

Considered: _____

WATER PERMIT NO. 2093-2

HAP No. same (605) 742-2824

Name of Applicant Mission Farms, Inc. c/o David Danielski

Post Office Address HC 78 Box 26 Brookston, NE 69212

Amount of Water Claimed no add'l Total Acres no add'l

Source of Water Supply groundwater - 1 well

Water to be used for irrigation County Todd

About 12 miles SW of Mission

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received March 20, 1989 Fee \$50⁰⁰ Remarks This appl. is

for a helper well

Corrected Application Received May 24, 1989 Period of Annual Use Apr 1 - Sept 30

WATER QUALITY APPROVAL RECEIVED June 9, 1989 APPROVED / CONDITIONAL (Circle one)

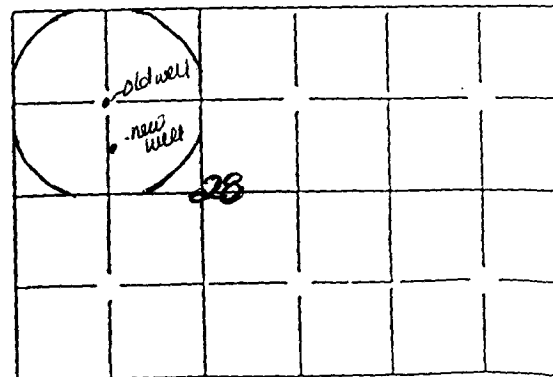
WI-1 Description same as Application YES ☒ NO _____ REMARKS _____

Diversion Point approx. 600 ft south of the

Center of the NW 1/4 Section 28 -

T37N-R29W

Land to be Irrigated NW 1/4 Section 28 - T37N-R29W



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

Depth of Well 177' REMARKS Well has already been

drilled.

Type of Map Aerial photo PREPARED BY Evelyn M. Lower Reviewed and the Number

assigned on July 27, 1989 By Susan Bower



No. 2092-2 Hydrologic Unit 10140203
Basin White River
Newspaper Todd Co. Tribune, Box 229 Mission, SD 57555

Mail to: Water Rights Div.
523 E. Capitol
Pierre, SD 57501
(605) 773-3352

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

Type of Application: ☐ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☐ Change diversion point(s) ☒ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other Helper Well

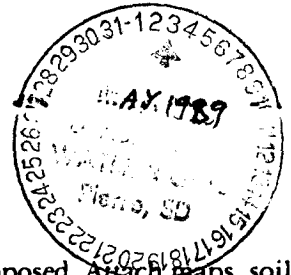
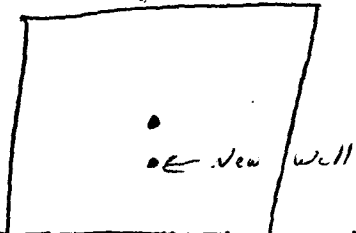
Name of Applicant Mission Farms Inc Phone No. 605-742-2824
Address HC 78 Box 26 Crookston State NE 69212
(Street, RR or Box) no add'l (City) Zip Code
2. Amount of water claimed (c.f.s) 450 2.0 Total acres irrigated 730 no add'l
3. Source of Water supply Ground water 1 well
4. Location of point of diversion SE 1/4 NW 1/4 Sec 28, T37N, R29W, Todd
SE 1/4 NW 1/4 Section 28-T37N-R29W
County Todd
5. Counties where water will be used Todd
6. Annual period during which water is to be used April 1 through September 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.
SW 1/4 of NW 1/4, S28, T37N, R29W	32.5
SE 1/4 =	32.5
NW 1/4 =	32.5
NE 1/4 =	32.5

Land Description	No. Acres Irr.

Attach sheet if more space is needed

NO Additional water claimed, adding diversion to existing permit Water Permit No. 1322-2 Other: _____
8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: ☒ Gun: _____ (Specify) _____
9. Crops to be Irrigated: Corn & Beans
10. Give a description of proposed project. (Attach sheet if more space is needed)

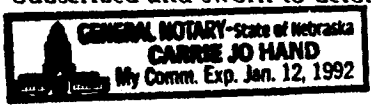


Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of _____)

I, _____, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Mission Farms Inc, Box
David R. Hand
Subscribed and sworn to before me this 17th day of March 1989
Carrie Jo Hand
Notary Public



SOUTH DAKOTA
WATER PERMIT No. 2092-2 FOR IRRIGATION

Date of first receipt of application March 20, 1989.
Date Soil/Water Compatibility Permit received June 9, 1989.
Date of return to applicant for corrections, amendments or changes April 20, 1989.
Date of receipt of corrected application May 24, 1989.

