

Considered: _____

WATER PERMIT NO. 2009-2

MAP No. Same

Name of Applicant David Danieliski

Post Office Address HC 78 Box 26 Crookston, Neb.

Amount of Water Claimed 5.07 Total Acres 355.0

Source of Water Supply ground water (Ogallala) 3 wells

Water to be used for irrigation County Todd

About 3 miles S of St. Francis.

PROOF OF PUBLICATION: Received ☒ Not Received _____

APPLICATION: Approved 3/4/87 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received July 19, 1985 Fee \$350.00 Remarks see Permit
11/18/86 No. 1164-2 for additional information

Corrected Application Received November 18, 1986 Period of Annual Use Apr 1 - Nov 30

WATER QUALITY APPROVAL RECEIVED Nov. 18, 1986 APPROVED ~~CONDITIONAL~~ (Circle one)

WI-1 Description same as Application YES ☒ NO _____ REMARKS _____

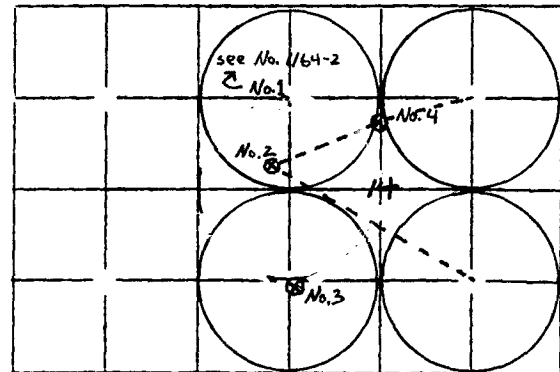
Diversion Point well No. 2: SW $\frac{1}{4}$ NW $\frac{1}{4}$; well No. 3:

near center of SW $\frac{1}{4}$; well No. 4: quarterline between

SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$; all in section 14-T36N-R31W

Land to be Irrigated NE $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$ section 14 -

T36N-R31W



Well Log: Driller Grosch Irrig. Co. Sargent Irrig. Co. Licensed YES ☒ NO _____

Depth of Well _____ REMARKS _____

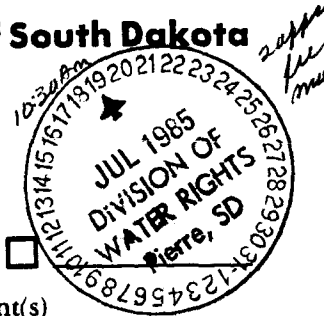
Type of Map aerial photo PREPARED BY Greg Powell Reviewed and the Number

assigned on January 2, 1987 By Ron Duvall

No. 2009-2 Hydrologic Unit 10140203
 Map No. Same Basin White River
 Newspaper Todd Co. Tribune Box 229 Mission (Wed)

Application For Permit To Appropriate Water Within The State Of South Dakota

Type of Application: Check one or more of the following:

New ☒ Vested Right ☐ Future Use ☐☐ Application to amend Permit No. _____ with old priority date retained☐ Change diversion point(s) ☐ Add diversion point(s) ☐ Change acreage ☐ Other ☐☒ Application to: ☐ Change use ☐ Change diversion point(s) ☒ Add diversion point(s)☒ Add Acreage ☒ Increase diversion rate ☐ Other _____ See Permit No. 1164-2☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____1. Name of Applicant David Danielski Phone No. 747-2164Post Office Address HC 78 Box 26 Crookston, Nebraska State 69201
(Street, RR or Box) Zip Code2. Amount of water claimed (c.f.s) 5.07 Total acres irrigated 355.003. Source of Water supply groundwater (Ogallala)4. Location of point of diversion Well #2 - 2950 ft N & 1150 ft E; Well #3 - 1260 ft N & 1340 ft E both from the SW Corner Section 14, T36N, R31W; Well #4 - 1600 ft S & 2640 ft E of NW Corner Section 14, T36N, R31W County Todd5. Counties where water will be used Todd6. Annual period during which water is to be used Spring thru Fall April 1 - November 30

7. 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.
SEE Attached List	

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

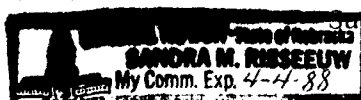
The original permit was for one 200 acre pivot. Mr. Danielski removed the larger pivot and put on 4-1320 ft pivots. There are 4 wells constructed, one of which is permitted. SEE MAP

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

STATE OF SOUTH DAKOTA)
 County of Todd)^{ss}

I, David Danielski the applicant, certify that I have read the foregoing application, 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 David Danielski



Subscribed and sworn to before me this 27 day of June 1985

Sandra M. Rosseuw
 Cherry Co. Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 2009-2
David Danieliski HC 78, Box 26, Crookston
(Applicant) (Post Office Address)
Nebraska 69201 With the following qualifications.
(State) (Zip Code)

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

2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application July 19, 1985.
Date of return to applicant for correction, amendments or changes required April 17, 1986.
Date of receipt of corrected application Nov. 18, 1986. Approved March 4, 1987.

The Water Management Board hereby approves this Water Permit No. 2009-2 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is November 18, 1986.
2. One-fifth of the work is to be completed on or before _____, 19____.
3. The whole of said work is ~~to be completed on or before~~ _____, 19____.
4. The time limit for proof of beneficial use of water is _____, 19____.
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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 5.07 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. 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 _____; said water to be used during the following described annual period: April 1 - November 30

WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer
Division of Water Rights
Dept. of Water and Natural Resources

APR 30 1987

, 19____



#7 Lands

NW $\frac{1}{4}$ NE $\frac{1}{4}$	Section 14 T36N R31W	20 Acres
NE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 14 T36N R31W	33 Acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$	Section 14 T36N R31W	18 Acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 14 T36N R31W	35 Acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 14 T36N R31W	34 Acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$	Section 14 T36N R31W	33 Acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 14 T36N R31W	35 Acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$	Section 14 T36N R31W	33 Acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 14 T36N R31W	23 Acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 14 T36N R31W	22 Acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 14 T36N R31W	35 Acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 14 T36N R31W	34 Acres

TOTAL ACRES	355 ACRES
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Well #1

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 32" Depth 210'
- b) Casing Type Cement Diameter 18" Thickness 3"
- c) Screen Type Cement Diameter 18" Thickness 3"
- d) Gravel Pack Thickness 19" Length of Gravel Pack 210'
- e) Depth to Top of Water Bearing Material APX 80'
- f) Depth of Water (ground surface to water level) APX 80'
- g) Distance to nearest existing domestic well:
 On applicants property 1800' On property owned by others APX 1 mi.

2. Dugout Information Estimates

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

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should 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) Outlet Dimensions:
 Pipe diameter _____

Spillway width _____

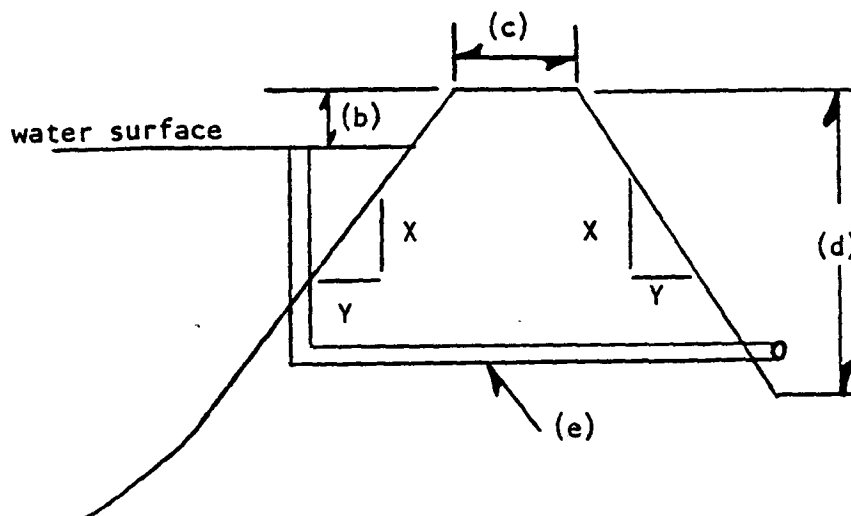
f) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



David Daniels

Signature of Applicant

Supplemental Information

Well #2

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 32" Depth 240'
- b) Casing Type STEEL Diameter 18" Thickness 1/4"
- c) Screen Type Steel Diameter 18" Thickness 1/4"
- d) Gravel Pack Thickness 14" Length of Gravel Pack 240'
- e) Depth to Top of Water Bearing Material APX 80'
- f) Depth of Water (ground surface to water level) APX 80'
- g) Distance to nearest existing domestic well:
On applicants property 1600' On property owned by others APX 1 1/4 Mi.

