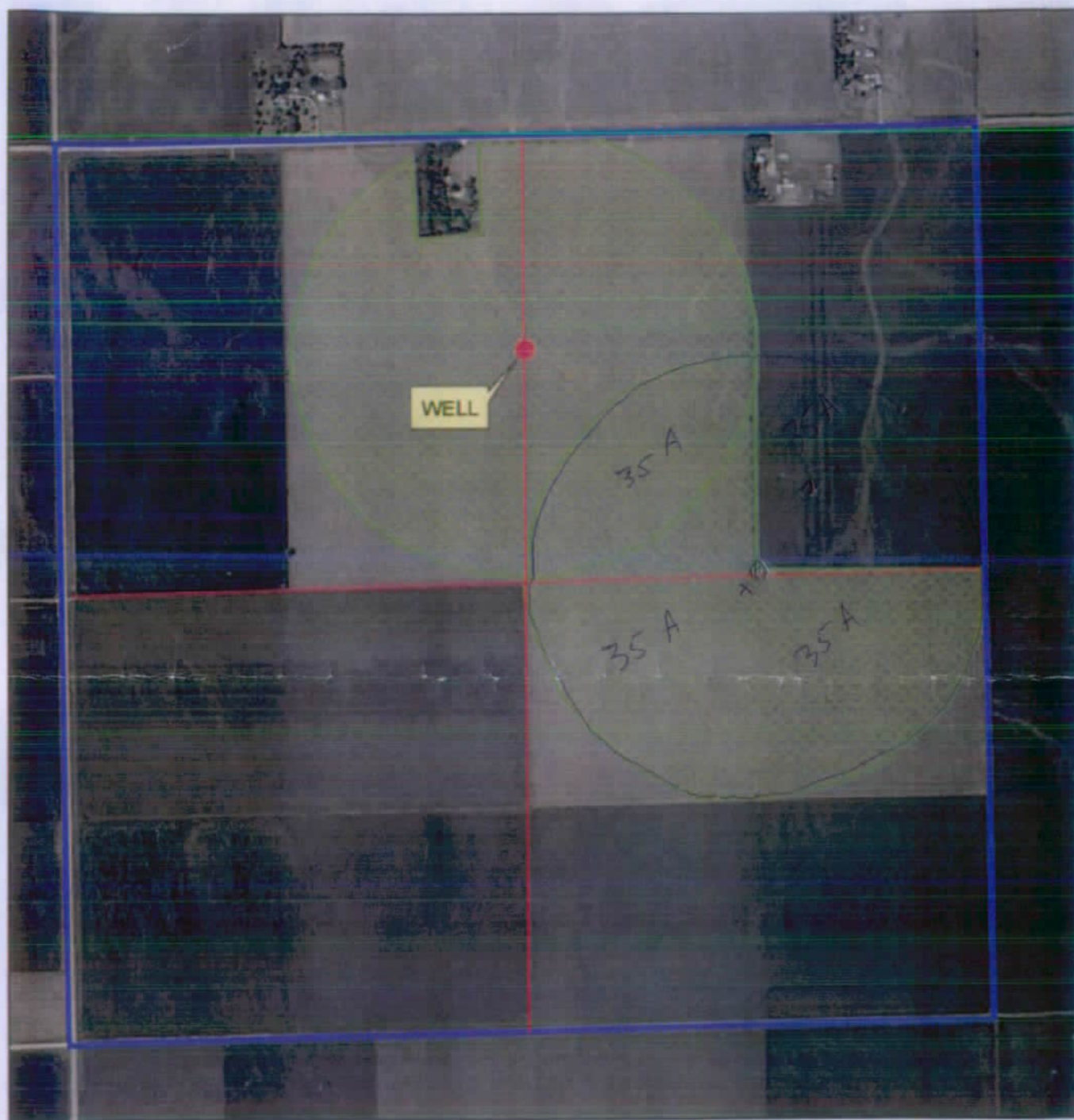
By: Garland Erbele

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

OCT 19 2007

date





1,600 800 0 1,600 Feet

New well and irrigated acres located in portions of Section 16, T94N, R54W in Yankton County.



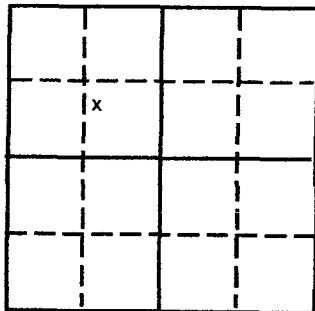
Eric Gronlund
Eric Gronlund
Water Rights Program, DENR

11-02

Date: 2/28/06

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location se $\frac{1}{4}$ nw $\frac{1}{4}$ Sec 16 Twp 94n Rg 54wCounty
YanktonPlease mark well
location with an "X"

1 Mile

Well Completion Date

2/17/2006

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

2,300.0 ft. from septic tank (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT LB/FT	DIAMETER IN	FROM FT	TO FT	HOLE DIAMETER IN
	16.00	0.0	15.0	22.00

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight Lb/gal	From Ft	To Ft
Bent grt	9	9.5	0.0	13.0

Describe grouting procedure
tremie

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 16.00 Inches Length 60.0 Feet
 Material pvc
 Slot Size .060 Set From 15.0 Feet to 75.0 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? hth tablets
☐ No, Why Not?
Lab sample sent to for
water quality analysisWell Owner: Gary Freeburg

Business Name:

Address: Box 188City, State, Zip: Gayville SD 57031

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Silt, brown, clayey	0	12
gravel, medium grained, sandy	12	55
Sand, medium to coarse	55	75

STATIC WATER LEVEL 21.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

RECEIVED

WELL TEST DATA:

☐ Pumped Describe:
☐ Bailed
☐ Other

FEB 01 2007

WATER RIGHT
PROGRAM

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

This well was drilled under license # 666

And this report is true and accurate.