The Water Management Board approved Water Permit Application No. 2092-2 on December 7, 1989 for Mission Farms Inc., c/o David Danielski, HC 78, Box 26, Crookston NE 69212 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2092-2 adds a well (Ogallala Aquifer) 177 feet deep to supplement the well authorized by Water Permit No. 1322-2. The additional well is located in the SE1/4 NW1/4 section 28-T37N-R29W and is used to supplement irrigation of 135.2 acres located in the NW1/4 section 28-T37N-R29W. No increase in diversion rate or number of acres irrigated is authorized by this permit.
2. The amount of the appropriation may not exceed 2 acre feet per acre per year for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - September 30.
3. The date from which applicant may claim right is December 12, 1975.
4. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
3. Approval of Permit No. 2092-2, grants a variance to Water Management Board Rule 74:02:04:28.
4. Combinations of diversions under Permits No. 1322-2 and 2092-2 may not exceed the statutory limit of 1.0 cfs for each 70 acres of land to be irrigated.

WATER MANAGEMENT BOARD

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

MAR 21 1990

(date)

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4332

WR#

OWNERS NAME: Mission Farms, Inc.

OWNERS ADDRESS: HC 78, Box 26

Crookston, NE 69212

COUNTY LAND LOCATED IN: Todd

PHONE: 742-2824

LEGAL DESCRIPTION:

☒ Well

☐ Surface

1. LOCATION SE 1/4 NW 1/4 Sec. 28-T37N-R29W

Depth _____

Legal Description	Acres	Legal Description	Acres
SW 1/4 NW 1/4 Sec. 28-T37N-R29W	32.5		
SE 1/4 NW 1/4 " "	32.5		
NW 1/4 NW 1/4 " "	32.5		
NE 1/4 NW 1/4 " "	32.5		
TOTAL ACRES=			130

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: X GUN: _____ OTHER: _____ (Specify) _____

3. CROPS TO BE IRRIGATED: corn & beans

WATER QUALITY:

4. WATER SAMPLE NUMBER: 38-0158

7. ADJUSTED (SAR): 0.32

5. SALINITY (EC X 10⁶): 350

8. PERCENT SODIUM: 5.37

6. SODIUM (SAR): 0.16

Requirements:



Walter Quinn
Director, Division of Conservation

Date 6-16-89

☒ APPROVED
☐ DISAPPROVED
☐ WAIVER

REQUIREMENTS

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

 **Department of
Water & Natural Resources**

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

February 24, 1989

Mission Farms, Inc.
PO Box 230
Valentine NE 69201

Dear Sir:

A well drillers report filed with this office by Grosch Irrigation Company indicates you have recently completed a new well. The well driller is required by South Dakota Codified Laws (SDCL 46-6-11) to file a well construction report within 30 days of completion.

The purpose of the enclosed "Summary of South Dakota Water Law and Water Right Information" is to provide general information and to inform you of the responsibilities you have incurred. Specifically:

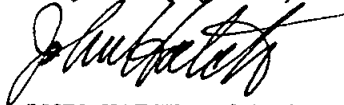
1. According to South Dakota Water Rights Law (SDCL 46-1-15, 46-5-9, 46-5-10), it is necessary to obtain a water permit to appropriate waters of this state. An exception to this requirement is for water used for domestic purposes. Domestic water uses that do not require a permit are listed under item 5 on the enclosed summary. Those activities that require permits are listed under item 7.
2. If your new well was drilled as a replacement well and if you do not plan to use the old well, the old well is considered abandoned and must be plugged pursuant to SDCL 46-6-27. Other abandoned wells must also be plugged.
3. If the old well is not to be abandoned, or will be used, the well must be sealed or capped at the surface pursuant to SDCL 46-6-27.

Based upon the information we have, you may need a water permit. Since we have no record of a water permit for this well, I am enclosing application forms and an instruction sheet for preparing a water right permit application.

Please complete the application and submit it with the required fee to the "Water Rights Division, Joe Foss Building, 523 E. Capitol, Pierre, SD 57501" by April 14, 1989.

If you have questions or need assistance contact Susan Bowar, Water Rights Division Engineer (605-773-3352).