2. Dugout Information Estimates

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

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should 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) Outlet Dimensions:
Pipe diameter _____

Spillway width _____

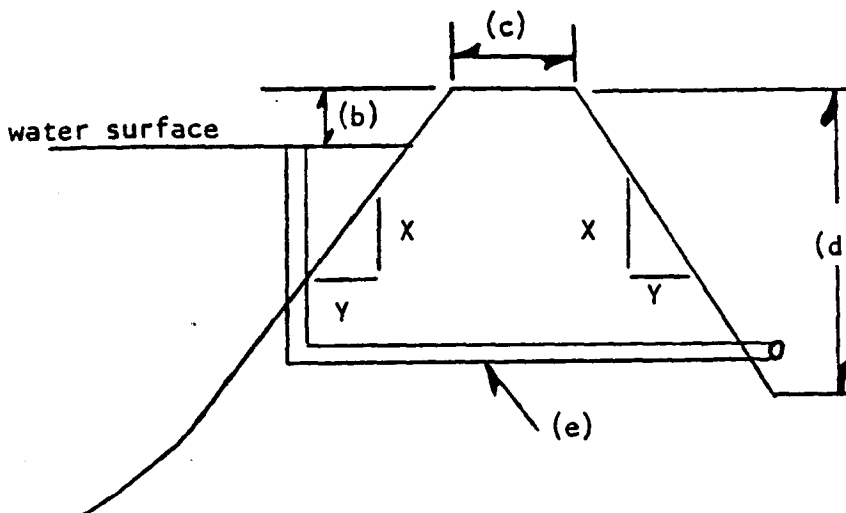
f) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Daniel Daniels
Signature of Applicant

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 32" Depth 240'
- b) Casing Type Steel Diameter 18" Thickness $\frac{1}{2}"$
- c) Screen Type Steel Diameter 18" Thickness $\frac{1}{4}"$
- d) Gravel Pack Thickness 14" Length of Gravel Pack 240'
- e) Depth to Top of Water Bearing Material APX 80'
- f) Depth of Water (ground surface to water level) APX 80'
- g) Distance to nearest existing domestic well:
On applicants property 1400' On property owned by others APX 1 1/2 mi

2. Dugout Information Estimates

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

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should 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) Outlet Dimensions:
Pipe diameter _____

Spillway width _____

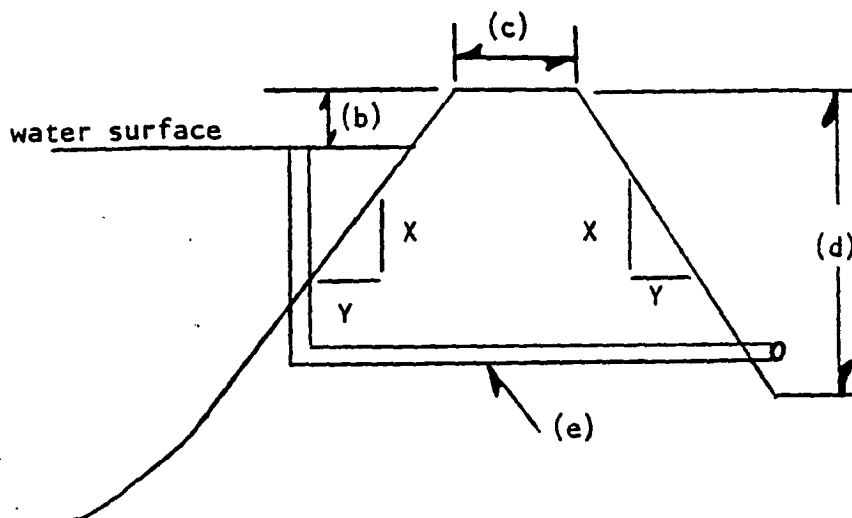
f) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Daniel Daniel
Signature of Applicant

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 32" Depth 210'
- b) Casing Type Cement Diameter 18" Thickness 3"
- c) Screen Type Cement Diameter 18" Thickness 3"
- d) Gravel Pack Thickness 12" Length of Gravel Pack 210'
- e) Depth to Top of Water Bearing Material APX 100'
- f) Depth of Water (ground surface to water level) APX 80'
- g) Distance to nearest existing domestic well:
On applicants property 1700' On property owned by others 1 1/2 mi

2. Dugout Information Estimates

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

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should 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) Outlet Dimensions:
Pipe diameter _____

Spillway width _____

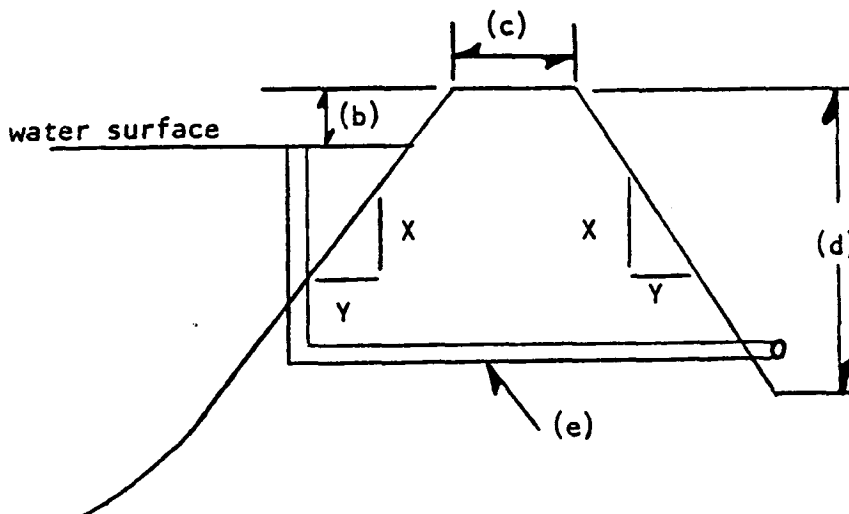
f) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

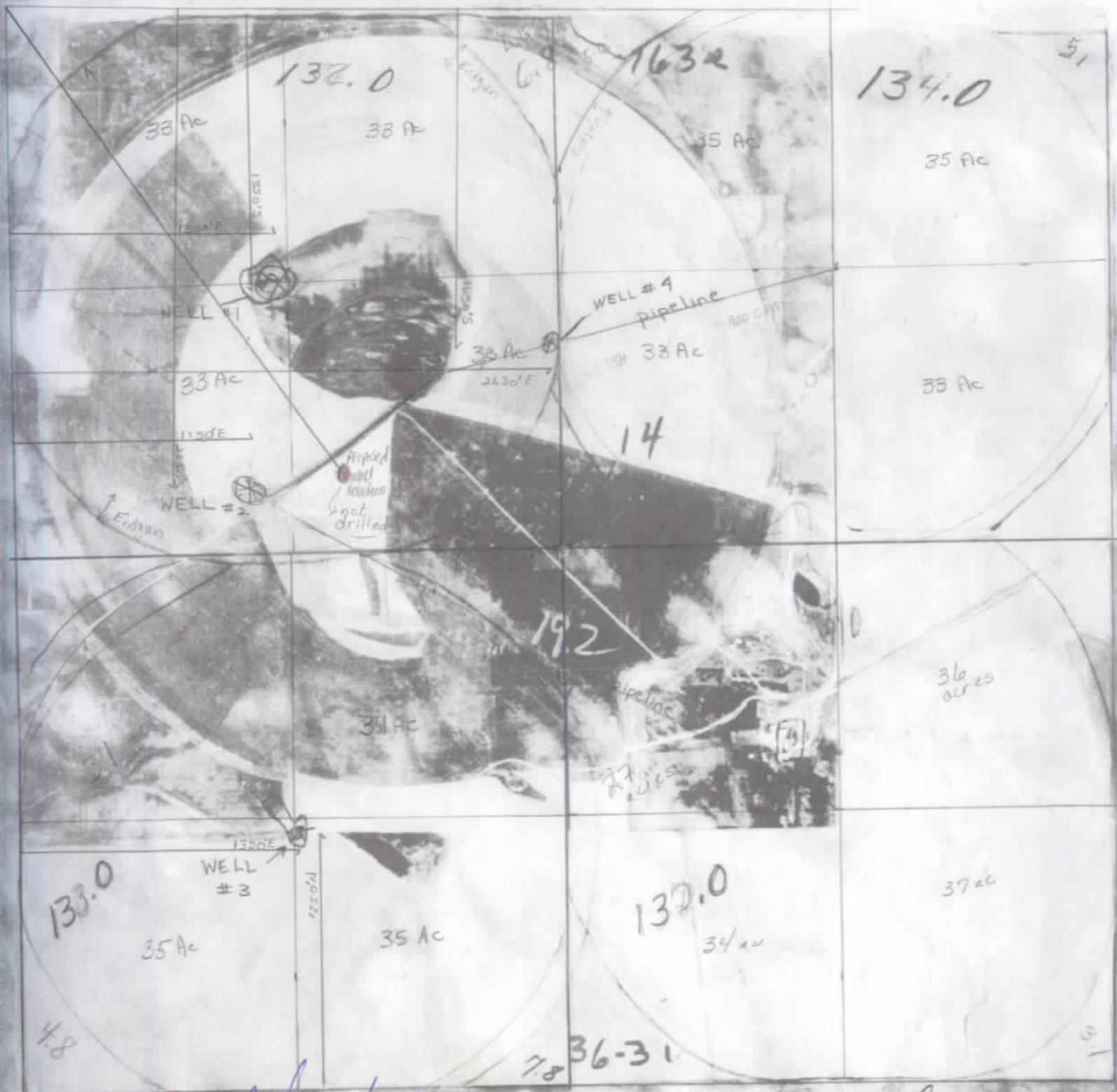
Storage _____ acre feet

Drainage area above dam _____



David Vanich
Signature of Applicant

NOT TO SCALE



NRK hand
4/10/26

Water License No.
Appl. No. 2009-2

This well is connected to the other pivots.