Drilling firm: Hammond Wetmore Drilling

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 2/28/06

2-2-07

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 5/29, 20 07

RECEIVED OF GARY FREEBURG PO BOX 188 Gayville SD 57031

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

Fee for Application for Permit No. <u>10858-3</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. <u>10858-3</u>	50	00
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	200	00

No.

03055

Garland Erbe
Chief Engineer



February 16, 2007

Gary and Amy Freeburg
Box 188
Gayville SD 57031

Dear Mr. and Mrs. Freeburg:

As stated in our phone conversation this morning, I am writing regarding well driller's reports filed by Hammond Wetmore Drilling. The reports show two wells were completed in Section 16. Water Permit No. 6650-3 authorizes 2.0 cubic feet of water (900 gallons per minute) from one well to irrigate 215 acres in the W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 16-T94N-R54W (copy enclosed).

South Dakota Codified Law 46-5-13.1 provides that a point of diversion (well) may be changed or additional points of diversion may be approved without application or publication of a notice of hearing if the additional point of diversion is from the same source of water, no additional water is appropriated and the Chief Engineer makes a finding that the change does not increase the potential for interference with existing diversions.

This means if you do not divert more than 900 gpm total from the two wells, then we just need a letter requesting the additional well. You can mark the well locations on the map that Eric prepared for Water Permit No. 6650-3.

If the total diversion rate from the two wells is more than 900 gpm, then a new water permit application is required for the additional well. Enclosed are application forms and instructions, if necessary.

If you have any questions, please contact Eric Gronlund or me. We will be happy to assist you in any way possible.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosures

6858-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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



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**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6858-3, Gary and Amy Freeburg.**

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. 6858-3, Gary and Amy Freeburg, PO Box 188, Gayville SD 57031.

The Chief Engineer is recommending APPROVAL of Application No. 6858-3 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 qualification:

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 Nos. 6650-3 and 6859-3 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.
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
July 12, 2007

REPORT ON WATER PERMIT APPLICATION NO. 6858-3
For Gary or Amy Freeburg
June 15, 2007

Application No. 6858-3 proposes to appropriate an additional 2.0 cfs, drill an additional well and irrigate an additional 35 acres than currently authorized by Water Permit No. 6650-3. Water Permit No. 6650-3 authorizes 2.0 cfs from one well to irrigate 215 acres located in the E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ of section 16, T94N R54W. This application proposes to appropriate 2.0 cfs from an additional well completed to a depth of approximately 80 feet and located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of section 16 to irrigate 35 additional acres located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 16; all in T94N R54W in Yankton County. If approved, the additional well will serve a pivot that will irrigate the 35 additional acres and 105 acres located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ of section 16, T94N R54W authorized by Water Permit No. 6650-3. This application will allow each of the two pivots to run independently.

AQUIFER – MISSOURI ELK POINT (M-EP)

The Missouri Elk Point is an alluvium mantled outwash (sand and gravel) that is under water table conditions in this area. The aquifer can be encountered under artesian conditions in other parts of Yankton County. The aquifer underlies 45,000 acres and contains an estimated 675,000 acre-feet of recoverable water in storage in Yankton County (Hedges, 1982). The Missouri Elk Point aquifer as described by Hedges is basically equivalent to the "southern portion" of the Lower James Missouri aquifer as described in the Yankton County study (Bugliosi, 1986). The aquifer extends into Clay County to the east and blends into the Lower James Missouri aquifer to the north and is hydraulically connected to both the James and Missouri Rivers. Ground water movement is basically from northwest to southeast and locally toward the Missouri River.

The well for this application has been constructed and is completed in accordance with SD Well Construction Standards. No testing information is available but the well has a static water level of 21 feet below land surface and is 80 feet deep. The completed well is cased with 16 inch diameter plastic and screened from 37 to 78 feet with 0.08 slot pvc screen.

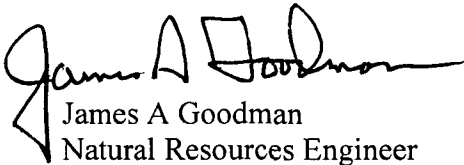
The Water Rights Program monitors two observation wells completed into the aquifer and within one mile of this application. These are observation wells YA-78F and YA-80JA. Water levels for these two wells show good response to climatic conditions. The water levels rise during wet periods and gradually decline during dry periods. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2007). Hydrographs for these two observation wells are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The well for the existing Water Permit No. 6650-3 is located about one half mile northwest of this proposed well. Interference is not expected to be a concern. At this distance between wells drawdown is not expected to be significant. The next closest irrigation well is located over one mile to the east.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. The aquifer is under water table conditions in this area. Drawdown created by pumping is not expected to be significant. This is verified by the observation well records. Interference is not a concern.
3. This is an existing well and has been constructed in accordance with SD Well Construction Standards.
4. This application requests a diversion rate of 2.0 cfs. Since the total acreage under this system will be 140 acres this is an acceptable diversion rate however, some of the lands (SW ¼ NE ¼) will be watered with two systems. The amount of water applied to these lands is limited to two acre-feet per acre.