Very truly yours,

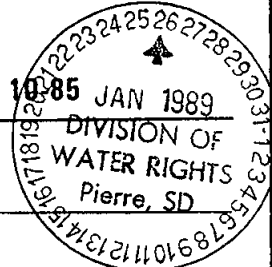


JOHN HATCH, Chief Engineer
Water Rights Division

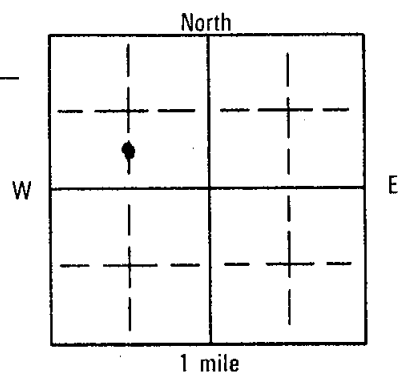
cc: well driller

enclosure

SOUTH DAKOTA WATER WELL COMPLETION REPORT

Location 1/4 NW 1/4 Sec 20 Twp 37N Rg 20WCounty add

Please mark well location with an "X"

Well Completion Date June 8, 1988

PROPOSED USE:

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

Method of Drilling:

Reverse Rotary

CASING DATA:

☐ Steel ☐ Plastic ☒ Other
If other describe Concrete

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>150</u> LB/FT	<u>16 ID</u> IN	<u>0</u> FT	<u>54</u> FT	<u>30</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 ID IN Length 125 FEETMaterial ConcreteSlot Size 3/16 Set From 54 Feet To 177 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NOIf so, what material? Gravel-BentoniteDescribe packer(s) and location? One part bentonite to 2 no parts grave - 6' below ground surface to ground surfaceWas well disinfected upon completion? ☐ YES ☒ NO

Explain _____

Bacteriological analysis ☐ YES ☒ NO

Laboratory sent to _____

Well Owner:

Name Mission Farms Inc.

P.O. Box 230

Address Valentine, NE 69201

Well Log:

Depth

Formation	From	To
Top soil	0	2
Sand & sandy clay	2	18
Clay	18	28
Sandstone, fine sand & clay	28	47
SS, limestone, clay layers	47	55
SS, limestone clay	55	64
Fine sand, SS clay layers	64	81
SS, limestone, clay	81	90
Fine sand, Sandstone	90	135
Fine sand, SS, IS, clay	135	170
Red rock	170	180

STATIC WATER LEVEL 60 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

145 ft. After 6 Hrs. pumped 345 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 100

And this report is true and accurate.

Drilling firm Grosch Irrigation Company

Signature of License Representative:

Signature of Well Owner:

Date 1/23/89

Pivot Well

0	2	Top soil
2	14	Sandstone, clay and magnesia
14	18	Clay
18	64	Sandstone, fine sand and few little clay layers
64	75	Sandstone, little limestone-clay layers
75	106	Fine sand, sandstone and few little limestone-clay lys.
106	114	Clay and sandstone
114	132	Sandstone and fine pepper sand
132	145	Medium pepper sand
145	160	Medium pepper sand and few little clay layers
160	173	Medium pepper sand
173	200	Red Rock