5. System Type: c) center pivot

- 1) make Zimelic
- 2) number of towers 10
- 3) distance between towers _____
- 4) overall length 1312
- 5) End gun (Y/N) Y
- 6) high or low pressure 1
- 7) make & size of nozzles Nelson
- 8) PSI reading while system is running 30
- 9) GPM 700-800

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:

LICENSE FOR PERMIT NUMBER 11612

New well

1. Legal location of wells: 1300' E & 1350' S of the NW corner of
Section 14, T36N, R31W

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells _____ Depth _____

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

Pump a) make _____ Motor a) make Deere Allis Chalmers
b) model _____ b) model no. 2800 MK1
c) size _____ c) horsepower rating 60
d) capacity no. 1000 GPM d) motor efficiency rating _____
e) turbine pump no. of stages _____

3. Distribution lines:
a) size of lines _____
b) type _____
c) length _____

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 _____

Wants 4 wells

5. System Type: c) center pivot

- 1) make Zimmatic
- 2) number of towers 10
- 3) distance between towers _____
- 4) overall length 1312'
- 5) End gun (Y/N) Y
- 6) high or low pressure L
- 7) make & size of nozzles
Nelson
- 8) PSI reading while system is
running 30
- 9) GPM 700-800

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

- | | | |
|----------|------------|---|
| <u>✓</u> | <u> </u> | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit. |
| <u>✓</u> | <u> </u> | 2. Special Qualifications to permit being abided by. |
| <u>✓</u> | <u> </u> | 3. All Structures, wells and lands on map. |

REMARKS:

LICENSE FOR PERMIT NUMBER _____

E 1/2 of Hand

same systems on each 1/4
served by well in middle
of W 1/2 of the section
wants to drill another well

1. Legal location of wells: _____

dams & structures: _____

2. Well Information: Well Drilling Firm Sargent

No. of wells 1 Depth 220'

Casing a) diameter 18" Screen a) type _____
b) length _____ b) length _____
c) type _____ Static Water Level 50-60

Pump a) make Western Land Roller Motor a) make U.S. Electric
b) model B771128 b) model no. C2684-01-352
c) size 8M c) horsepower rating 150
d) capacity 1300 GPM d) motor efficiency rating _____
e) turbine pump _____
no. of stages _____

3. Distribution lines:

a) size of lines 8"
b) type Plastic
c) length 2050' - NE ; 3180' SE

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 _____

i) Outlet tubes:

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

h) Distribution lines or canals:

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

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 _____

EY2

5. System Type: c) center pivot

- 1) make Zimmatic
- 2) number of towers 10
- 3) distance between towers _____
- 4) overall length 1312
- 5) End gun (Y/N) Y
- 6) high or low pressure _____
- 7) make & size of nozzles Seniger
- 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:

SW4
Hand

LICENSE FOR PERMIT NUMBER _____

1. Legal location of wells: _____

dams & structures: _____

2. Well Information: Well Drilling Firm Sargent

No. of wells _____ Depth 200

Casing a) diameter 18" Screen a) type _____

b) length _____ b) length _____

c) type steel Static Water Level _____

Pump a) make Sargent Motor a) make LIS Electric

b) model 12178 b) model no. R-9982-00-061

c) size 12SA c) horsepower rating 125

d) capacity 800 GPM d) motor efficiency rating _____

e) turbine pump
no. of stages 5

3. Distribution lines:

a) size of lines 8"

b) type plastic

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 _____

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: c) center pivot

- 1) make Electrogator
- 2) number of towers 10
- 3) distance between towers _____
- 4) overall length 1300'
- 5) End gun (Y/N) Y
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running 30
- 9) GPM 700-750

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

- | | | |
|----------|-----|---|
| <u>/</u> | ___ | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit. |
| <u>/</u> | ___ | 2. Special Qualifications to permit being abided by. |
| <u>/</u> | ___ | 3. All Structures, wells and lands on map. |

REMARKS:

S/W needed for $3^2 + E^2$

Permit needed for 355 Ac

Papers sent

LICENSE FOR PERMIT NUMBER 1164-2

NW4

Hand

1. Legal location of wells: _____

dams & structures: _____

2. Well Information: Well Drilling Firm GROSH - Drilled 84

No. of wells 1 Depth 186

Casing a) diameter 18" Screen a) type _____

b) length _____ b) length _____

c) type concrete Static Water Level 50-60'

Pump a) make Valley Motor a) make US Electric

b) model _____ b) model no. R6327-02-155

c) size _____ c) horsepower rating 75

d) capacity _____ GPM d) motor efficiency rating _____

e) turbine pump
no. of stages 4

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

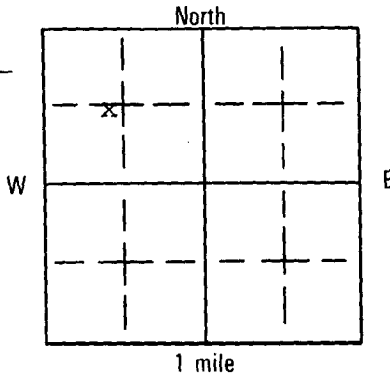
2) make, model & number of sprinklers _____

3) spacing of sprinklers _____

4) nozzle size _____

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location SW 1/4 NW 1/4 Sec 14 Twp 36 Rg 31County ToddPlease mark well
location with
an "X"Well Completion Date 4-31-74

PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Reverse cotary

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>33</u> LB/FT	<u>16</u> IN	<u>0</u> FT	<u>117</u> FT	<u>34</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☐ YES ☒ NO

To what depth? _____ FEET

What is grouting material? _____

If cement, number of sacks? _____

Describe grouting procedure _____

What was grout weight? _____ LB/GAL

SCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 16 IN Length 133 FEETMaterial steelSlot Size .125 Set From 117 Feet To 250 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☐ YES ☒ NO

Explain _____

Bacteriological analysis ☐ YES ☐ NO

Laboratory sent to _____

Well Owner:

Name Dick HandAddress Kilgore, Nebraska 69216

Well Log:

Depth

Formation	From	To
top soil & sandy clay	0	20
sandy clay	20	26
fine sand & sandstone	26	33
clay & limestone	33	40
med. sand	40	54
limestone & sandstone	54	66
fine sand & sandstone	66	74
fine sand	74	80
sand & sandstone	80	92
sand, sandstone & limestone	92	100
med. sand & sandstone	100	104
limestone	104	108
med. sand & sandstone	108	120
fine to med. sand	120	140

STATIC WATER LEVEL 97 Con't on back side
Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped☐ Bailed

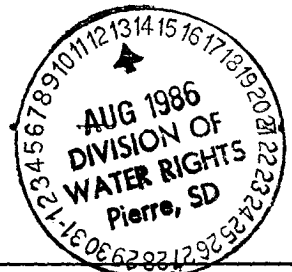
Describe: _____

☐ Other

Pumping Level Below Land Surface

143 ft. After 1/2 Hrs. pumped 800 GPM150 ft. After 1 Hrs. pumped 900 GPM157 ft. After 1 Hrs. pumped 1000 GPM164 1 1/2 1100

REMARKS:

This well was drilled under license # 273

And this report is true and accurate.

Drilling firm Sargent Irrigation Company

Signature of License Representative:

Dale Wilson

Signature of Well Owner:

Dick Hand

Date _____

140	160	fine sand, sandstone & limestone
160	240	medium to coarse sand
240	247	medium sand
247	280	red rock
280	300	red rock & clay
300	380	red rock
380	460	red rock & clay

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: N.W. 1/4 S.W. 1/4 15 Section 35 Township 31 Range Todd Co. S.D.

Well owner Dick Hand Valentine, Nebraska
(Name) (Address)

Date well drilling completed 6-6-78 Purpose of well Irrigation
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer	
0-6	sandy clay	118	ft.
6-54	sand, sandstone	122	ft.
54-57	clay		
57-73	sand, sandstone		
73-76	med		
76-98	sand, sandstone		
98-100	med		
100-120	med coarse sand, sandstone		
120-137	coarse sand, sandstone		
137-140	clay		
140-150	med coarse sand, ss		
150-180	coarse sand, ss		
180-240	coarse sand		
240-260	fine sand, red rock		

Depth to top of water producing aquifer 118 ft.

Depth to static water level 122 ft.

