

No. 1294-2A
 2 Keyapcha River
 Map No. 1095-2 Water Division No. _____ District _____
 Above for Office Use

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New _____ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

E $\frac{1}{2}$ Section 23, T37N, R29W (1294-2A) is being split and transferred from 1294-2 due to an ownership change.1. Name of Applicant David Danielski Phone No. _____Post Office Address RR #1 Crookston State NE 69201
(Street, RR, or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) _____

3. Name of diversion work Firnen wells4. Amount of water claimed (cubic feet per second) 3.775. Source of water supply groundwater6. Location of point of diversion center of the NE $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 23, T37N, R29WCounty Todd7. Annual period or periods during which water is to be used April 1 thru October 18. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Total number of acres to be irrigated 264

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 2 years. Additional time required to complete application of water to the proposed beneficial use 2 years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water TODD CO TRIBUNE

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

well

B. Works proposed to transport water to place of use.

water to be pumped from well at the place of use

C. Works proposed to apply water to beneficial use.
center pivot

Estimated Total Cost: \$ _____

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map. (see instructions concerning preparation.)

STATE OF SOUTH DAKOTA)
) ss.
County of Todd)I, Annie Fernen the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed s/Annie FernenSubscribed and sworn to before me this 22 day of September, 1975

s/Beverly Does

Notary Public (or other qualified officer)

SEAL

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1294-2A

David Danielski (Applicant) RR #1, Crookston (Post Office Address)
Nebraska 69201 (State) With the following qualifications

The Irrigation well approved under this Permit will be located near domestic wells and other Irrigation wells which may obtain water from the same aquifer. The Irrigation well owner, under this Permit, shall control his Irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in Irrigation wells having prior water rights.

Date of first receipt of application September 26, 19 75

Date of return to applicant for correction, amendments or changes required _____, 19 _____

Date of receipt of corrected application _____, 19 _____

Approved November 12, 19 75 Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. 1294-2A

The Water Management Board hereby grants and issues this Water Right Permit No. 1294-2A authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is September 26, 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before November 12, 19 77
3. The whole of said work is to be completed on or before November 12, 19 77
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is November 12, 19 79
5. The water appropriated shall be used for the purpose of Irrigation

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 3.77 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied

for irrigation on or before November 12, 19 79; said water to be used during the following described annual period: April to October 1

Witness my hand this 14th day of November, 19 75

THE WATER MANAGEMENT BOARD

By: s/JOHN HATCH
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

D Well Information

(1) Drill Hole, Diameter 32", Depth 200'
 (2) Casing, Type steel, Diameter 16", Thickness 0.219
 (wood, concrete, steel, etc)
 (3) Screen, Type steel, Diameter 16", Length 100'
 (4) Gravel Pack, Thickness 8", Length of gravel pack 200

E. Dugout Information or Estimates

(1) Surface dimensions, _____, Depth _____

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material 25'
125'

Depth to bottom of water bearing material _____

Depth to water (ground surface to water level) 75'

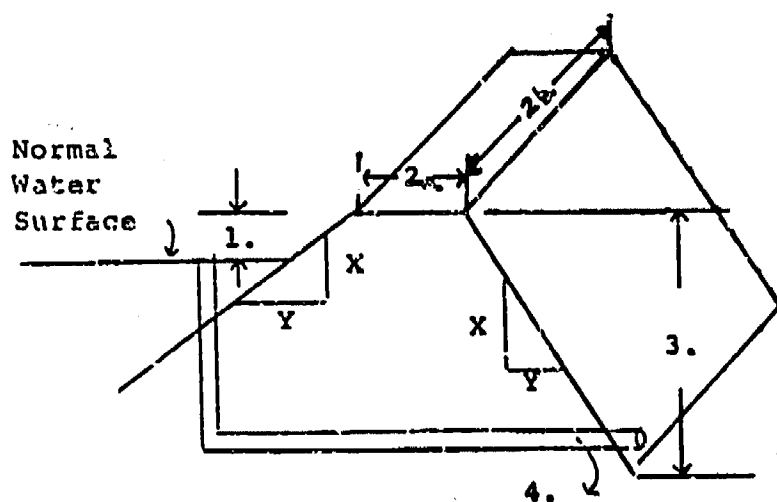
(2) Distance to nearest existing household or livestock watering well.