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, May 24, 1989, 19⁸⁹

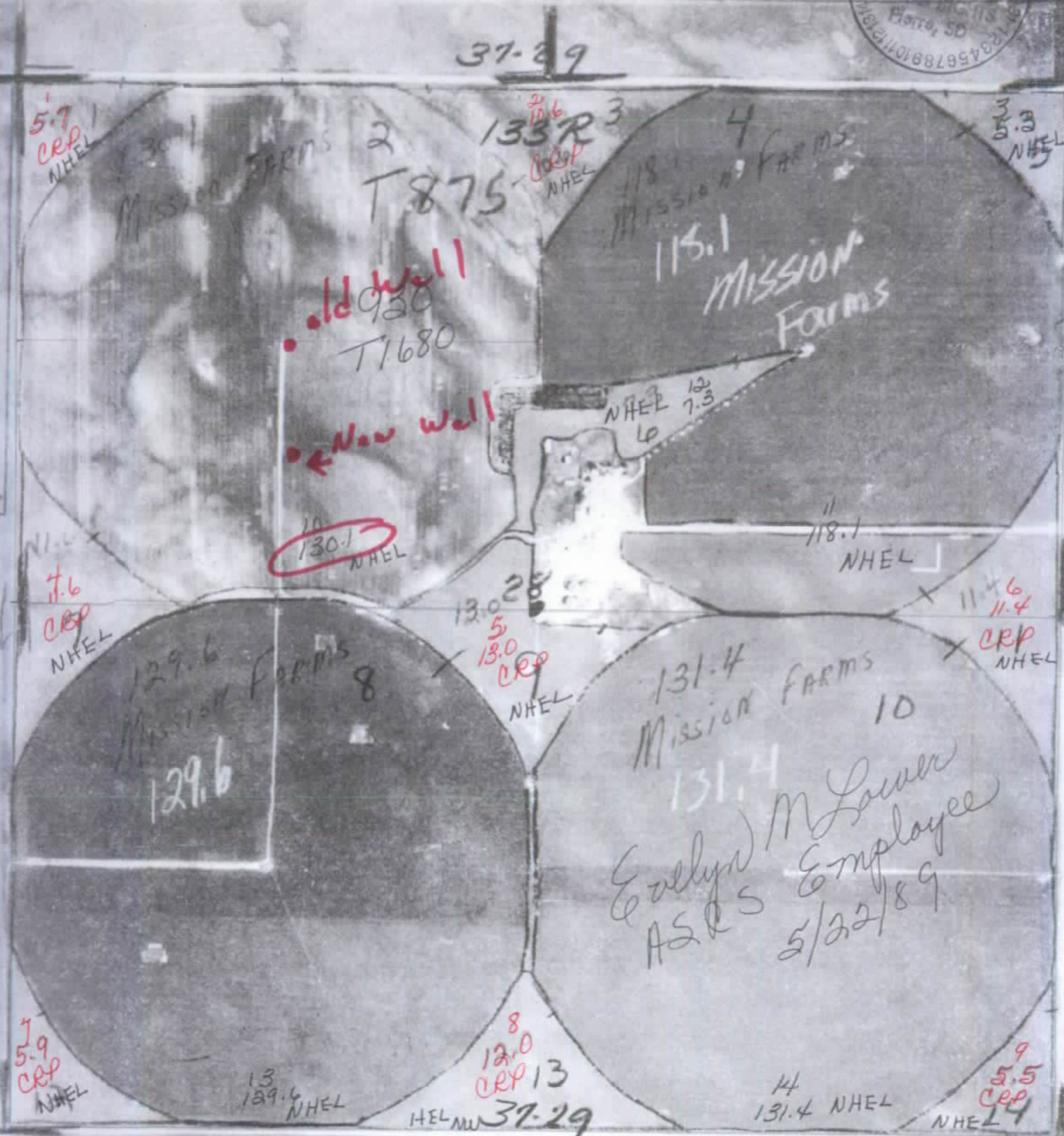
RECEIVED OF DANIELSKI HARVESTING & FARMING, Box 230, Valentine, NE 68201-0230

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

Fee for Application for Permit No. <u>2092-2</u> to Appropriate Water, to construct works 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 _____		
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

NOT TO SCALE



Appl. No. 2092-2

Conversation or File Documentation

NAME OF PERSON OR FILE: David Danielski, Mission Farms

ADDRESS: _____ COUNTY _____

DATE: 3/9/89 TELEPHONE _____RE: Feb 24, 1989 letter enclosing permit application forms

COMMENTS:

Mr. Danielski called today regarding the letter he received from John Hatch. This letter was sent as a result of a well log received from Gracch Irrigation. Mr. Danielski said this well is to be a helper well to the existing well in the NW¹4 Section 28-T37N-R29W. No additional water is to be pumped between the two wells (in addition to that authorized by Water Permit No. 1322-2).

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



Department of Water & Natural Resources

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

April 20, 1989

David Danielski
Mission Farms, Inc.
PO Box 230
Valentine NE 69201

Dear Mr. Danielski:

This letter is in response to your water permit application received on March 20, 1989, to add on helper well. The following information is needed to complete the water permit application:

- 1) Item Nos. 1 through 10 on the application need to be completed. The amount of water claimed (No. 2) depends on whether this application is to increase the overall pumping capacity or if the helper well is to make up for lost capacity from the existing wells. If the helper well is to increase the overall diversion rate, then specify the actual pumping capacity from the well. If the helper well is not to increase the overall diversion rate, then specify no additional cfs and explain why there is no increase in the diversion rate.

The location of the helper well (No. 4) needs to be specified to the nearest 40 acre area and the legal description of the acreage to receive water from the helper well also needs to be specified (No. 7). An additional sheet may be attached if needed. The acreage should be described by 40 acre subdivisions.

- 2) A map also needs to be submitted with the application showing the location of the helper well and any acreage irrigated from the helper well. The map needs to be completed and signed according to the directions on the enclosed instruction sheet.
- 3) The well information on the enclosed Form 2A also needs to be completed.
- 4) The amount of the application fee is dependent upon the diversion rate specified on the application. The instruction sheet outlines the fee structure.

The application can not be processed for consideration by the Water Management Board until the application is complete and until a soil/water compatibility is approved, if required by the Department of Agriculture. Please complete the application, the map and the Form 2A and return with the application fee.

If you have any questions, please contact me.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352
enc.



**Department of
Water & Natural Resources**

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

May 12, 1989

David Danielski
Mission Farms, Inc.
HC 78, Box 26
Crookston, NE 69212

Dear Mr. Danielski:

This letter is in response to the water permit application received from you on March 20, 1989 and May 3, 1989.