Name of producing aquifer (if known) _____

Total depth of drill hole 240 ft.

Depth to bottom of casing 240 ft.

Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.

Casing is 16 inch .219 wall steel casing
118 feet perforated casing
122 feet plain casing

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

Perforated casing has 40 mill slots
per foot. Slots are .150 x 3 inches.

If a flowing well, flow of completed well _____ G.P.M.

Attach sheet if more space is needed

Sargent Irrigation Company
Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump 8" Sargent Pipe HP 125

Type of pump turbine Capacity of installed pump 800 G.P.M.

Depth of pump placement 210 ft., Date of pump installation 6-15-78

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____.

Sargent Irrigation Company
Name of Pump Installation Contractor



Correction made per phone call to David Danielski on April 15, 1986

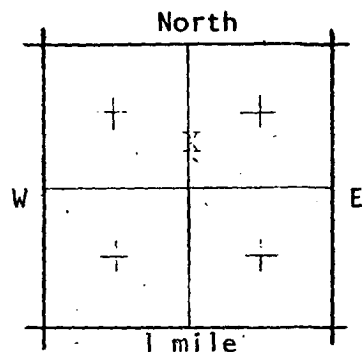
STATE OF SOUTH DAKOTA WELL DRILLERS REPORT

Location ~~14~~ Sec 13 Twp 36N Rg 31W

County

Todd

Please mark well location with an "X"



Well Completion Date 4-18-85

PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Reverse Rotary

WELL CONSTRUCTION:

Diameter of hole 32 inches Depth 212 feet

Casing: ☐ Steel ☐ Plastic ☒ Other
Specify Concrete

Pipe Weight Diameter From To
150 lb/ft 16 inches 0 feet 116 feet
133 lb/ft 16 inches 116 feet 216 feet

Was a well screen used? ☒ Yes ☐ No

If Not Specify _____

Screen Type Concrete Slot Size 1/8"

Length 100 Diameter 16"

Was Casing left open end? ☐ Yes ☒ No

Was a Packer or seal used? ☐ Yes ☒ No

If so what material? _____

Was well gravel packed? ☒ Yes ☐ No

Was well grouted? ☐ Yes ☒ No

Describe grouting procedure _____

To what depth? _____ Feet

What was grouting material? _____

If cement, how many sacks? _____

Location of packer(s) and screen or perforated pipe _____

WAS WELL PLUGGED OR ABANDONED ☐ Yes ☒ No

If so how and with what material? _____

Well Owner:

Name Danielski Harvesting

Address Box 221
Valentine, NE 69201

Well Log:

Depth

Formation	From	To
TOP-Soil	0	3
Sandy Clay	3	29
Sandstone & Clay	29	42
Sandstone & clay layers	42	55
Fine Sand & sandstone/clay	55	84
Fine med. sharp pepper sand	84	98
SS, fine Sand/limestone/clay	98	115
Fine med sharp pepper sand	115	140
Fine p. sand, SS, LS Clay	140	162
Sharp pepper sand	162	210
Red rock	210	220

STATIC WATER LEVEL 125 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut off? _____

WELL TEST DATA:

☒ Pumped

☐ Bailed

☐ Other

Describe: _____

Pumping Level Below Land Surface

196 ft. After 6 Hrs. pumped 420 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

Remarks:

This well was drilled under license # 189

and this report is true and accurate.

Grosch Irrigation Co. Dick Grosch

Drilling Firm

Signed by Dick Grosch

Date January 29, 1986

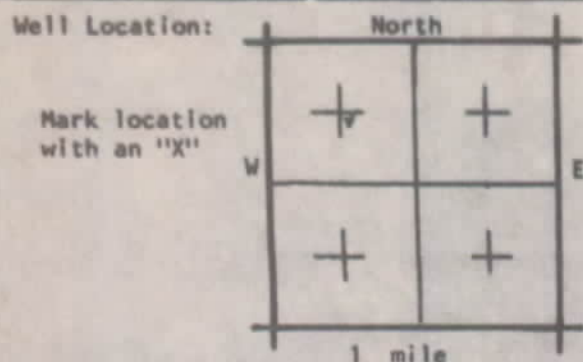
PLEASE COMPLETE
ENTIRE FORM

WELL DRILLERS REPORT
Division of Water Rights
Department of Water & Natural Resources

6/60

Well Owner:
Name Narichski Farming
Address Valentine, Ne

Water Level Information:
Static water level 127' below land surface
If flowing: closed in pressure PSI
rate of flow GPM
Controlled by:
☐ Valve ☐ Reducers ☐ Other
If other; specify



County Todd
SE 1/4 NW 1/4 Sec. 14 Twp. 36 Rg. 31

Proposed Use:
☐ Domestic ☐ Municipal ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:
☐ Forward Rotary ☐ Bored ☐ Jetted
☒ Reverse Rotary ☐ Cable ☐ Other

Well Construction:
Diameter of Hole 32"
Depth 230'
Casing ☐ Steel ☒ Concrete
☐ Plastic ☐ Other
If other, specify

Was casing end left open no
Was a well screen installed yes
Describe Well Screen
Diameter 1 1/2" Material concrete
Slot size 6/32" x 3/16"
Was well gravel packed yes
Was well grouted no
Was water sample taken no

Remarks:



Well Test Data:
☒ Pumped
☐ Bailed Describe:
☐ Other
Pumping Level Below Land Surface
805 ft. After 4 Hrs. pumped 800 GPM
205 " " " " 700 "
196 " " " " 600 "
124 " " " "

Well Log:

Formation	From	To
Top soil	0	2
clay sand	2	9
Sand, clay Lys	9	20
Sand	20	61
SS, FS, LS, clay	61	78
SS, LS, clay	78	109
SS, FS, LS, clay	109	131
FS, SS, L clay	131	159
Sharp sand	159	181
Coarse sand	181	188
Clay	188	190
Coarse sand	190	230
Red rock	230	240
Silt sand		

(Use Back if Necessary)

Date Completed: October 15, 1983

Driller: Prosch Inc 189
Driller's or Firm's Name License NO.
O'Neill, Ne
Address
Peggy Rickard 11/10/83
Signed by Date

11-21-83

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410937

Pierre, July 20, 19 87

RECEIVED OF Danielski Harvesting & Farming, 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>2009-2</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 John Hatch
Chief Engineer

JOHN HATCH

RS

WATER RIGHTS DIVISION
(605) 773-3352

April 30, 1985

Dave Danielski
HC 78 Box 26
Crookston, Nebraska 69201

Dear Mr. Danielski:

Enclosed are the permit applications needed to permit the lands on the 'Hand' land.

The Application for Permit to Appropriate Water, is filled out. Please check it for accuracy, sign it, and have it notarized.

The Soil/Water Compatibility Permit Application is also enclosed. Please check it for accuracy, sign it, and have it notarized. Water samples need to be analyzed on the well in the SW $\frac{1}{4}$ of Section 14 and the well that was just drilled. I have enclosed an instruction sheet explaining how to take the water sample and where to send it.

Please check the enclosed map to see that I have marked the new well, well #4, in its approximate location.

The fee to permit the lands is \$350.00. Please enclose \$350.00 when you return the application to appropriate water.

If you have any questions, please contact me at 773-3352.

Sincerely,

Greg Powell
Natural Resources Engineer

GP:ms
Enc.

RECEIPT

Division of Water Rights

Nº 410125 -

South Dakota Department of Water and Natural Resources

Pierre, July 19, 19 85

RECEIVED OF David Danielski, HC 78, Box 26, Crookston, NE 69201

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

Fee for Application for Permit No. <u>2009-2</u> to Appropriate Water, to construct works and to put water to beneficial use	350	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 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	350 00

By

Chief Engineer

John Hatch
JOHN HATCH



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

File copy

April 17, 1986

David Danielski
HC 78, Box 26
Crookston, Nebraska 69212

Dear Mr. Danielski:

In regard to our telephone conversation of April 15, 1986, enclosed is a partially completed soil/water compatibility application (WI-1) and instruction sheet. Please check over the application for accuracy, sign it and have it notarized.

Water Samples need to be taken from the well in the SW $\frac{1}{4}$ of Section 14 and the well that was just drilled. I have enclosed a map showing which wells need sampling. You will need to obtain a soils map of the area from your local Soil Conservation Service to accompany the water samples.

The instruction sheet shows the sampling procedures and gives the address for sending the WI-1, water samples and soils information.