James A Goodman
Natural Resources Engineer

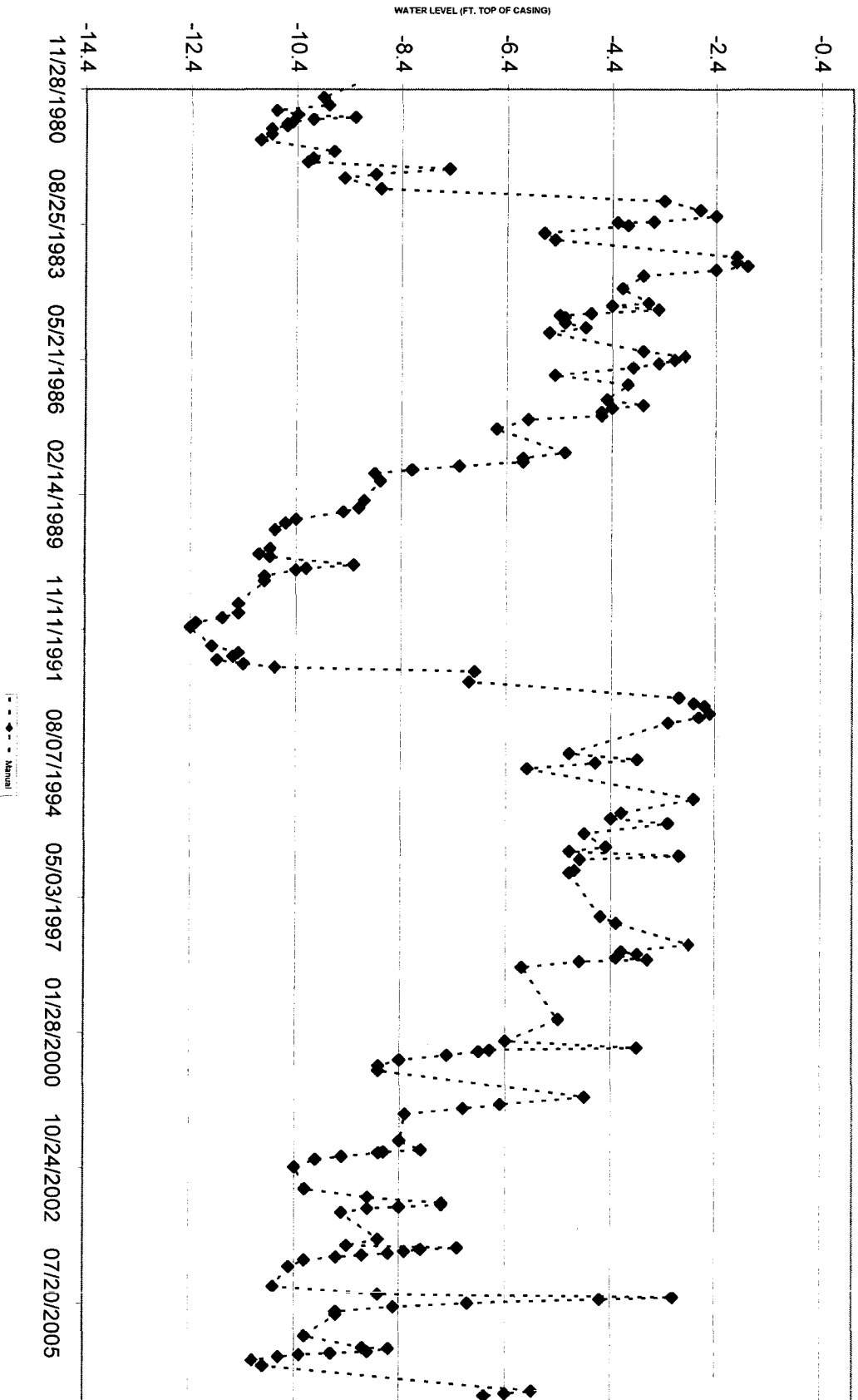
BIBLIOGRAPHY

Bugliosi, E.F., 1986, Water Resources of Yankton County, South Dakota, Water Resources Investigations Report 84-4241, USGS, Huron, SD, 57350.