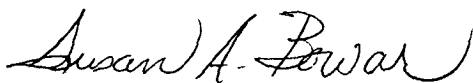
The application remains incomplete for the following reason(s):

- (1) A map, signed by a South Dakota Registered Engineer, a South Dakota Licensed Land Surveyor, or by a government employee who normally prepares maps as part of their regular duties (**ASCS** or **SCS**), that shows both the locations of the wells and the acres being irrigated needs to be submitted.
- (2) The amount of water claimed between the existing well and the new helper well needs to be indicated. Please enter the amount of water each well is capable of diverting on question No. 2 on the enclosed application form.
- (3) The enclosed Form 2A needs to be completed and returned.
- (4) The required application fee needs to be submitted. If the combined diversion rate does not exceed that authorized by Water Right No. 1224-2, the fee is \$50. If the diversion rate is higher, the fee will be based on the amount of water diverted.

The Water Management Board cannot consider a water permit application until it is complete. Please submit a signed map, a completed Form 2A, clarification on the enclosed application form of the total amount of water diverted, and the required fee to begin processing of your water permit application.

Feel free to contact me if you have any questions.

Sincerely,



Susan A. Bowar
Natural Resources Engineer
Water Rights Division
(605) 773-3352

enclosure





Department of Water & Natural Resources

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

May 26, 1989

Mission Farms, Inc.
c/o David Danielski
HC 78, Box 26
Crookston, NE 69212

Dear Mr. Danielski:

On May 24, 1989 we received a signed map, Form 2A, and the application fee that was requested in my letter of May 12, 1989 to you. These items complete your water permit application for the "helper" well located approximately 600 feet south of the center of NW1/4 Section 28, T37N, R29W. The old well as indicated on the map that you submitted is authorized by Water Permit No. 1322-2. A copy of your application will be forwarded to the Division of Conservation in the Department of Agriculture, for Soil/Water Compatibility approval. This approval must be received before the Water Management Board can consider your water permit application.

Upon reviewing Water Permit No. 1322-2, which authorizes the withdrawal of 8 cubic feet of water per second to irrigate 589 acres in the NW1/4 Section 28, SW1/4 Section 34, T37N, R29W and the N1/2 NW1/4 Section 4, T36N, R29W, it appears several items need to be addressed. These items include:

- 1) Water Permit No. 1322-2, under the names Charles Rick Johnson, Wally Eklund, & David Vrooman, needs to be transferred to your name. I am enclosing a transfer form for you to complete and return.
- 2) It was discovered, during an inspection conducted in 1984, that a helper well had been drilled to aid the well located in the SW1/4 Section 34, T37N, R29W. The permit holders were informed that an application would need to be submitted for this additional well (see enclosed copy of letter dated February 1, 1985). No water in addition to that authorized by Water Permit No. 1322-2 was to be appropriated from this well. The fee has been received for this application. In order to complete the processing for this application, the enclosed application form needs to be reviewed for accuracy, signed and notarized and the enclosed map showing the location of the wells needs to be reviewed for accuracy and signed by an ASCS or SCS employee who normally prepares maps (or by a South Dakota Registered Professional Engineer, or a South Dakota Licensed Land Surveyor).



May 26, 1989
Mission Farms, Inc.
page 2

Please return the transfer form, along with the \$2.50 filing fee, the application form for the second well in the SW1/4 Section 34-T37N-R29W, and a signed map at your earliest convenience. If you return this information within the next week, it may be possible to combine the legal notice for both of your applications.

Feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Susan A. Bowar".

Susan A. Bowar
Natural Resources Engineer
Water Rights Division
(605)773-3352

enclosures



Department of Water & Natural Resources

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

July 27, 1989

David Danielski
Mission Farms, Inc.
HC 78, Box 26
Crookston, NE 69212

Dear Mr. Danielski:

This is in reference to the letter dated May 26, 1989 that was sent to you. I have enclosed a copy of this letter.

We have received the Soil/Water Compatibility Permit for the helper well located in Section 28-T37N-R29W. However, in the letter referred to above, I explained that an application for a helper well in Section 34-T37N-R29W is still pending. The first well in Section 34 was authorized by Water Permit No. 1322-3 under the names listed in my May 26 letter. An application form and a transfer form was sent to you to complete and return. The fee for this application has already been paid.

To date, we have not received either of these forms back from you. I am again enclosing the application form, a map of Section 34, and a transfer form. Please complete the two forms and indicate the location of the two wells on the map and have the map signed by someone at your local SCS or ASCS office. If you return all three of these items by August 9, it will be possible for me to combine the public notice with the public notice for the helper well in Section 28. If not, I will proceed with your application for the helper well in Section 28.