On same owner's property _____ rds.

On property owned by others _____ rds.

G Water Storage Dams

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



1. Freeboard _____

2a Crest width _____ b. length _____

3. Height of Dam _____

4. Outlet dimensions:

Pipe diameter _____

Spillway width _____

X & Y slope:

Upstream _____

Downstream _____

Surface area of impoundment _____

Drainage area above dam _____

9. 202114:

I do hereby certify that a chemical analysis of the ground water to be
used for irrigation from South Dakota State University and
the land capability for irrigation information has been acquired from

and:

that the legal description for the location of the well and land to be
irrigated is true and correct.

James F. Linn

Subscribed and sworn before me this

8th day of Aug 1975.

James F. Linn

Notary Public - S.D.

(Title)

6-2152



FOR COMPLETION BY THE
Irrigation System
Water Quality:
Soil Capacity: 11671
Approved: [Signature]
Disapproved:

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH RCCL 45-6-3 AS AMENDED
(This Form Required for Proposed Well Irrigation Only)

NAME:

Annie Hansen

ADDRESS:

Mission S.W. 57555

COUNTY:

Todd

LEGAL DESCRIPTION

1. WELL LOCATION: SE 1/4 of Sec 33, Twp 22 North, Range 29 West
2. AREA TO BE IRRIGATED: Same

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): sprinkler
4. CROPS TO BE IRRIGATED: Corn, alfalfa & mato

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0-2%, 2-5%, 3-7%, 8-10%
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Aselme Velot Fine Sandy loam, Aselme
fine sandy loam, Holt Velot Fine Sandy loam, Holt fine sandy loam

WATER QUALITY (TO BE COMPLETED BY COMMISSION) See Wt-1 for sec. 13

7. SAMPLE NO.:

8. SALINITY:

9. SOFTNESS:

I do hereby certify that a chemical analysis of the ground water to be
used for irrigation from South Dakota State University and
the soil suitability for irrigation information has been acquired from

and:
that the legal description for the location of the well and land to be
irrigated is true and correct.

Annexed

Subscribed and sworn before me this

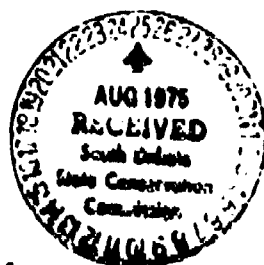
8 day of Aug 1975.

David J. Hunsaker

Notary Public S.D.

(Title)

6.21.82



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9240

PIERRE, May 5, 1983

RECEIVED OF David Danielski, RR, Crookston, NE 69212

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No.....		
Fee for inspecting Beneficial Use, and issuing Water License No.....		
Fee for issuing Location Certificate-Dry Draw, No.....		
Fee for filing Transfer of WR#1294-2	2	50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH (MS)

**South Dakota Department of
Water & Natural Resources**
Jon Foss Building
528 East Capitol
Pierre, South Dakota 57501
Water Rights Division
605 773-3352

May 16, 1983

David Danielski
RR #1
Crookston NE 69201

Dear Mr. Danielski:

Enclosed are receipt Nos. 4-9239 thru 4-9242 in the amount of \$2.50 each which you paid for transfer of Water Permit Nos. 1164-2, 1481-2, 1476-2 and 1294-2A.

Enclosed also is a copy of Water Permit No. 1294-2A which has been split and transferred from 1294-2.

Our records now show you as the owner of these Water Permits.

