

**WATER PERMIT NO. 2407-2**

Name of Applicant: Gayle Tinant

Address: HC 15 Box 31, Valentine NE 69201

Phone: 605 378-2584

Amount of Water Claimed: 1.86 cfs

Total Acres: 130 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation

County: Todd

Type of Waste Disposal System: NA

Location: 18 miles southwest of Mission

PRIORITY

Date Received: 4-3-98

Fee: \$250.00

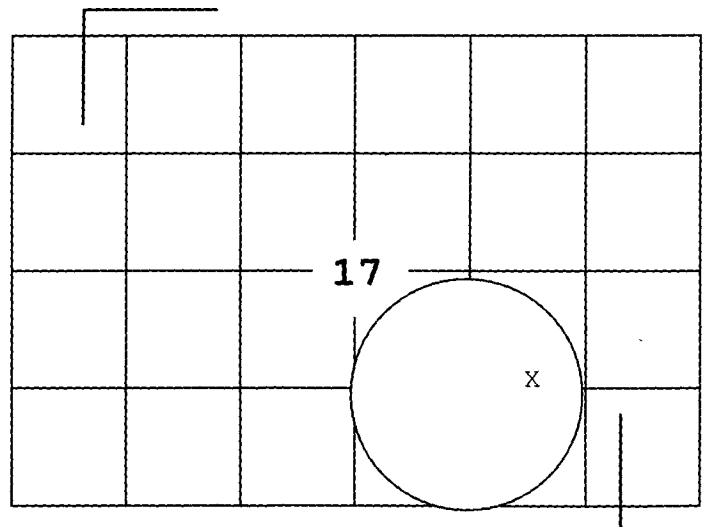
Corrected Application Received:

Period of Annual Use: April 1 – October 31

Remarks: Same lands as authorized by Water Permit No. 1708-2 which was never constructed

Diversion Point: E ½ SW ¼ Sec 17-T36N-R29W

Land to be Irrigated: SE ¼ Sec 17-T36N-R29W



Depth of Well: 220 feet deep

Well Driller:

Remarks:

Type of Map: aerial

Prepared by: K Kelerwald, SCS

Reviewed and the Number Assigned on: 4-3-1998

By: Karen Schlaak

Notice of Hearing - date to intervene: \_\_\_\_\_

**SOUTH DAKOTA  
WATER PERMIT NO. 2407-2**

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Date of first receipt of application April 3, 1998.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2407-2 to Gayle Tinant, HC 15 Box 31, Valentine NE 69201 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. 2407-2 appropriates 1.86 cubic feet of water per second from one well (Ogallala Formation) 220 feet deep located in the E ½ SE ¼ Section 17 to irrigate 130 acres located in the SE ¼ Section 17; all in T36N-R29W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 31.
3. The date from which applicant may claim right is April 3, 1998.
4. The date of approval of Permit No. 2407-2 is June 15, 1998.
5. One-fifth of the construction is to be completed on or before December 15, 2000.
6. All construction is to be completed on or before June 15, 2003.
7. Water is to be put to beneficial use on or before June 15, 2007.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

**QUALIFICATIONS**

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 2407-2 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year

**WATER MANAGEMENT BOARD**

By: John Hatch  
John Hatch, Chief Engineer  
Water Rights Program  
Department of Environment and Natural Resources

SEP 4 1998  
date





|                                                                                                                    |                                                                                                                                                         |
|--------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mail to:<br>Water Rights Program<br>Joe Foss Building<br>523 E. Capitol<br>Pierre, SD 57501-3181<br>(605) 773-3352 | (office use only)<br>No. <u>2407-2</u> Hydrologic Unit <u>1015-0004</u><br>Basin <u>Niobrara Trib</u><br>Newspaper <u>Todd Co. Tribune, Mission, SD</u> |
|--------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|

# Application For Permit To Appropriate Water For Irrigation

**Type of Application:** \_\_\_\_\_ **New**      \_\_\_\_\_ **Vested Right**      \_\_\_\_\_ **Amendment/Correction to Permit No.** \_\_\_\_\_  
(check one)      (Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. acreage change, change diversion point(s), add diversion point(s), etc.) \_\_\_\_\_  
Same lands as authorized by Water Permit No. 1708-2 which was never constructed