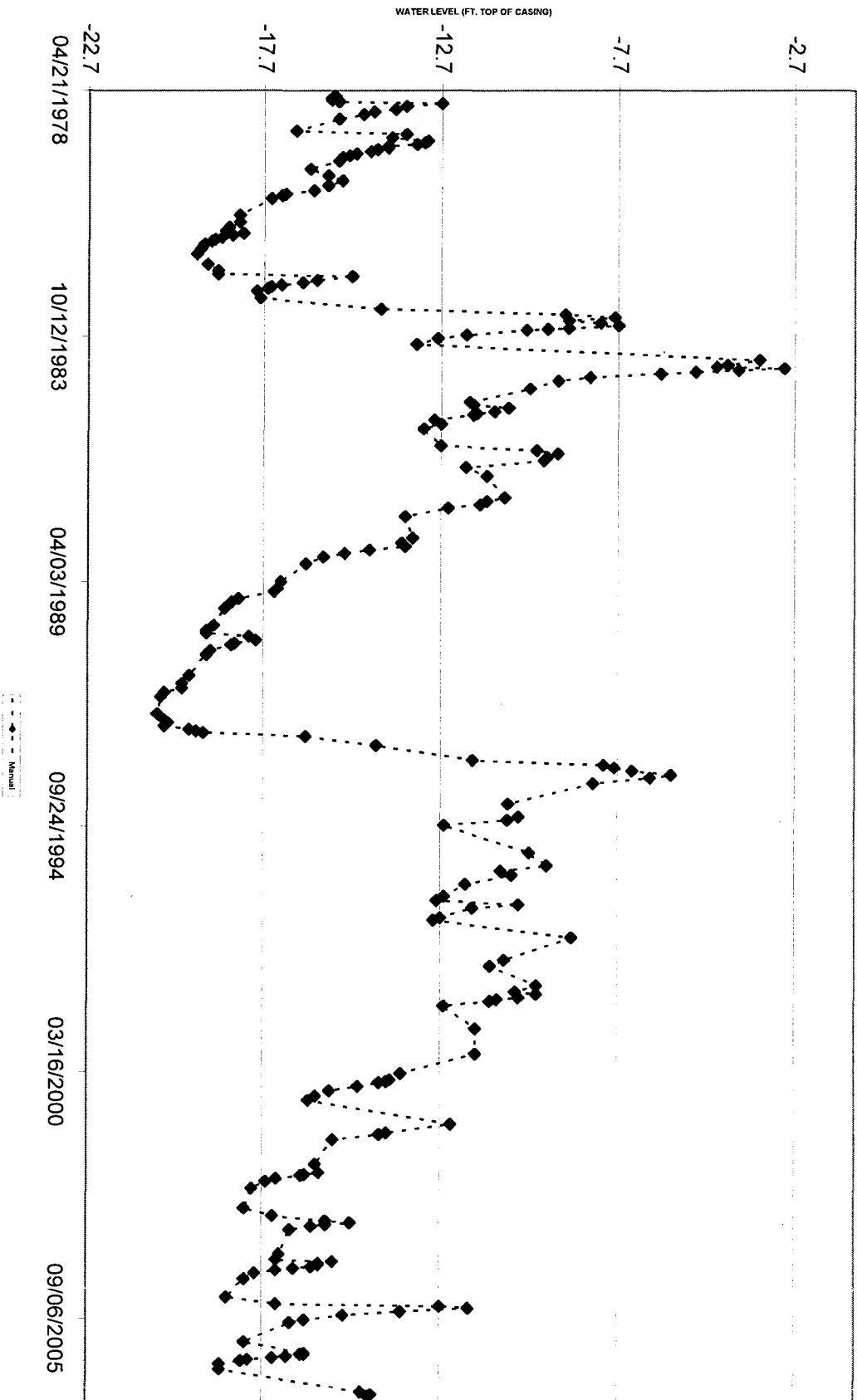
Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2007, Unpublished Observation Well Data for Yankton County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
YA-80JA



WATER RIGHTS' OBSERVATION WELL YA-78F



RECEIVED

AUG - 6 2007

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

7+26&8+2

DENR
Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre, SD 57501-3181

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

KELLY HERTZ BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT HE IS THE **MANAGING EDITOR** OF THE YANKTON
PRINTING COMPANY, A CORPORATION, THE PRINTER AND THE
PUBLISHER OF THE YANKTON DAILY PRESS AND DAKOTAN, A LEGAL
DAILY NEWSPAPER PRINTED AND PUBLISHED IN THE CITY OF YANKTON,
SAID COUNTY AND STATE, AND ONE OF THE OFFICIAL NEWSPAPERS OF
THE SAID **COUNTY** OF FACTS STATED IN THIS AFFIDAVIT; THAT THE
ANNEXED **Notice of App. No. 6858-3**

TAKEN FROM THE PAPER IN WHICH IT WAS PUBLISHED IN THE
NEWSPAPER ON THE **2nd** DAY OF **August**, 2007.
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID **NOTICE** TO WIT **\$157.95** ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND UNDERSTANDING FOR THE DIVISION THEREOF HAS
BEEN MADE WITH ANY OTHER PERSON, AND THAT NO PART THEREOF
HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: **7/26/07, 8/02/07**

FILED ON: **8/2/2007**

NOTICE OF APPLICATION NO. 6858-3 to Appropriate Water

Notice is given that Gary and Amy Freeburg, PO Box 188, Gayville SD 57031 have filed an application for a water permit to appropriate an additional 2.0 cubic feet of water per second (cfs), drill an additional well and irrigate 35 additional acres than currently authorized by Water Permit No. 6650-3. Water Permit No. 6650-3 authorizes 2.0 cfs from one well to irrigate 215 acres located in the E 1/2 NW 1/4, W 1/2 NE 1/4, N 1/2 SE 1/4 Section 16-T94N-R54W. This application proposes to appropriate 2.0 cfs from an additional well completed into the Missouri Elk Point Aquifer (80 feet deep) located in the NW 1/4 SE 1/4 Section 16 to irrigate 35 additional acres located in the SE 1/4 NE 1/4 Section 16; all in T94N-R54W. If approved, the additional well will serve a pivot that will irrigate 35 additional acres to the 105 acres located in the SW 1/4 NE 1/4, N 1/2 SE 1/4 Section 16-T94N-R54W currently authorized by Water Permit No. 6650-3. This application will allow two pivots to run independently.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6858-3 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 these applications, 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 this 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 recommendations 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 August 13, 2007.