Feel free to contact me if you have any questions.

Sincerely,

Susan A. Bowar
Natural Resources Engineer
Water Rights Division
(605) 773-3352

enclosure



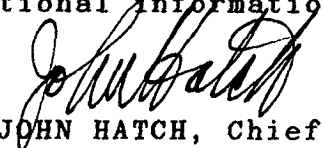
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2092-2, Mission Farms Inc., c/o David Danielski

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. 2092-2, Mission Farms, Inc. c/o David Danielski, HC 78 Box 28, Crookston NE.

The Chief Engineer is recommending APPROVAL of Application No. 2092-2 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
3. Approval of Permit No. 2092-2, grants a variance to Water Management Board Rule 74:02:04:28.
4. Combinations of diversions under Permits No. 1322-2 and 2092-2 may not exceed the statutory limit of 1.0 cfs for each 70 acres of land to be irrigated.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
August 2, 1989

Report on Water Permit Application No. 2092-2
Mission Farms Inc.
August 1, 1989

Application No. 2092-2 is for an additional diversion point to that authorized by Water Permit No. 1322-2. The additional well, 177 feet deep, located in the SE1/4 of the NW1/4 of Section 28 in T37N-R29W, is to be used as a helper well to the authorized well located near the center of the NW1/4 of Section 28 in T37N-R29W. The water is to be used to irrigate 135.2 acres located in the NW1/4 of Section 28 in T37N-R29W. This application does not request any increase in the amount of water appropriated or the number of acres irrigated.

Aquifer - Ogallala (OGLL)

The Ogallala Formation underlies about 80 percent of the High Plains and is the principle geologic unit in the High Plains Aquifer. The Ogallala Aquifer consists primarily of clays, silts, sands and gravels that were deposited by streams that flowed eastward from the mountains. The aquifer rests unconformably upon the Arikaree Formation and is under water table conditions.

In Todd County South Dakota the Ogallala Aquifer underlies approximately 412,800 acres and contains approximately 12,384,000 acre feet of recoverable water (Allen). Normal annual precipitation in the area is 18 inches per year. Recharge is estimated at 2.5 inches per year (Rahn), giving a total of 86,000 acre feet of annual recharge in the immediately area of Todd County. The saturation thickness for the Ogallala ranges from 200 to 400 feet in this area (Gutentag).

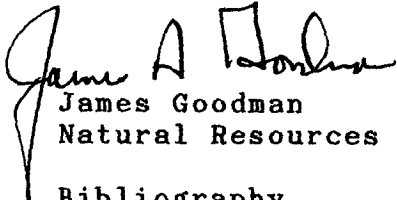
The Division of Water Rights monitors three observation wells (TD76B, TD76D, TD80C) that are within a mile of the existing well and the application's proposed helper well. These observation wells are read monthly and show only slight fluctuations due to existing pumping and changes in climatic conditions (Water Rights).

Review of existing Water Permits

There are four wells (Permit No. 1224-2) within a mile of the existing well and the application's proposed helper well. All of these wells belong to Mission Farms Inc. Since this application does not increase the amount of water appropriated, it is not expected that there will be any interference with existing wells. As such, the helper well should not interfere with existing water rights.

Conclusions

1. Water is available from the Ogallala Aquifer.
2. The aquifer is under water table conditions and interference is not expected to be a problem.
3. Water levels in nearby observation wells indicate that present pumping is not significantly affecting area water levels.
4. The combined diversions of Permit Nos. 1322-2 and 2092-2 cannot exceed 1 cfs per 70 acres.



James Goodman
Natural Resources Engineer IV

Bibliography

Allen, J.C., Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, for US Army Corps of Engineers, SD DWR, SDGS, Vermillion, South Dakota, 1984.

Gutentag, Edwin D., Frederick J. Heimes, Noel C. Krothe, Richard R. Luckey and John B. Weeks, Geohydrology of the High Plains Aquifer In Parts of Colorado, Kansas, Nebraska, New Mexico, Oklahoma, South Dakota, Texas and Wyoming, United States Government Printing Office, Washington, 1984.

Rahn, Perry H. and Howard A. Paul, "Hydrogeology of a Portion of the Sand Hills and Ogallala Aquifer, South Dakota and Nebraska", Ground Water, Volume 13, Number 5, September-October 1975.

Water Rights, Observation Wells in Todd County, SD DWR, Division of Water Rights, Joe Foss Building, Pierre, SD, 1985-1989.