If you have any questions you can contact our office ~~of~~ Jim Stukel with the Division of Conservation, Anderson Building, Pierre, SD. Their phone number is 605-773-3259.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc.

cc: Jim Stukel, Div. of Conservation

Equal Opportunity Employer



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building • Pierre, South Dakota 57501

Phone 605/773-3258

September 23, 1986

David Danielski
HC 78, Box 26
Crookston, NE 69212

Dear Mr. Danielski:

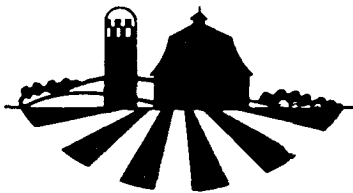
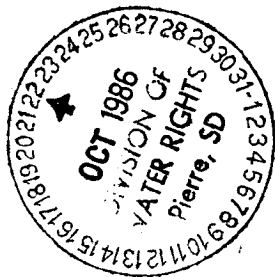
The Division of Water Rights has forwarded your water sample to our office, we have noted that your application for soil and water compatibility did not accompany the sample. We have checked with the Division of Water Rights and the Water Quality Lab and neither of them have your application, as such we can not begin the permitting process.

Please find enclosed an application form, (WI-1), for you to complete and return to this office. Should you fail to return your application under the two permit process to legally irrigate in South Dakota, your application for a water permit can not be processed. So please complete the application and provide the necessary soil information as soon as possible.

Sincerely,

Jim Stukel
Land Management Supervisor

cf



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building • Pierre, South Dakota 57501

Phone 605/773-3258

October 21, 1986

David Danielski
HC 78, Box 26
Crookston, NE 69202

Dear Mr. Danielski:

In reviewing your soil and water compatibility application for the NE1/4 14; SW1/4 14; SW1/4 14-36-31 = 480 acres the irrigation staff is recommending Approval with Requirements of your application to the State Conservation Commission at their November 13, 1986 meeting. The Approved with Requirements recommendation is based on the soil which is found on excessively steep sloped and shallow soils.

The Requirements and Management Recommendations are as follows:

REQUIREMENTS:

The areas mapped as (RcE) Richfield and Canyon soils, 9-21% and (TfE) Tassel-Ronson fine sandy, 3-30% are on excessive steep slopes and may be subject to a severe erosion hazard. These areas shall not be irrigated over 9% slope. Also, due to the shallowness of the Tassel and Canyon soils these areas shall be maintained in a permanent cover crop.

The drainageway found in the NE1/4 and the SE1/4 shall be maintained in grass and/or alfalfa.

MANAGMENT RECOMMENDATIONS:

We recommend that a form of conservation tillage be used to control erosion and improve the moisture holding ability of the soil.

Your water management will be based on a variety of soil textures which can result in over or under irrigation, based on the plants needs. I recommend your management be based on the dominant soil and modify it as needed. i.e. In the SE1/4 the management would be different than in the eastern half, it would require more water.

As with all permits the maximum allowable limits established under SDCL 12:08:05:02 for salt and sodium buildup apply.

Sincerely,

Jim Stukel
Land Management Supervisor

cf

MANAGEMENT FORM

4189

APPROVED WITH REQUIREMENTS

NAME OF APPLICANT: David Danielski

LEGAL DESCRIPTION: NE1/4 14; SE1/4 14; SW1/4 14-36-31 = 480 acres

REQUIREMENTS:

The areas mapped as (RcE) Richfield and Canyon soils, 9-21% and (TfE) Tassel-Bonson fine sandy, 3-30% are on excessive steep slopes and may be subject to a severe erosion hazard. These areas shall not be irrigated over 5% slope. Also, due to the shallowness of the Tassel and Canyon soils these areas shall be maintained in a permanent cover crop.

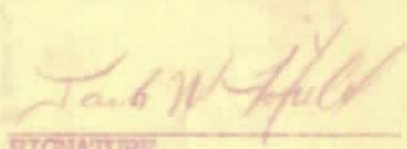
The drainageway found in the NE1/4 and the SE1/4 shall be maintained in grass and/or alfalfa.

MANAGEMENT RECOMMENDATIONS:

We recommend that a form of conservation tillage be used to control erosion and improve the moisture holding ability of the soil.

Your water management will be based on a variety of soil textures which can result in over or under irrigation, based on the plants needs. I recommend your management be based on the dominant soil and modify it as needed. i.e. In the SE1/4 the management would be different than in the eastern half, it would require more water.

As with all permits the maximum allowable limits established under SDCL 42:08:05:02 for salt and sodium buildup apply.


SIGNATURE

11/17/86
DATE

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Office Use Only

Division of Conservation

4187

WR#

OWNERS NAME: David Danielski

OWNERS ADDRESS: HC 78 Box 26

Crookston, NE 69202

COUNTY LAND LOCATED IN: Todd

PHONE: 747-2164

TENANT'S NAME AND ADDRESS:

LEGAL DESCRIPTION: (Show Legal Descriptions to Nearest 10 Acres)

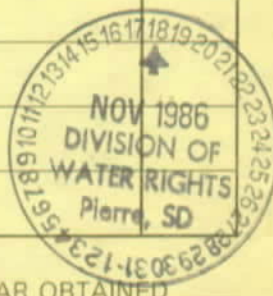
1. WELL LOCATION NE 1/4 SW 1/4 14; SE 1/4 SW 1/4 14; NE 1/4 SE 1/4 NW 1/4 14 all of T36N-R31W

Depth

2. SURFACE WATER SOURCE AND DIVERSION LOCATION:

Diversion Location

Legal Description	Acres	Legal Description	Acres
NE 1/4 Section 14, T36N, R31W	160		
SE 1/4 Section 14, T36N, R31W	160		
SW 1/4 Section 14, T36N, R31W	160		



3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED

LEGAL DESCRIPTION: 50 acres of the NE 1/4 & SW 1/4 Section 14 T36N R31W

IN WHAT NAME: H 2 Cattle Company - Richard Hand

4. LOCATION OF AREA TO BE IRRIGATED NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

OTHER:

5. TYPE OF IRRIGATION: GRAVITY: TOWLINE: CENTER PIVOT: X GUN: (Specify)

6. CROPS TO BE IRRIGATED:

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 36-0850 36-051

10. ADJUSTED (SAR): 0.88 0.60

8. SALINITY (EC X 10⁶): 350 350

11. PERCENT SODIUM 15.2% 10.7%

9. SODIUM (SAR): 0.46 0.31

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at 3:40 a.m./p.m., on 8-7, 1986, at the following location: Well No. 3 - Well No. 4 by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

David Danielski

Signature, of Water Sampler

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (46-5-6.4)

SUBSCRIBED AND SWORN BEFORE ME THIS

14 DAY OF August, 1986

APPLICANT'S SIGNATURE

(NOTARY PUBLIC)

Director, Division of Conservation

Date

APPROVED

DISAPPROVED

WAIVER

REQUIREMENTS

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

Report on Application No. 2009-2
David Danielski
January 6, 1987

Application No. 2009-2 is the result of an inspection for water license conducted by the Water Rights Staff. Application No. 2009-2 proposes to appropriate 5.07 cubic feet of water per second from 3 wells (Ogallala Formation) 200 to 220 feet deep to irrigate 355 acres. The wells are located in the SW 1/4 NW 1/4; near the center of the SW 1/4; and adjacent to the quarter line between the SE 1/4 NW 1/4 and the SW 1/4 NE 1/4 all in Section 14, T36N, R31W. The irrigated acreage is located in the NE 1/4; SW 1/4; and the SE 1/4; all in Section 14, T36N, R31W

Permit No. 1164-2 originally issued to H2 Cattle Co. is for one well located near the center of the NW 1/4 Section 14, T36N, R31W to irrigate 200 acres located in the NE 1/4; SW 1/4 and NW 1/4 Section 14, T36N, R31W.

The entire section 14 was developed and 4 wells are used to divert water to 4 center pivots.

Aquifer: High Plains Aquifer

The High Plains Aquifer consists of the hydrologically connected Arikaree group, Ogallala group, and the Sand Hills Formation. The Arikaree group consists of a massive reddish brown, siltstone and fine to medium grained, poorly cemented, quartz sandstone. The Arikaree lies unconformably upon the Pierre shale or White River group. The Arikaree, known locally as "red rock" underlies approximately 738,560 acres of Todd County (Allen, 1984) and is as much as 200 feet thick in this area (Rahn, 1979). The Ogallala group consists of medium-grained, pure quartz sandstone with zones cemented with calcium carbonate forming ledges known as caliche or mortar beds. The Ogallala lies unconformably upon the Arikaree. The Sand Hills Formation is an unconsolidated windblown sandstone which lies conformably above the Ogallala. This report will consider the Sand Hills as a member of the Ogallala group. The Ogallala group underlies approximately 412,800 acres of Todd County (Allen, 1984) and is 0-400 feet thick in this area (Rahn, 1979). The High Plains Aquifer is under water table conditions contains an estimated 14,599,680 acre feet of recoverable water in storage in Todd County (Allen, 1984), and has an average saturated thickness of at least 150 feet in this area (Water Rights Division Files, 1987). The static water level for this area is approximately 100 feet below land surface. Rahn and Paul (1975) estimate the average transmissivity of the Ogallala is 36,860 gpd/ft and the average specific yield is 0.0419. They also suggest that any two irrigation wells should have a separation of greater than 7,320 feet, if their radii of influence are not to intersect.