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.

SUBSCRIBED AND SWORN TO BEFORE ME THIS **2nd** DAY OF **August**, 2007

NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES

8/19/2009



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 17, 2007

Daily Press & Dakotan
PO Box 56
Yankton SD 57078

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6858-3 to Appropriate Water to be published twice. Please publish the first notice on July 26, 2007 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Gary & Amy Freeburg, PO Box 188, Gayville SD 57031 (Ph # 605-267-4426).

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

-----CUT HERE-----

No. 6858-3

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

Date _____

We are in receipt of your letter of July 17, 2007 enclosing Notice to Appropriate Water by Application No. 6858-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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.

July 17, 2007

Gary & Amy Freeburg
PO Box 188
Gayville SD 57031

Dear Mr. & Mrs. Freeburg:

Water Permit Application No. 6858-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Daily Press and Dakotan printed at Yankton SD (Ph # 605-665-7811). 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 report on the application is 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 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. 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 applications.

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 July 26, 2007 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6858-3 to Appropriate Water

Notice is given that Gary and Amy Freeburg, PO Box 188, Gayville SD 57031 have filed an application for a water permit to appropriate an additional 2.0 cubic feet of water per second (cfs), drill an additional well and irrigate 35 additional acres than currently authorized by Water Permit No. 6650-3. Water Permit No. 6650-3 authorizes 2.0 cfs from one well to irrigate 215 acres located in the E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 16-T94N-R54W. This application proposes to appropriate 2.0 cfs from an additional well completed into the Missouri:Elk Point Aquifer (80 feet deep) located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16 to irrigate 35 additional acres located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16; all in T94N-R54W. If approved, the additional well will serve a pivot that will irrigate 35 additional acres to the 105 acres located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 16-T94N-R54W currently authorized by Water Permit No. 6650-3. This application will allow two pivots to run independently.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6858-3 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 these applications, 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 this 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 recommendations 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 August 13, 2007.

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.



OCT 19 2007

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Gary or Amy Freeburg
PO Box 188
Gayville SD 57031

Dear Mr. and Mrs. Freeburg:

Enclosed is Water Permit No. 6858-3 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

6858-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 7, 2015

Gary & Amy Freeburg
PO Box 188
Gayville SD 57031

RE: Water Permit or Right Nos. 2584-3, 5971-3, 6643-3, 6644-3, 6645-3, 6646-3, 6647-3, 6648-3, 6649-3, 6650-3, 6651-3, 6767-3, 6768-3, 6858-3, 6895A-3, 7659-3, 7660-3, 7661-3 (Gary and Amy Freeburg) Water Right No. 3399-3, Ada Juttelstad

Dear Mr. & Mrs. Freeburg:

I am writing in follow-up to my phone conversation with Amy on January 6th concerning the above listed water permits and rights.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing ownership changes. Please review the forms, make any necessary corrections and complete as needed. Upon completion, please sign and return them to our office with a required filing fee of \$50.00 **each**. The check or money order for the fee can be made payable to the Water Rights Program.

We also discussed the ownership change needed for 3399-3 currently listed in the name of Ada Juttelstad. I believe you already have a transfer of ownership form for that one. I have included the 2014 irrigation questionnaire for that specific water right. It originally was sent to Steve Anderson as a renter of the property. Please complete the form and return it by January 23rd.

To recap, the following materials are needed:

- irrigation questionnaire for 3399-3;
- 19 transfer of ownership forms (18 of yours and the one you have for the former Juttelstad land);
- A total filing fee of \$950 (19 transfers x \$50 each)

If I can answer any questions, please let me know.

Sincerely,

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

enclosures

RECEIVED

JAN 22 2015

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 6858-3

Date: 1-19-15

I/We request that Water Permit No. 6858-3

formerly owned by: Gary & Amy Freeburg

be transferred to: (name & address) Freeburg Limited Partnership
P.O. Box 188 Gayville SD 57031

Telephone No 605 267 4426

Title to the following described land(s)/property has been transferred as described above:

35 acres - SE 1/4 NE 1/4 Section 16, T94N, R54W

I/We understand that the validity of Water Permit No. 6858-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Freeburg Limited Partnership, the new owner, certify that the above information is true and correct.

Amy Freeburg
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 1/22, 20 15

RECEIVED OF Freeburg LP PO Box 188 Gayville SD 57031

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	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 <u>6858-3</u>		
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	50 00

No. **07163**

By *James Hodam*
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2015

Gary & Amy Freeburg
Freeburg Limited Partnership
PO Box 188
Gayville SD 57031 0188

RE: Water Permit or Right Nos. 2584-3, 3399-3, 5971-3, 6643-3, 6644-3, 6645-3, 6646-3,
6647-3, 6648-3, 6649-3, 6650-3, 6651-3, 6767-3, 6768-3, 6858-3, 6895A-3, 7659-3, 7660-3,
7661-3

Dear Mr. & Mrs. Freeburg:

I am writing to acknowledge receipt of the completed transfer forms, filing fees and the irrigation questionnaire for 3399-3.

The ownership changes have been completed. The above listed water permits or rights have all been transferred and are now listed in the name of "Freeburg Limited Partnership".