Sincerely,

KATHI SCHLAAK
Administrative Aide

enclosures

1294-2A
1476-2

August 26, 1985

David Danielski
RR#1
Crookston, Nebraska 69201

Dear Mr. Danielski:

The inspection of your water use systems and inspection of the extent of the application of water to beneficial use, as developed under your Water Right Nos. 1294-2A and 1476-2 have been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee for each license, total of \$100.00, your Water Licenses will be send to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Maxine Stirling
Staff Assistant

ms/

NOTE: On the form of payment, please include the number of the water permits.
This insures proper handling of the fee.

Equal Opportunity Employer

**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

SECOND NOTICE

February 25, 1986

Permit No. 1294-2A & 1476-2

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

David Danielski
RR1
Crookston, Nebraska 69201

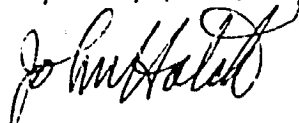
Dear Mr. Danielski:

August 26, 1985 you were notified the final inspection fee of \$50.00 is due before Water License No. 1294-2A & 1476-2 can be issued. As of this date, the fee has not been received (total for the two permits \$100.00).

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the license fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,



John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

S508.WR

LICENSE FOR PERMIT NUMBER 1294-2A

1. Legal location of wells: 1220' N. & 1270' W. of SE corner
of sec 22 T. 37N. R. 23W.
 dams & structures: _____

2. Well Information: Well Drilling Firm Chase

No. of wells 1 Depth 210'

Casing a) diameter 16" Screen a) type _____
 b) length _____ b) length _____
 c) type Steel Static Water Level 60'

Pump a) make Hydrolubine Motor a) make 115 Electric
 b) model 13273 b) model no. 09981-00-666
 c) size 12CH c) horsepower rating 100
 d) capacity _____ GPM d) motor efficiency rating _____
 e) turbine pump
 no. of stages _____

3. Distribution lines:

a) size of lines 8"
 b) type Aluminum
 c) length 50'

4. Dam Information:

a) height to crest _____
 b) height to spillway _____
 c) crest width _____
 d) crest length _____
 e) spillway length _____
 f) spillway width _____
 g) approx. storage _____
 h) Distribution lines or canals:
 1) size _____
 2) type _____
 3) length _____

- 1) Outlet tubes:

1) diameter _____
 2) type _____
 3) valued (Y/N) _____
 4) valve type _____
 5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet
 2) diameter of pipe _____
 3) make, model & number of sprinklers _____
 4) spacing of sprinklers _____
 5) nozzle size _____

- b) towline:

1) length _____ feet
 2) make, model & number of sprinklers _____
 3) spacing of sprinklers _____
 4) nozzle size _____

5. System Type: c) center pivot

- 1) make Electricolor CP
- 2) number of towers 83
- 3) distance between towers
160
- 4) overall length 1320
- 5) End gun (Y/N) Y
- 6) high or low pressure
- 7) make & size of nozzles
- 8) PSI reading while system is
running 55
- 9) GPM 600

g) Gun

- 1) make
- 2) serial number
- 3) nozzle size
- 4) capacity (GPM)
- 5) PSI
- 6) hose size
- 7) hose length

d) Gate Pipe

- 1) length
- 2) diameter
- 3) spacing of gates

e) Siphons

- 1) number
- 2) size

f) Portable boom

- 1) make
- 2) serial number
- 3) nozzle size
- 4) capacity (GPM)
- 5) PSI

h) Hydromatic

- 1) make
- 2) model
- 3) serial number
- 4) length
- 5) nozzle size
- 6) spacing
- 7) PSI
- 8) capacity (GPM)

YES	NO	Check Items
☒	☐	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.
☒	☐	2. Special Qualifications to permit being abided by.
☒	☐	3. All Structures, wells and lands on map.