The Division of Water Rights monitors 22 observation wells in High Plains Aquifer in Todd County. These wells show seasonal fluctuations due to evapotranspiration, precipitation and irrigation withdrawals, but indicate no areas of significant decline in water levels resulting from irrigation, even where observation wells are located near several high capacity wells.

Review of Existing Permits

The total amount of water appropriated from the High Plains Aquifer, in 1986 from Todd County, was 32,311.3 acre-feet or 0.22% of the estimated recoverable water in storage. There is only one existing permit within five miles of the applicant's wells, it is:

<u>Permit #</u>	<u>Owner</u>	<u>Location</u>	<u>Rate</u>	<u>Use</u>	<u>Acreage</u>
1164-2	David Danielski	NW 1/4 Sec 14, T36N, R31W	2.66	Irr	200

The Division of Water Rights has record of six domestic wells within three miles of the applicant's wells which depend on the High Plains Aquifer as a water supply.

Conclusions

1. Application No. 2009-2 proposes to appropriate 5.07 cfs from three High Plains Aquifer wells to irrigate 355 acres.
2. The High Plains Aquifer is a viable source of groundwater, and is not over appropriated.
3. Observation well hydrographs indicate no significant decline of water levels over the aquifer.
4. Observation well hydrographs indicate well spacing is not a critical issue in the High Plains Aquifer in this area.
5. Well interference should not be a problem.

Ken Buhler /ks
KEN BUHLER
Natural Resources Engineer

References

Allen, J.C., Iles, D., Petres, A., 1984, Analysis of Ground Water and Streamflow Data, Western Dakotas Region of South Dakota: Tasks 3 & 4: Groundwater Resources Inventory: DWNr, Division of Geological Survey, Vermillion SD 57069; US Army Corps of Engineers Contract No. DAW 45-82-C-0151.

Rahn, P.H., 1979, Ground Water Resources of Western South Dakota, SD School of Mines and Technology, Sponsored by: US Army Corp of Engineers.

Rahn, P.H., Paul, H.A., 1975, Hydrogeology of a Portion of the Sand Hills and Ogallala Aquifer, South Dakota and Nebraska.

Division of Water Rights, 1987, "Domestic Well Log and Water Permit Files" DWNr, Division of Water Rights, Joe Foss Building, Pierre SD.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2009-2

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 2009-2, David Danielski, HC 78, Box 26, Crookston NE.

The Chief Engineer is recommending APPROVAL of Application No. 2009-2 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) in the public interest with the following qualifications:

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
January 7, 1987



Department of Water & Natural Resources

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

Water Rights Division
(605) 773-3352

January 28, 1987

NOTE:

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

David Danielski
HC 78, Box 26
Crookston, Nebraska 69201

Dear Mr. Danielski:

Your Application No. 2009-2 for a permit to appropriate water for
irrigation use, has been examined and found to
comply with the South Dakota Water Laws and applicable rules. A notice of
your intent to appropriate water has been send to the Publisher of the

Todd County Tribune printed at Mission

South Dakota. For your information, a copy of this notice, the recommendation
of the Chief Engineer and a report on the application are enclosed. Please
review this notice prior to publication and notify this office, if you have
any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION
OF YOUR NOTICE OF INTENT TO APPROPRIATE WATER AND TO ARRANGE FOR PAYMENT.
Early contact with the paper can eliminate delays. The publisher has been
instructed to publish your notice once each week for two consecutive weeks
with the last publication to occur at least thirty days before the board
meeting. We must receive Proof of Publication before the application can be
considered by the Water Management Board.

Sincerely,

RON DUVAL
Natural Resources Engineer

enclosures



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

January 28, 1987

Todd County Tribune
Box 229
Mission, South Dakota 57555

Dear Sir:

Enclosed is a Notice of Intent to Appropriate Water by David Dantelski
Application No. 2009-2, in Todd County, South Dakota. Please
publish this notice once each week for two consecutive weeks in your paper. The
first publication should be on, or before February 4, 1987.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you
make the first publication. The applicant is to pay the cost of publication and
should make the necessary arrangements with you to pay these costs.

A copy of BOTH publications must be sent to the Water Rights Division. IMMEDIATELY
after the FIRST publication, return a copy of the notice with the FIRST Publication
Transmittal form on the bottom of this page. The first copy is needed to check
the publication for errors so any corrections can be made before the second
notice is published.

Please be sure the SECOND publication is returned with the enclosed Proof of
Publication form. The permit application cannot be considered by the Water
Management Board until proof of publication has been received.

Thank you for your assistance.

Sincerely,

RON DUVALL
Natural Resources Engineer

cc: applicant

***** CUT HERE *****

FIRST
Publication
Transmittal

No. _____

Date _____

TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

We are in receipt of your letter dated _____ and Notice of Hearing to
Appropriate Water by Application No. _____. The notice was first published
in our issue dated _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

NAME _____ NEWSPAPER _____

Equal Opportunity Employer

No. 2009-2

Instruction to Newspaper - Publish first publication of the following Notice on or before **February 4, 1987** with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2009-2 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that David Danielski whose mailing address is HC 78, Box 26, Crookston, Nebraska, ~~South Dakota~~ has made an application for a permit

to appropriate 5.07 cubic feet of water per second from 3 wells (Ogallala Formation) 200 to 220 feet deep to irrigate 355 acres. The wells are located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, near center of the SW $\frac{1}{4}$ and adjacent to the quarter line between the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$, all in Section 14-T36N-R31W. The irrigated acreage is located in the NE $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 14-T36N-R31W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends **APPROVAL** of Application No. 2009-2 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, March 4, 19 87 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by February 20, 1987. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2 46-5-30.4, 46-5-31; ~~(ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; (future use) 46-5-38 thru 46-5-40, (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35, (10,000 AFA) 46-5-20.1, 46-5-8.1, and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, (future use) 74:02:01:24 thru 74:02:01:25, (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNr, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 20, 1987.

No. 2009-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Todd) ss.

I, Kathy Klein hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Todd County Tribune

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

City Mission of _____

County of Todd and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

2/04/87

2/11/87

Kathy Klein
(Signature)

Bookkeeper
(Title)

2/11/87

(Date Signed)

Cost of Printing: 63 lines @ .365 =

23.00, plus 20% discount on 2nd publ =

18.40

41.40 Total cost

Notice of Hearing

on Application No. 2009-2 to Appropriate Water

Notice is hereby given that David Danielski whose mailing address is HC 78, Box 26, Crookston, Nebraska, has made an application for a permit to appropriate 5.07 cubic feet of water per second from 3 wells (Ogallala Formation) 200 to 220 feet deep to irrigate 355 acres. The wells are located in the SW1/4NW1/4, near center of the SW1/4 and adjacent to the quarter line between the SE1/4NW1/4 and the SW1/4NE1/4 all in Section 14-T36N-R31W. The irrigated acreage is located in the NE1/4, SW1/4, SE1/4 Section 14-T36N-R31W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 2009-2 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, March 4, 1987 at 10:00 a.m. The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence of cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by February 20, 1987. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN, Joe Foss Bldg., Pierre, SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 20, 1987.



**Department of
Water & Natural Resources**

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

APR 30 1987

David Danielski
HC 78, Box 26
Crookston, Nebraska 69201

Dear Sir:

Enclosed herewith is your Water Permit No. 2009-3 as approved by the Water Management Board authorizing your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said water Right Permit No. 2009-3.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount, the final papers will be sent to you.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

JOHN HATCH, Chief Engineer
Water Rights Division

JH:MS

enclosure



Department of Water & Natural Resources

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

SECOND NOTICE

July 14, 1987

Permit No. 2009-2

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

David Danielski
HC 78 Box 26
Crookston, NE 69212

Dear Mr. Danielski:

April 30, 1987 you were notified the final inspection fee of \$50.00 is due before Water License No. 2009-2 can be issued. As of this date, the fee has not been received.

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,

A handwritten signature in cursive script, appearing to read "John Hatch".

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

SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space
on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
- ☒ Show to whom and date delivered —¢
- ☐ Show to whom, date, and address of delivery .. —¢
2. ☐ RESTRICTED DELIVERY —¢
(The restricted delivery fee is charged in addition to
the return receipt fee.)

TOTAL \$

3. ARTICLE ADDRESSED TO:

David Danielski
HC 78 Box 26
Crookston NE 69212

4. TYPE OF SERVICE:

- ☒ REGISTERED ☐ INSURED
☐ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER

P 321 925 653

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☒ Authorized agent

Garret L. Danielski

5. DATE OF DELIVERY

7-15-87

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S
INITIALS



#1476-2
#2009-2

Department of Water & Natural Resources

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

February 17, 1989

David Danielski
HC Box 78
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;

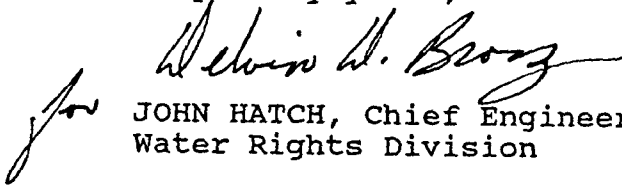


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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,

A handwritten signature in cursive script, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NE 417010

Pierre, December 7, 20 01

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, confirming beneficial use and issuing Water
License No. _____

Fee for Filing Transfer Form 2009-2

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By

Chief Engineer

Darland Erbe

gm

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2009-2

Date: 12-6-01

I/We request that Water Permit No. 2009-2

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:

355 acres - NE 1/4 and S 1/2 Section 14, T36N, R31W

I/We understand that the validity of Water Permit No. 2009-2 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.