Enclosed are the various receipts for the filing fees you submitted. If I can answer any questions, please let me know.

Sincerely,

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

enclosures

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 6650-3 & 6858-3

I have this day, October 27, 2016, made a thorough examination of the water use system constructed by Freeburg Limited Partnership, PO Box 188, Gayville, SD 57031 of Permit No. 6650-3, bearing the priority of August 10, 2005 authorizing the diversion of 2.0 cu. ft. per second from one well of the waters of Missouri:Elk Point Aquifer for irrigation purposes, of 215 acres, in Yankton County, and of Permit No. 6858-3, bearing the priority of May 29, 2007 authorizing the diversion of an additional 2.0 cu. ft. per second from an additional well of the same waters for irrigation purposes, of 35 additional acres, in Yankton County. The additional well will serve a pivot that will irrigate the 35 additional acres and 105 acres of Water Permit No. 6650-3 and allow the two pivots to run independently.

Inspection contact & relationship **Jory Freeburg, partner of Freeburg Limited Partnership**
to permit holder, if applicable:

A. Works used to divert the water:

Well #6650-3 Information (SW ¼ NE ¼ Sec 16-T94N-R54W):

- 1) Well Drilling Firm: Hammond-Wetmore Drilling, LLC
- 2) No. of Wells 1
- 3) Depth(s) 75 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 16 inches
- 2) Length 15 feet
- 3) Type PVC

Screen:

- 1) Type PVC Manufactured
- 2) Length 60 feet
- 3) Static water level 21 feet

Pump:

- 1) Make Grundfos Submersible
- 2) Model 625S400
- 3) Capacity 700 GPM

Motor:

- 1) Make Grundfos
- 2) Model No. Submersible
- 3) Horsepower rating 40 hp

Well #6858-3 Information (NE ¼ SE ¼ Sec 16-T94N-R54W):

- 1) Well Drilling Firm: Hammond-Wetmore Drilling, LLC
- 2) No. of Wells 1
- 3) Depth(s) 78 feet
- 4) Well log is available Yes

Casing:

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

Screen:

- 1) Type PVC Manufactured
- 2) Length 41 feet
- 3) Static water level 21 feet

Pump:

- 1) Make Grundfos Submersible
- 2) Model 625S400
- 3) Capacity 700 GPM

Motor:

- 1) Make Grundfos
- 2) Model No. Submersible
- 3) Horsepower rating 40 hp

C. Works used to apply water to beneficial use:

Center pivot #6650-3 (E ½ NW ¼ & W ½ NE ¼ Sec 16-T94N-R54W):

- 1) Make Valley 8000
- 2) Overall length 1298 feet
- 3) Number of towers 7
- 4) End gun Yes
- 5) Capacity 700 GPM

Center pivot #6858-3 (S ½ NE ¼ & N ½ SE ¼ Sec 16-T94N-R54W):

- 1) Make Valley 8000
- 2) Overall length 1298 feet
- 3) Number of towers 7
- 4) End gun Yes
- 5) Capacity 700 GPM

Comments: The two center pivots are fed by separate wells so they can run independently, however, they both cover the SW ¼ NE ¼ Sec 16-T94N-R54W.

Chemigation Equipment:

- 1) Does chemigate No

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes, began irrigating in 2006.

Exceptions to compliance are: None

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: Well #6650-3-West 2630', South 1350' from NE Corner of Sec 16-T94N-R54W; Lat 42.96355/Long -97.22988; approximately 1320' North of center of Sec 16-T94N-R54W; Well #6858-3-West 1330', North 2620' from SE Corner of Sec 16-T94N-R54W; Lat 42.95995/Long -97.22497; approximately 1320' East of center of Sec 16-T94N-R54W.
2. The works are capable of diverting and conveying to the place of use 3.11 cfs or 1400 gpm of water from two wells which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

All land is located in Sec 16-T94N-R54W.

Water Permit 6650-3/197 ac

NE ¼ NW ¼ - 23 ac

NW ¼ NE ¼ - 34 ac

SW ¼ NE ¼ - 40 ac

SE ¼ NW ¼ - 33 ac

NW ¼ SE ¼ - 34 ac

NE ¼ SE ¼ - 33 ac

Water Permit 6858-3/33 ac

SE ¼ NE ¼ - 33 ac

comprising a total of 230 acres of land and the license should be issued for 3.11 cfs or 1400 gpm from two wells.

3. All structures, wells and lands on map Yes

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

Water Permit 6650-3 and Water Permit 6858-3 appropriated 4.0 cfs or 1800 gpm from two wells for irrigation of 250 acres, however, only 3.11 cfs or 1400 gpm from two wells was developed and 230 acres are actually irrigated. Thirty-two acres are overlapped between Water Permit 6650-3 center pivot and Water Permit 6858-3 center pivot.