REMARKS:

LICENSE FOR PERMIT NUMBER 1294-2A

1. Legal location of wells: 2900' N 1290' W at SE corner of
sec 22 T27N R29W

dams & structures: _____

2. Well Information: Well Drilling Firm Stase

No. of wells 1 Depth 210'

Casing a) diameter 16" Screen a) type _____
 b) length _____ b) length _____
 c) type steel Static Water Level _____

Pump a) make Fairbanks Motor a) make US Electric
 b) model 00780100 b) model no. 009025-00-680
 c) size 12 in c) horsepower rating 100
 d) capacity _____ GPM d) motor efficiency rating _____
 e) turbine pump
 no. of stages 1

3. Distribution lines:

a) size of lines 8"
 b) type Aluminum
 c) length 10'

4. Dam Information:

a) height to crest _____
 b) height to spillway _____
 c) crest width _____
 d) crest length _____
 e) spillway length _____
 f) spillway width _____
 g) approx. storage _____

h) Distribution lines or canals:

1) size _____
 2) type _____
 3) length _____

i) Outlet tubes:

1) diameter _____
 2) type _____
 3) valued (Y/N) _____
 4) valve type _____
 5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet
 2) diameter of pipe _____
 3) make, model & number of sprinklers _____
 4) spacing of sprinklers _____
 5) nozzle size _____

b) towline:

1) length _____ feet
 2) make, model & number of sprinklers _____
 3) spacing of sprinklers _____
 4) nozzle size _____

5. System Type: a) center pivot

- 1) make 2. Leachgates CP
- 2) number of towers 53
- 3) distance between towers
160'
- 4) overall length 1220
- 5) End gun (Y/N) Y
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is
running 55
- 9) GPM 800

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES

NO

Check Items

✓

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.

✓

2. Special Qualifications to permit being abided by.

✓

3. All Structures, wells and lands on map.

REMARKS:

Water Rights Division - DWR
Conversation or File Documentation

File No. 1294A-2

NAME OF PERSON OR FILE: Dave Danielski
ADDRESS: Rk #1 Creekston NE COUNTY Todd
DATE: 8/21/85 TELEPHONE _____
RE: Well logs for permit # 1294A-2
COMMENTS:

I contacted Mrs. Pat Chase of Chase Well Drilling on two occasions to obtain the well logs for the E2 of sec 23 T37N R29W. She cannot find any logs pertaining to these wells.

The Division does not have these well logs on file. I would recommend licensing of this permit without the well logs.

Recommendation: Approve license without well logs:
No well logs available

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

4/82

NAME: [Signature]

State of South Dakota
Water License No. 1294-2A

(1) Annie Fernen
of Mission, South Dakota
made Application No. 1294-2, September 26, 1975 for a water permit to appropriate
10.4 cubic feet per second of water from groundwater,
Todd County, South Dakota for irrigation purposes.
Permit No. 1294-2, with a priority date of September 26, 1975
was approved November 12, 1975 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before November 12, 1977 and for the application to beneficial use of said
water on or before November 12, 1979.

On May 5, 1983, land irrigated under Water Permit No. 1294-2 was transferred to two new
owners. Permit No. 1294-2 was divided and reissued as No. 1294-2, Willis Nelson and
No. 1294-2A, David Danielski. Permit No. 1294-2, for Willis Nelson authorized irrigation
of 462 acres in portions of Section 18, 24 & 25, T37N, R29W. Permit No. 1294-2A, for
David Danielski, authorized irrigation of 264 acres in the E $\frac{1}{2}$ of Section 23, T37N, R29W.

The applicable portions of Water Permit No. 1294-2, Willis Nelson have since been
incorporated into Water Permit No. 1922-2. Water Permit No. 1294-2A, David Danielski,
is now being licensed for what was actually developed under the "A" number. A priority
date of September 26, 1975 is retained.

and

(2) It is certified that the application 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 3.6 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is are 3900 ft N & 1270 ft W, 1320 ft N &
1270 ft W, both from the SE Corner Section 23, T37N, R29W.

and

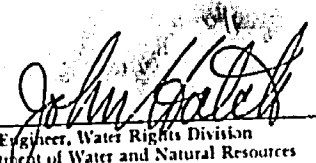
(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in T37N-R29W