 **Department of
Water & Natural Resources**

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

October 30, 1989

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

David Danielski
Mission Farms, Inc.
HC 78 Box 26
Crookston, NE 69212

Dear Mr. Danielski:

Water Permit Application Nos. 2092-2 & 2096-2 for irrigation use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Todd Co. Tribune printed at Mission SD. For your information, a copy of the notice is enclosed. Copies of the reports and the Chief Engineer's recommendations are also enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of 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 twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures





Department of Water & Natural Resources

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

October 30, 1989

Todd Co. Tribune
Box 229
Mission, SD 57555

ATTN: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 2092-2 & 2096-2 to be published twice. Please publish the first notice on or before November 8, 1989 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Mission Farms Inc., c/o David Danielski, HC 78 Box 26, Crookston, NE 69212.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST 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 in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name

Newspaper



Instruction to Newspaper - Publish first Notice on or before November 8, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARINGS on Application Nos. 2092-2 & 2096-2 to Appropriate Water

Notice is given that Mission Farms, Inc., c/o David Danielski, HC 78 Box 26, Crookston, NE 69212 has filed two applications for water permits.

Application No. 2092-2 is for an additional diversion point to that authorized by Water Permit No. 1322-2. The additional well (Ogallala Aquifer) 177 feet deep is located in the SE1/4 NW1/4 Section 28 and is used as a helper well to the authorized well which is located near the center of the NW1/4 Section 28; all in T37N-R29W. Water is used to irrigate 135.2 acres in the NW1/4 Section 28-T37N-R29W.

Application No. 2096-2 is also for an additional diversion point to that authorized by Water Permit No. 1322-2. The additional well (Ogallala Aquifer) 179 feet deep is located in the NE1/4 SW1/4 Section 34 and is used as a helper well to the authorized well which is located near the center of the SW1/4 Section 34; all in T37N-R29W. Water is used to irrigate 133.3 acres located in the SW1/4 Section 34, T37N-R29W. These applications, if approved, do not authorize any increase in the amount of water appropriated or the number of acres irrigated.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application Nos. 2092-2 & 2096-2 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water and 3) it is in the public interest. These applications will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 E. Capitol, Pierre, SD on December 6, 1989 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny these applications based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by November 24, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petitions may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on these applications or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by November 24, 1989.

These applications are made pursuant to 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.

 **Department of
Water & Natural Resources**

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

MAR 21 1990

David Danielski
Mission Farms, Inc.
HC 78 Box 26
Crookston, NE 69212

Dear Mr. Danielski:

Enclosed is Water Permit No. 2092-2 as approved by the Water Management Board authorizing construction of the water system and the application of water beneficial use, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NE 417116

Pierre, March 12, 20 02

RECEIVED OF Mission Farms, Inc., PO Box 230, 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 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>2092-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By Darland Eble
Chief Engineer gme

Permit No. 2092-2
White River - Water District

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

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, November 14, 2001, made a thorough examination of the water use system constructed by Danielski Harvesting & Farming of PO Box 230, Valentine, NE 69201 holder of Permit No. 2092-2 & 1322-2, bearing the priority of December 12, 1975 authorizing the diversion of No add'l (#2092-2) & 5.0 (#1322-2) 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:

**Well #1 (#1322-2) --Sargent 6 inch turbine pump, Model 10 SA, Serial # 29380, with 50 Hp
US Electric High Thrust motor ID # R-6232-05-009 R2141289 M, frame type 326 TP
400 gpm capacity.**

**Well #2 (#2092-2)-- Hydro Turbine 6 inch pump, Model 10 CL, Serial #13641 7S TG, with 40 Hp
US Electric High Thrust motor, ID # 04-75, frame type 365 UP, 400 gpm capacity.**

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

Approximately 600 feet of buried 8 inch PVC pipe

C. Works used to apply water to beneficial use:

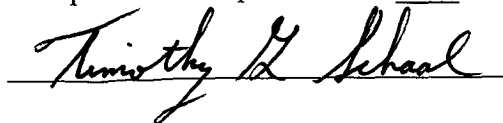
9 tower Valley Center Pivot

The system is in the following condition Good. The point of diversion is located Well #1--1320 ft. south & 1320 ft. east and Well #2-- 1850 ft. south & 1320 ft. east of the NW corner Sec. 28-T37N-R29W. The works are capable of diverting and conveying to the place of use 1.78 (800 gpm) cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

NE 1/4 NW 1/4 Sec. 28-T37N-R29W--	33 acres
NW 1/4 NW 1/4 " "	-- 33 acres
SE 1/4 NW 1/4 " "	-- 33 acres
SW 1/4 NW 1/4 " "	-- 33 acres

comprising a total of 132 acres of land and the license should be issued for 1.78 cfs.
Applicable permit qualifications have been complied with: Yes X

Exceptions to compliance are: none Date Report Completed: November 27, 2001



Timothy G. Schaal, P.E.
Natural Resources Engineer Specialist
DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 2092-2

Other permit(s) associated with the project: 1322-2

DATE OF INSPECTION: November 14, 2001

NAME & ADDRESS OF INSPECTION CONTACT/ Leonard Danielski

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: owner

NAME & ADDRESS OF PERMIT HOLDER: Danielski Harvesting & Farming, PO Box 230, Valentine, NE 69201

DIVERSION POINT LEGAL LOCATION: Well #1--1320 ft. south & 1320 ft. east and Well #2-- 1850 ft. south & 1320 ft. east of the NW corner Sec. 28-T37N-R29W.