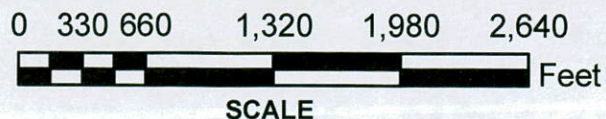
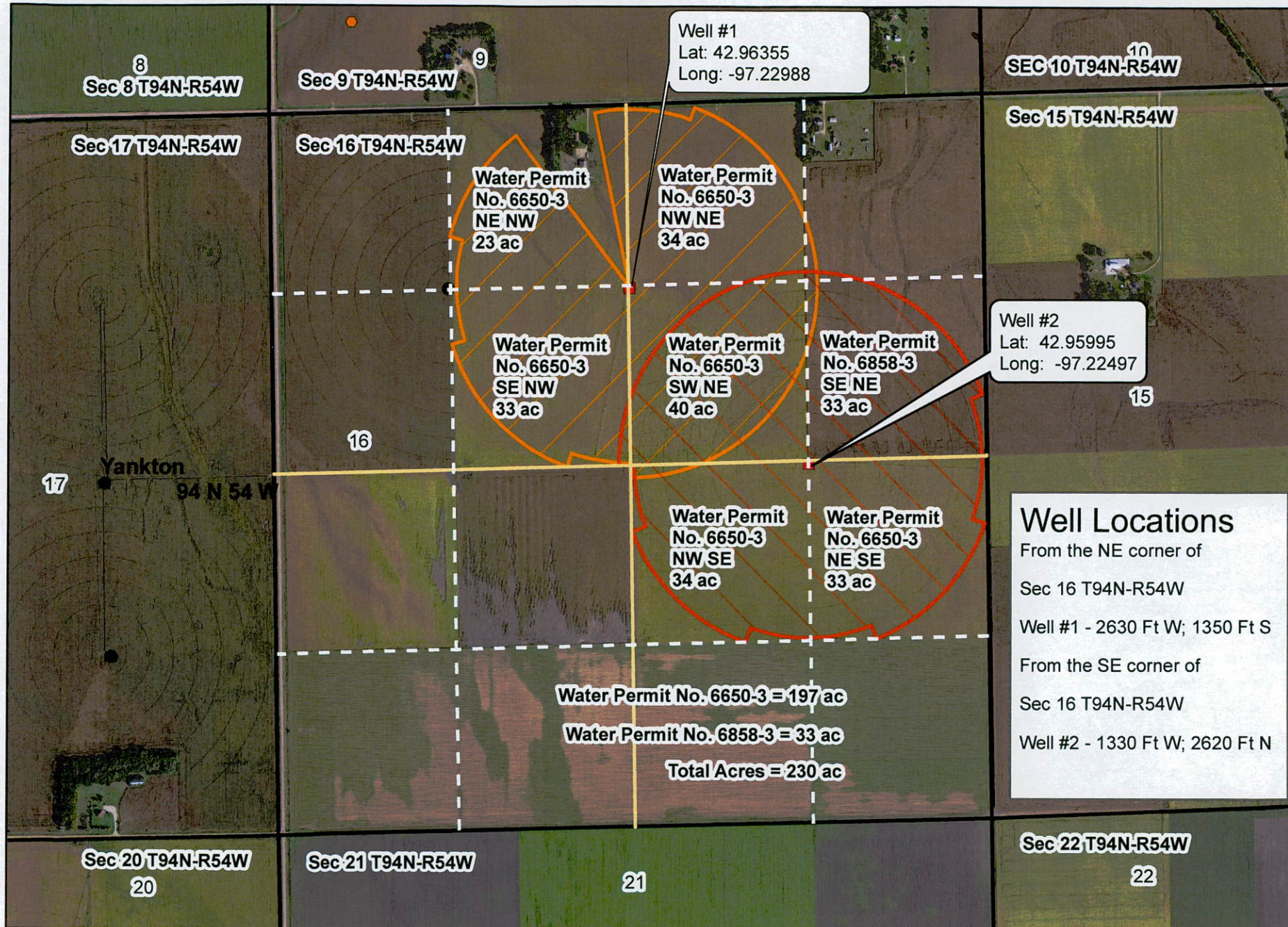
Permit holder stated that SE ¼ NE ¼ Sec 16-T94N-R54W was owned by Gary Smith, and they irrigate for him.



Harold Holoch, PE
Staff Engineer
DENR, Water Rights Program

Date report completed: December 6, 2017

6650-3 & 6858-3



Harold Holoch
Harold Holoch, PE
Staff Engineer
July 19, 2017

6858-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAY 29 2018

6650-3
6858-3

Gary & Amy Freeburg
Freeburg Limited Partnership
PO Box 188
Gayville SD 57031

Dear Mr. & Mrs. Freeburg:

Enclosed is Water License No. 6858-3. This is the final water right document completing your process of obtaining a Water Right. 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 in the future, the owner of an existing well, 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,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: Upon licensing, the applicable portions of Water Permit No. 6650-3 were incorporated into Water License No. 6858-3.

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6858-3**

(1) Gary & Amy Freeburg, PO Box 188, Gayville SD 57031 made Application No. 6858-3, May 29, 2007 for a water permit to divert 2.00 cubic feet of water per second (cfs) from ground water, one well (Missouri Elk Point Aquifer), Yankton County, South Dakota for irrigation purposes. Permit No. 6858-3, with a priority date of May 29, 2007 was approved August 13, 2007 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before August 13, 2012 and for the application to beneficial use of said water on or before August 13, 2016.

Water Permit No. 6650-3, with a priority date of August 10, 2005, authorizes diversion of 2.00 cfs from one well to irrigate 215 acres. Water Permit No. 6858-3 was obtained to add one well, additional diversion authority and irrigated acres to allow the existing two pivots to run independently.

On January 22, 2015, Water Permit Nos. 6650-3 and 6858-3 were transferred to Freeburg Limited Partnership.