Section 23	NW $\frac{1}{4}$ NE $\frac{1}{4}$	34 acres	(AB)
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	32 acres	(AC)
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	33 acres	(AA)
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	32 acres	(AD)
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	32 acres	(DB)
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	32 acres	(DC)
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	30 acres	(DA)
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	30 acres	(DD)
TOTAL		255	ACRES

(4) Pursuant to §16-5-30.1 David Danielski
of RR 1, Box 221, Valentine, Nebraska 69201

the holder(s) and/or owner(s) of Water Permit No. 1294-2A is issued a license to appropriate water, the right to use 3.6 cubic feet per second of water from groundwater (two wells) with a priority date of September 26, 1975 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation

This license is subject to any limitations or qualifications listed in Water Permit No. 1294-2A and subject to South Dakota State Law.


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

JOHN HATCH

JUN 22 1986

Permit No. 1294-2A

Water District

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by David Demelicks of RR # 1, Crookston, NE holder of Permit No. 1294-2A bearing the priority of 7-26-75 19 authorizing the diversion of 3.77 cu. ft. per second of the waters of Grand River (Cognata) for irrigation purposes, in TADA County.

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

A. Works used to divert the water: The well in the NE¹23 was drilled by Chase. It has 10 inch steel casing. The pump is a Fairbanks Morse, size 1200, having 4 stages. The motor is a 100 HP U.S. Electric.

The well in the SE¹23, also drilled by Chase, has 8 inch steel casing and a static water level of 160 feet. The pump is a Fairbanks Morse size 1200. The motor is a 100 HP U.S. Electric.

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

The pipeline connecting the well to the pivot in the NE¹23 is 8 inch aluminum 10 feet long and in the SE¹23 is 8 inch aluminum 30 feet long.

C. Works used to apply water to beneficial use: Both pivots are 8 tower Electroregulators having an overall length of 1320 feet, endguns, and operate at 55 psi with 200 GPM.

The system is in the following condition Good

The point of diversion is located well in NE¹23 - 3900 ft N & 1270 ft W; well in SE¹23 - 1320 ft N & 1270 ft W both from SE corner section 23 T 37N R 29W.

The works are capable of diverting and conveying to the place of use 3.6 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:

NW¹NE¹23 - 34 Ac NW¹SE¹23 - 32 Ac

SW¹NE¹23 - 32 Ac SW¹SE¹23 - 32 Ac All of T 37N R 29W.

NE¹NE¹23 - 33 Ac NE¹SE¹23 - 30 Ac

SE¹NE¹23 - 32 Ac SE¹SE¹23 - 30 Ac

comprising a total of 255 acres of land and the license should be issued for 3.6 cfs

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: _____ Date 7-2-85

Hugh A. Smith
(signature)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

610342

Pierre, March 4, 1936

RECEIVED OF David Danielski, Box 221, Valentine, NE 69201
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>1294-2A</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By [Signature]
Chief Engineer JOHN HATCHER

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

July 23, 1986

David Danielski
Rt. 1, Box 221
Valentine, Nebraska 69201

Dear Mr. Danielski:

Enclosed herewith is, Water License No. 1294-2A. This is the final water right document completing your process of obtaining a water right.

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.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

Enclosures

WNR-817 3/85
Transmittal of Water License

OUTH
Dakota Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

#1272A-2
#1294-2A
#1637-2
#1922-2

February 17, 1989

Danielski Harvesting
Box 221
Valentine, NE 69201

Dear Mr. Danielski:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

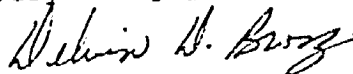


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,



for JOHN HATCH, Chief Engineer
Water Rights Division

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1294-2A

Date: 12-6-01

I/We request that Water Right No. 1294-2A

formerly owned by: David Danielski

be transferred to: (name & address) Mission Farms

Telephone No. 402-376-3039

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

255 acres - E 1/2 Section 23, T37N, R29W

I/We understand that the validity of Water Right No. 1294-2A 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 Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

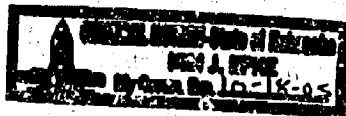
STATE OF SOUTH DAKOTA)

County of Todd)

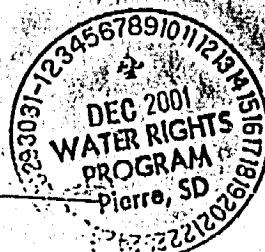
I/We Leonard Danielski being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Mission Farms by Leonard Danielski President
(Signature of new owner)

Subscribed and sworn to before me this 6 day of December, 2001.