WELL INFORMATION: Well #1

- 1) Well Drilling Firm: Sargent Irrigation Co.
- 2) No. of Wells 1
- 3) Depth(s) 200 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 16 inches
- 2) Length 200 feet
- 3) Type steel

Screen:

- 1) Type unknown
- 2) Length unknown feet
- 3) Static water level 52 feet

Pump:

- 1) Make Sargent turbine
- 2) Model 10 SA, Serial No. 29380
- 3) Size 6 inch
- 4) Capacity 400 GPM

Motor:

- 1) Make US Electric High Thrust
- 2) Model No. 326 TP
- 3) Horsepower rating 50 hp

Well #2

- Grosch Irrigation Co.
- 1
- 180 feet
- yes

- 16 inch
- 54 feet
- concrete

- concrete
- 123 feet
- 60 feet

- Hydro turbine
- 10 CL, Serial No. 13641 7S TG
- 6 inch
- 400 gpm

- US Electric High Thrust
- 365 UP
- 40 Hp

DISTRIBUTION LINES OR CANALS:

- 1) Type Buried PVC 2) Size 8 inches 3) Length Approximately 600 feet

SYSTEM TYPE:

Center pivot:

- 1) Make Valley
- 2) Overall length 1320 feet
- 3) Number of towers 9
- 4) Distance between towers XXX feet
- 5) End gun yes
- 6) High or low pressure low
- 7) Capacity 800 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate yes
- 2) Main line check valve yes
- 3) Inspection port/air relief yes
- 4) Low pressure drain yes
- 5) Discharge is 20 ft. from source yes
- 6) Interlock type electric
- 7) Injection pump type piston
- 8) Injection check valve yes
- 9) Injection line check valve or positive displacement pump pos. displacement pump
- 10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules yes

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit N/A
- 2) Special qualifications to permit being abided by yes
- 3) All structures, wells and lands on map yes
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period yes



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

Water Permit Application No. 2092-2



0 4000 Feet



Timothy G. Schaal

Timothy G. Schaal, P.E.
Natural Resources Engineer Specialist
November 21, 2001

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2092-2

(1) Mission Farms, PO Box 230, Valentine, NE 69201-0230 made Application No. 2092-2, March 20, 1989 for a water permit to add a well (Ogallala Aquifer) to supplement the well authorized by Water Permit No. 1322-2. No. 2092-2 did not authorize an increase in the diversion rate or the number of acres irrigated. Permit No. 2092-2, with a priority date of December 12, 1975 (established by Water Permit No. 1322-2) was approved December 7, 1989 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.

The supplemental well authorized by Water Permit No. 2092-2 is used to irrigate the NW $\frac{1}{4}$ Section 28, T37N, R29W described in Water Permit No. 1322-2. The applicable portions of Water Permit No. 1322-2 associated with irrigation of the NW $\frac{1}{4}$ Section 28 are incorporated into this Water Right No. 2092-2.

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

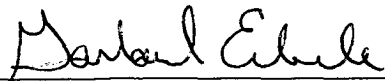
- Well #1 – 1,320'S & 1,320'E of the NW corner of Section 28, T37N, R29W (center of NW $\frac{1}{4}$);
- Well #2 – 1,850'S & 1,320'E of the NW corner of Section 28, T37N, R29W (SW $\frac{1}{4}$ NW $\frac{1}{4}$)

(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 28, T37N, R29W

NE $\frac{1}{4}$ NW $\frac{1}{4}$	33 acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$	33 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$	33 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$	33 acres
Total	132 acres

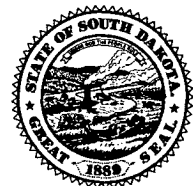
(4) Pursuant to South Dakota Water Law 46-5-30.1 Mission Farms, Inc., PO Box 230, Valentine, NE 69201 the holder and/or owner of Incorporated Water Right No. 2092-2 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from ground water (two wells) with a priority date of December 12, 1975 from the location 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. 2092-2 and subject to South Dakota State Law.



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

APR 16 2002

date





APR 16 2002

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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