The applicable portions of Water Permit No. 6858-3 have been incorporated into this license. The priority dates retained are August 10, 2005 (Well #1 - 2.00 cfs) and May 29, 2007 (Well #2 - 1.11 cfs). The acreage breakdown by priority date is described in (3) of this license.

(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 3.11 cubic feet of water per second for beneficial use. The location of the diversion points are:

- **Well #1:** 2,630'W and 1,350'S of the NE corner of Section 16, T94N, R54W (approximately 1,320'N of the center of Section 16) Latitude 42.96355, Longitude -97.22988;
- **Well #2:** 1,330'W and 2,620'N of the SE corner of Section 16, T94N, R54W (approximately 1,320'E of the center of Section 16) Latitude 42.95995, Longitude -97.22497.

(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 16, T94N, R54W	NE ¼ NW ¼	23 acres	August 10, 2005 priority date
	SE ¼ NW ¼	33 acres	August 10, 2005 priority date
	NW ¼ NE ¼	34 acres	August 10, 2005 priority date
	SW ¼ NE ¼	40 acres	August 10, 2005 priority date
	SE ¼ NE ¼	33 acres	May 29, 2007 priority date
	NW ¼ SE ¼	34 acres	August 10, 2005 priority date
	NE ¼ SE ¼	33 acres	August 10, 2005 priority date
Total		230 acres	

Priority dates: August 10, 2005 was established under Permit No. 6650-3 (197 acres)

May 29, 2007 was established under Permit No. 6858-3 (33 acres)

continued

(4) Pursuant to South Dakota Water Law 46-5-30.1 Freeburg Limited Partnership, PO Box 188, Gayville SD 57031 the holder and/or owner of Incorporated Water Right No. 6858-3 is issued a license to appropriate water, the right to use 3.11 cubic feet of water per second from ground water (two wells), Missouri Elk Point Aquifer with priority dates of August 10, 2005 (2.00 cfs) and May 29, 2007 (1.11 cfs) from the locations specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Right No. 6858-3 and subject to the following qualifications:

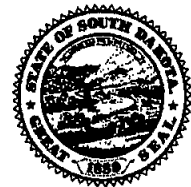
- The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The wells authorized by Permit Nos. 6650-3 and 6858-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the 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. ***Both wells were drilled by Hammond-Wetmore Drilling LLC. Copies of the well completion reports are on file with the Water Rights Program.***
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAY 29 2018

date





6858-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 28, 2023

Jory & Elizabeth Freeburg
30874 457th Ave
Volin SD 57072

6858-3

Dear Mr. & Mrs. Freeburg:

I have received your "Notice of Transfer of Ownership" forms and the required fees.

Water Right No. 6848-3 previously owned by Freeburg Limited Partnership is now listed under Jory & Elizabeth Freeburg. Enclosed is a receipt of payment, a copy of the Water Right, and a map of the authorized area for your records.

Water Permit No. 6650-3 was incorporated into Water Right No. 6848-3 in 2018, rendering the transfer fee you paid for Permit No. 6650-3 unnecessary. The \$50.00 filing fee will be refunded to you within a few weeks.

As a reminder, so long as you use the water beneficially, as stated in the Water Right, State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the Water Right will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

August 28 2023

PAYMENT REQUEST FORM

PAYEE: Jory & Elizabeth Freeburg
30874 457th Ave
Volin SD 57072

FROM: DANR- Water Rights Program
523 E Capitol Ave
Pierre SD 57501

DESCRIPTION OF SERVICES, PRODUCE, OR TRANSFER

Refund – Over Payment for Transfer fee

AMOUNT: \$50.00

FUNDING SOURCE: WR fees

GENERAL:

FEDERAL:

OTHER:

COMMENTS: Paid the fees for two (2) ownership transfers when only one (1) was required.

AUTHORIZATION: Jim Lindmark 8/29/2023

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct.
I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations
issued thereunder relating to nondiscrimination in federal assisted programs.

RECEIVED

AUG 28 2023

OFFICE OF
WATER

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer XXX
Water Rights Program, DANR No.
523 E. Capitol
Pierre, SD 57501-3181

Date: 8-24-23

PAID
AUG 28 2023
Ck# 28602
Rec't# 68865

I/We request that Water Right No. XXX

6650-3 and 6858-3

formerly owned by: XXX

Freeburg Limited Partnership

be transferred to: (name & address)

Jory or Elizabeth Freeburg
30874 45th Ave
Volin, SD 57072
605-661-0363

Telephone No.

Title to the following described land(s)/property has been transferred as described above:

XXX

215 acres - E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$

Section 16 T94N R54W

6650-3 and 6858-3

I/We understand that the validity of Water Right No. XXX has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Jory or Beth Freeburg, the new owner, certify that the above information is true and correct.

Jory or Beth Freeburg
Elizabeth M Freeburg
(Signed by new owner)

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date August 28, 2023

RECEIVED OF Jory/Elizabeth Freeburg 30874 457th Ave., Volin SD 57072

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>6858-3</u>	\$ <u>50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	TOTAL
	\$ <u>50.00</u>

By *Eric Gronlund*
Chief Engineer

me

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date August 28, 2023

RECEIVED OF Jory/Elizabeth Freeburg 30874 457th Ave., Volin SD 57072

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>6650-3</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law) TOTAL	<u>\$50.00</u>

By Eric Gronlund
Chief Engineer
zm