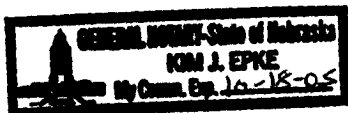
STATE OF SOUTH DAKOTA)

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 Epke
(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.



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

Permit Nos. 1164-2
2009-2

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 Danielski of HC 78, Box 26, Crookston, NE 69212 holder of Permit Nos. 1164-2 2009-2, bearing the priority of March 4 November 18 19 74 86 authorizing the diversion of 2.66 5.07 cu. ft. per second of the waters of groundwater for irrigation purposes, in Todd County.

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

A. Works used to divert the water:

4 Motors: Allis Chambers, 60 PSI; USElectric, 125 PSI; USElectric, 75 PSI; USElectric 150 PSI.4 Pumps: Western Land Roller, 1300 GPM; No Tag; Sargent, 800 GPM; Valley — .

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

8" Al. 10 ft long; 8" plastic 50 ft long; 8" plastic, 2050 ft NE, 3180 SE.

C. Works used to apply water to beneficial use:

4 Pivots: Zimatic, 10 Towers, 1312 ft long, 700-800 GPM; Zimatic, 10 Towers, 1312 ft long, 800 GPM; Electrogator, 10 Towers, 1300 ft long, 700-750 GPM; Zimatic, 10 Towers, 1312 ft long, 700-800 GPM

The system is in the following condition Good

The point of diversion is located Well #1, 1300 ft E, 1350 ft S of NW corner; Well #2, 1150 ft E, 2350 ft S of NW corner; Well #3, 1350 ft E, 1250 ft N of SW corner; Well #4, 2630 ft E, 1650 ft S of NW corner of Section 14, T36N-R31W

The works are capable of diverting and conveying to the place of use 7.0cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: See attached sheet.

See file doc dated March 25, 2002 - license will be issued for 578.6 acres

comprising a total of 537 acres of land and the license should be issued for 7.0 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date 4/9/86NR Had.

(signature)

* Pivot inspected by myself.

David Danielski

All in T36N-R31W

NW $\frac{1}{4}$ NW $\frac{1}{4}$	Section 14	33 Acres		
NE $\frac{1}{4}$ NW $\frac{1}{4}$	Section 14	33 Acres		
SW $\frac{1}{4}$ NW $\frac{1}{4}$	Section 14	33 Acres		
SE $\frac{1}{4}$ NW $\frac{1}{4}$	Section 14	33 Acres	Subtotal	132 Acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$	Section 14	35 Acres		
NE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 14	35 Acres		
SW $\frac{1}{4}$ NE $\frac{1}{4}$	Section 14	33 Acres		
SE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 14	33 Acres	Subtotal	136 Acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 14	31 Acres		
NE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 14	34 Acres		
SW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 14	35 Acres		
SE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 14	35 Acres	Subtotal	135 Acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$	Section 14	27 Acres		
NE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 14	36 Acres		
SW $\frac{1}{4}$ SE $\frac{1}{4}$	Section 14	34 Acres		
SE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 14	37 Acres	Subtotal	134 Acres
	TOTAL	537 ACRES		

2009-2

**WATER RIGHTS PROGRAM
FILE DOCUMENTATION**

NAME OF PERSON: Leonard Danielski – Mission Farms

ADDRESS: PO Box 230, Valentine, NE 69201

COUNTY: Todd

DATE: March 25, 2002

TELEPHONE: 402 376-3039

RE: Licensing of Permit Nos. 1164-2 and 2009-2

COMMENTS:

The water use system described in Nos. 1164-2 and 2009-2 (for Section 14, T36N, R31W) was inspected by Rassool Ahadi in 1986. Due to a discrepancy in the acres irrigated – licensing of the water permits was never completed.

On March 25, 2002, I contacted Mr. Danielski to find out the number of acres being irrigated. He gave me the figures for each pivot in Section 14. The license will be issued for a total of 518.6 acres (as compared to 537 originally defined in Rassool's inspection report). The acres irrigated are as follows:

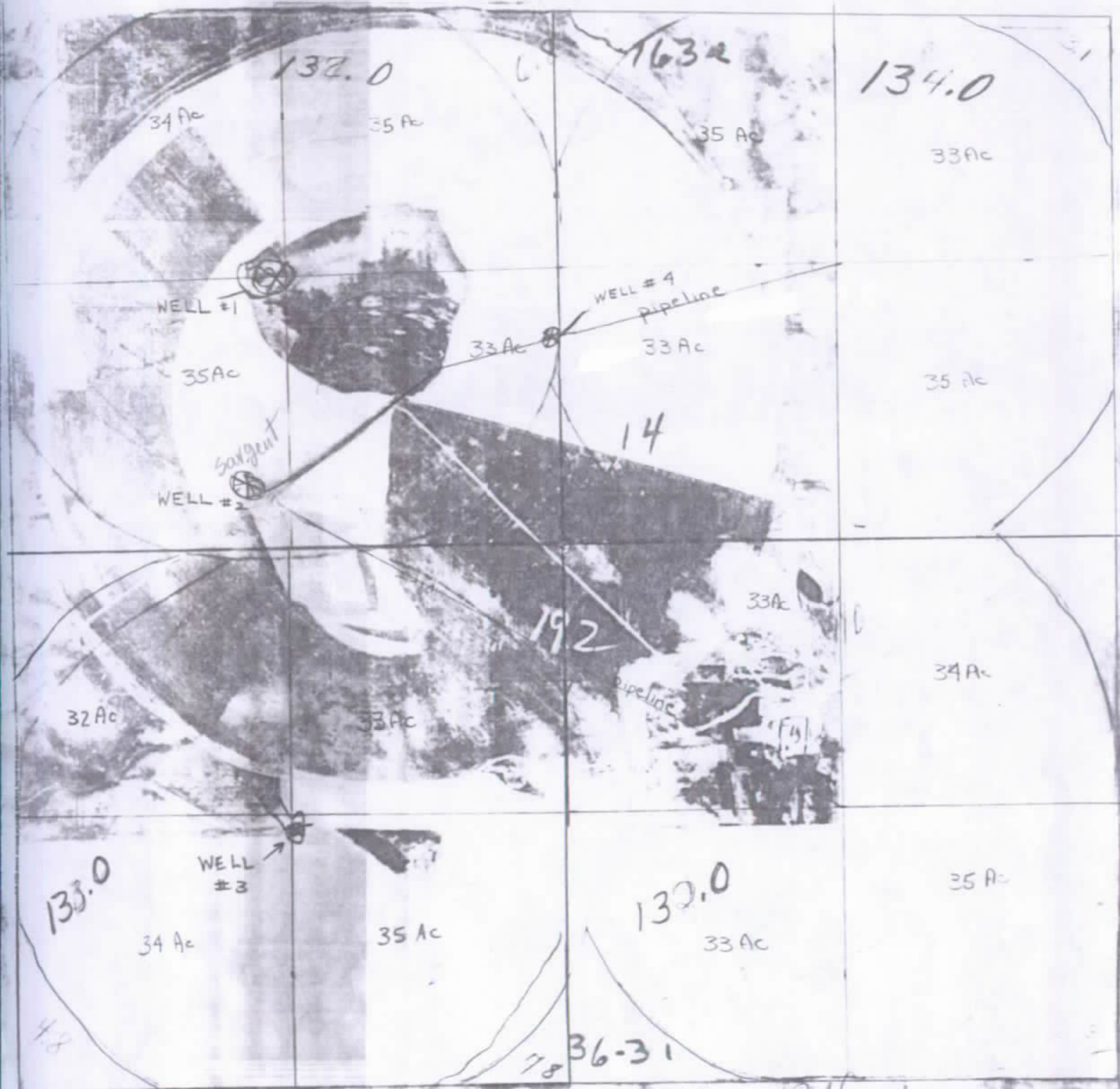
Section 14, T36N, R31W	
NW ¼	126.0 acres
NE ¼	133.4 acres
SW ¼	126.9 acres
SE ¼	132.3 acres
Total irrigated:	518.6 acres

Mr. Danielski confirmed that the diversion rate of 7.00 cfs (3150 gpm) was correct. The license can now be issued (fee already paid). The applicable portions of No. 1164-2 will be incorporated into Water License No. 2009-2.