Kim Eike
(Notary Public)



NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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

417012

Pierre, December 7, 2001

RECEIVED OF Danielski Harvesting & Farming, PO Box 230, Valentine, NE 69201
the following amount in fees for services rendered as provided for by law: (David Danielski)

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, confirm _____ beneficial use and issuing Water

License No. _____

Fee for Filing Transfer Form 1294-2A

Fee for Filing Extension Request _____

Fee for _____

2 50

(Any Other Work Provided by Law)

Total

2 50

By David S. Eide
Chief Engineer

gm



1294-2A
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

March 6, 2002

Leonard Danielski, President
Mission Farms
PO Box 230
Valentine, NE 69201

Water Right/Permit Nos. 1294-2A, 1476-2, 2009-2, 2092-2 & 2096-2

Dear Mr. Danielski:

On November 14, 2001, the investigation of your water use systems, including the extent of application of water to beneficial use, as developed under Water Permit Nos. 2092-2 and 2096-2, was completed by Tim Schaal, a staff engineer with our program. Your final water right documents the water licenses, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of each water license. Upon receipt of the \$100.00 fee from you, we will complete processing your water licenses. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water rights will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

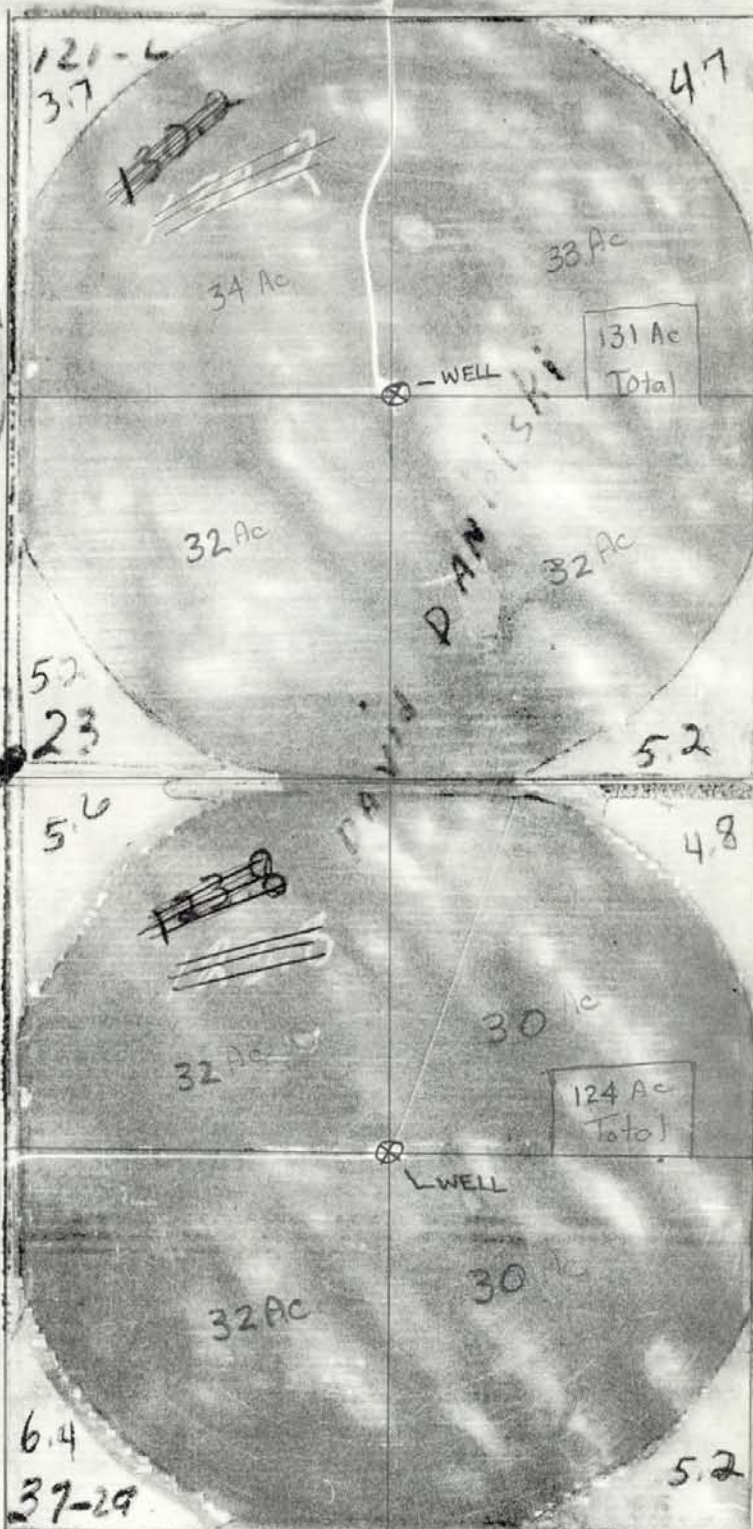
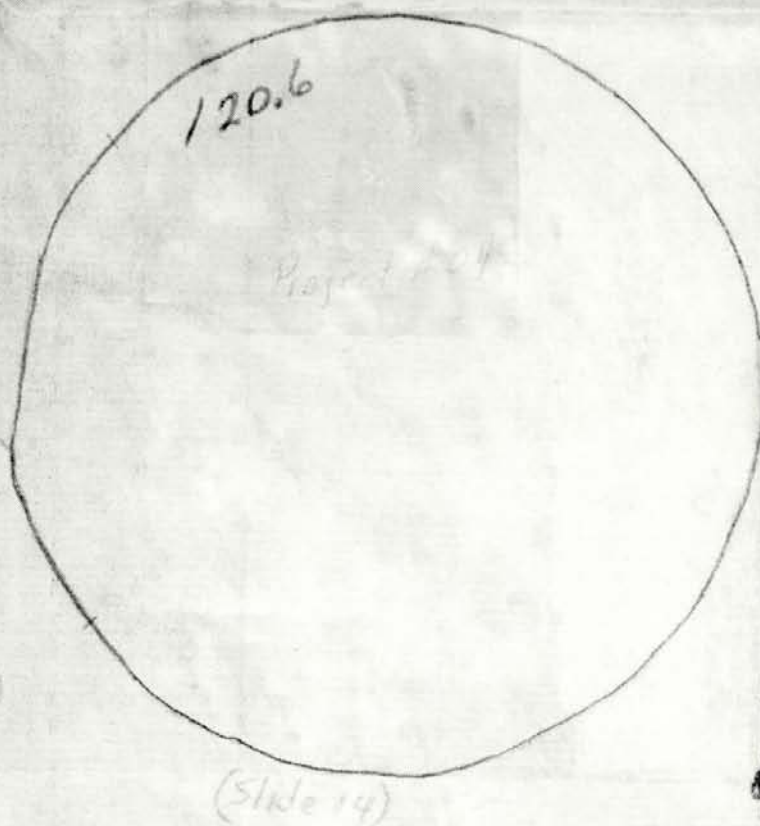
Enclosed are your Receipt Nos. 417010, 417011 and 417012 in the amounts of \$2.50 each. These fees were paid for filing an ownership change with Water Right Nos. 1294-2A & 1476-2 and Water Permit No. 2009-2. The water rights and permit formerly held by David Danielski are now listed in the name of Mission Farms.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

NOT TO SCALE



47.2

4.3

1386

10.2 121.6

132.2

1294A-2