Genny McMath
Environmental Scientist

NOT TO SCALE



M. J. Hurd
Nat. Res. Eng.
Water License No. 2009-2

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2009-2

(1) David Danielski made Application No. 2009-2, July 19, 1985 for a water permit to divert 5.07 cubic feet of water per second from ground water (three wells), Todd County, South Dakota for irrigation purposes. Permit No. 2009-2, with a priority date of November 18, 1986 was approved March 4, 1987 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Permit No. 2009-2 authorizes irrigation of additional acreage and three additional wells to what was originally authorized and developed under Water Permit No. 1164-2. The applicable portions of Water Permit No. 1164-2 are being incorporated into this Water License No. 2009-2. The March 4, 1974 priority date, established under Water Permit No. 1164-2 is retained for Well 1 (SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14). The remaining three wells, authorized under No. 2009-2 will carry a priority date of November 18, 1986.

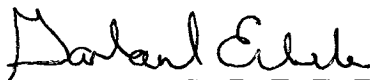
On December 7, 2001, Water Permit No. 2009-2 was transferred to Mission Farms.

(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 7.00 cubic feet of water per second for beneficial use. The location of the diversion points are Well #1 – 1,300'E and 1,350'S of the NW corner; Well #2 – 1,150'E and 2,350'S of the NW corner; Well #3 – 1,350'E and 1,250'N of the SW corner; Well #4 – 2,630'E and 1,650'S of the NW corner; all in Section 14, T36N, R31W.

(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 14, T36N, R31W	
NW $\frac{1}{4}$	126.0 acres
NE $\frac{1}{4}$	133.4 acres
SW $\frac{1}{4}$	126.9 acres
SE $\frac{1}{4}$	132.3 acres
Total irrigated:	518.6 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Mission Farms, PO Box 230, Valentine, NE 69201 the holders and/or owners of Incorporated Water Right No. 2009-2 is issued a license to appropriate water, the right to use 7.00 cubic feet of water per second from ground water (four wells) with priority dates of March 14, 1974 and November 18, 1986 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 any limitations or qualifications listed in Incorporated Water Right No. 2009-2 and subject to South Dakota State Law.



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

APR 16 2002

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 16 2002

2009-2
2092-2
2096-2

Leonard Danielski
Mission Farms
PO Box 230
Valentine, NE 69201-0230

Dear Mr. Danielski:

Enclosed are Water License Nos. 2009-2, 2092-2 and 2096-2. These are the final water right documents completing your process of obtaining water rights. Enclosed are Receipt Nos. 410937, 417116 and 417117 in the amounts of \$50.00 each which you paid for the investigation and issuance of the Water Licenses.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well(s) authorized by Water Right Nos. 2009-2, 2092-2 and 2096-2, 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: Applicable portions of Water Permit No. 1322-2 were incorporated into Water Right Nos. 2092-2 and 2096-2.

Applicable portions of Water Permit No. 1164-2 were incorporated into Water Right No. 2009-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 6, 2015

2009-2

Mike Assman
28636 283rd Ave
Mission SD 57555

Dear Mr. Assman:

I am writing in follow-up to our phone conversation concerning Water Right No. 2009-2 (copy enclosed). It is my understanding that you cash rent the property and someone else actually owns the land.

Enclosed as we discussed is the 2014 irrigation questionnaire pertaining to the water right. Please complete and return the form by **January 23rd**. I have included a postage paid envelope for your use in returning the questionnaire.

When returning the questionnaire, please include a notation on who now owns the land. I will need to follow up with them to get ownership records current. Thank you in advance and if you have any questions, please let me know.

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 6, 2015

2009-2

Vern and Rita Ortmeyer
705 Riverside Dr
Waterloo NE 68069

Dear Mr. & Mrs. Ortmeyer:

I am writing in follow-up to our phone conversation last week concerning ownership of land described in Water Right No. 2009-2. I have included a copy of the water right for your records.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

As we discussed, the annual irrigation questionnaire will continue to be mailed to Mike Assman in Mission SD. If you change renters on the property please get in touch with me so I can update the records.

Thank you in advance for completing the ownership change. If you have any questions, let me know.

Sincerely,

A handwritten signature in cursive script that reads 'Genny McMath'.

Genny McMath
Water Rights Program
(605) 773-5455
email: genny.mcmath@state.sd.us

enclosures

RECEIVED

MAY 08 2015

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2009-2

Date: _____

I/We request that Water Right No. 2009-2

formerly owned by: Mission Farms

be transferred to: (name & address) VERNON A. ORTMAYER AND

RITA R. ORTMAYER TRUST.

105 RIVERSIDE DRIVE WATERLOO, NE. 68069 Telephone No. 402-163-4274

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

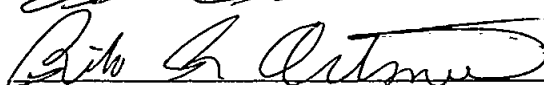
518.6 acres - Section 14, T36N, R31W

I/We understand that the validity of Water Right No. 2009-2 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 VERNON ORTMAYER, the new owner, certify that the above information is true and correct.



(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 5/8, 20 15

RECEIVED OF Vernon Ortner 705 Riverside Dr Waterloo NE 68069

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>2009-2</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. 07392

By

John Landman
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

May 11, 2015

2009-2

Vernon A & Rita R Ortmeier
705 Riverside Dr
Waterloo NE 68069

Dear Mr. & Mrs. Ortmeier:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 2009-2.

The ownership change has been completed. The water right formerly held by Mission Farms is now listed as "Vernon A & Rita R Ortmeier Trust".

Enclosed is your Receipt No. 07392 in the amount of \$50 which you paid for filing the ownership change. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosure



2009-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2020

NOTICE

TO: MIKE ASSMAN, RENTER, 28636 283RD AVE, MISSION, SD 57555

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2009-2. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 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) 2009-2 qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** 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) 2009-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

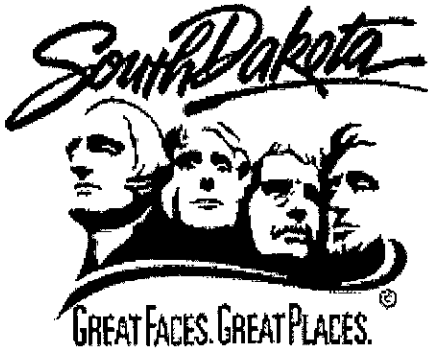
The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: OYHSQA**

c: VERNON A & RITA R ORTMEIER, 705 RIVERSIDE DR, WATERLOO NE 68069

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.

2009-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 21, 2020

2009-2

Vernon & Rita Ortmeier
705 Riverside Dr
Waterloo NE 68069

Dear Mr. & Mrs. Ortmeier:

I am writing to acknowledge receipt of the 2019 irrigation questionnaire information from Mike & Darla Assman.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right No. 2009-2. The information was received in our office prior to the Water Management Board meeting and the issue has been deleted from the agenda.

Mrs. Assman requested that we send this coming year's questionnaire directly to you since they are not going to be renting the land. The questionnaire will be mailed out in mid-October and is due by December 1st. If you re-rent the land and want correspondence to go to someone else, please contact me.

Sincerely,

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

2009-2



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: SCOTT ASSMAN, OPERATOR, MIKE ASSMAN, 28636 283RD AVE, MISSION, SD 57555

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2009-2. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 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) 2009-2 qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 am (Central Time)** 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) 2009-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

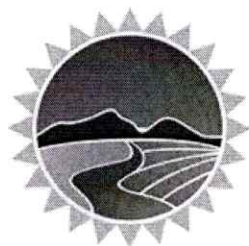
The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 3, 2021** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: XMLNSJ**

C: VERN & RITA ORTMEIER, 705 RIVERSIDE DR, WATERLOO NE 68609

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.

2009-2



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 12, 2021

1411A-2
2009-2

Mike or Scott Assman
28636 283rd Ave
Mission SD 57555

Dear Sirs:

I am writing to acknowledge receipt of your 2020 irrigation questionnaires.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Right Nos. 1411A-2 and 2009-2. 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,

A handwritten signature in cursive script, appearing to read "Genny McMath".

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

C: Vern & Rita Ortmeier



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2023

NOTICE

TO: VERNE & RITA ORTMEIER, 705 RIVERSIDE DR, WATERLOO, NE 68609

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2009-2. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 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) 2009-2 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 am (Central Time)** 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) 2009-2 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 before the **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: WYCPDX**

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.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

February 21, 2023

2009-2

Verne & Rita Ortmeier
705 Riverside Dr
Waterloo NE 68609

Dear Mr. & Mrs. Ortmeier:

I am writing to acknowledge receipt of your 2022 irrigation questionnaire. Mike Assman sent the form in along with his questionnaire.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right No. 2009-2. 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
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: VERNE & RITA ORTMEIER, 705 RIVERSIDE DR, WATERLOO, NE 68609

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2009-2. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 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) 2009-2 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** 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) 2009-2 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 before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: TMCFGQ**

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.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 28, 2025

2009-2

Verne & Rita Ortmeier
705 Riverside Dr
Waterloo NE 68609

Dear Mr. & Ms. Ortmeier:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 2009-2. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

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