1. Name of Applicant Gayle Tinant
- Mailing Address HC 15, Box 31, Valentine State NE 69201  
(Street, RR, or Box) (Zip Code)
2. Amount of water claimed 1.86 \*CFS or \*\*GPM \*\*\*AF Total Acreage 130 acres  
(\*Cubic Feet per Second) (\*\*Gallons per Minute) (\*\*\*Acre Feet - storage capacity of dam/dugout if applicable)
3. Source of water supply groundwater (one well)
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) E ½ SE ¼ Sec 17-T36N-R29W  
County Todd
5. County or counties where water will be used Todd
6. Annual period during which water is to be used April 1- October 31
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.  
(Attach sheet if more space is needed)

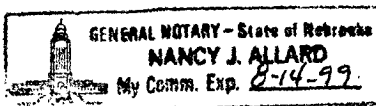
| Land Description          | Acres | Land Description | Acres |
|---------------------------|-------|------------------|-------|
| SE ¼ Section 17-T36N-R29W | 130   |                  |       |
|                           |       |                  |       |
|                           |       |                  |       |
|                           |       |                  |       |

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

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

**STATE OF SOUTH DAKOTA)** SS  
County of \_\_\_\_\_)

I, Gayle Tinent, the applicant, have read this application, examined the attached map, and certify that the matters stated are true. I intend and am able to complete the necessary construction.



Signed

Subscribed and sworn to before me this 1 day of April 19 98

Notary Public

NOT T

125.1

131R  
6.9

VAND

1249

145.3

36-29

Helms  
DC SCS Map # A67-2  
Mission April 1708-2

# RECEIPT

## Water Rights Program

South Dakota Department of Environment and Natural Resources

415723

Pierre, April 3, 19 98

RECEIVED OF Gayle or Kathy Tinant, HC 15, Box 31, Valentine, NE 69201  
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. 2407-3 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 \_\_\_\_\_

Fee for Filing Extension Request \_\_\_\_\_

Fee for \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Any Other Work Provided by Law)

Total

250 00

250 00

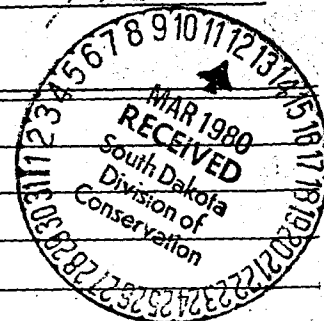
Original Formative

Original

By \_\_\_\_\_  
Chief Engineer

*John Hatch*

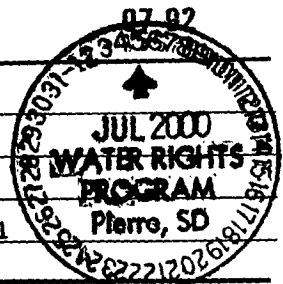
## TEST WELL LOG

TO: *Laurel*DATE: *4/1/80*ADDRESS: *Test 2#*

|     |     |                                                                     |
|-----|-----|---------------------------------------------------------------------|
| 0   | 20  | Sand ss                                                             |
| 20  | 40  | 9 med ss 11 sand ss med lenses                                      |
| 40  | 60  | Sand ss 11 med ss med lenses                                        |
| 60  | 80  | med sand ss                                                         |
| 80  | 100 | 14 med sand ss 1 med ss med sand ss                                 |
| 100 | 120 | 13 med sand ss 1 med ss med lenses 3 clay thin d sand ss med lenses |
| 120 | 140 | med sand ss                                                         |
| 140 | 160 | 8 med sand ss 12 med sand ss med ss med lenses                      |
| 160 | 180 | 11 med sand ss 11 med ss med lenses 4 med sand ss                   |
| 180 | 200 | med sand ss                                                         |
| 200 | 220 | 8 med sand ss 14 med sand ss med lenses                             |
| 220 | 240 | 1 med ss 1 med ss                                                   |
| 240 | 260 |                                                                     |
| 260 | 280 |                                                                     |
| 280 | 300 |                                                                     |
| 300 | 320 |                                                                     |
| 320 | 340 |                                                                     |
| 340 | 360 |                                                                     |
| 360 | 380 |                                                                     |
| 380 | 400 |                                                                     |
| 400 | 420 |                                                                     |
| 420 | 440 |                                                                     |
| 440 | 460 |                                                                     |
| 460 | 480 |                                                                     |
| 480 | 500 |                                                                     |
| 500 | 520 |                                                                     |
| 520 | 540 |                                                                     |
| 540 | 560 |                                                                     |
| 560 | 580 |                                                                     |
| 580 | 600 |                                                                     |

*South Dakota Drillers License 273*  
*Jim Thomas*

# SOUTH DAKOTA WATER WELL COMPLETION REPORT

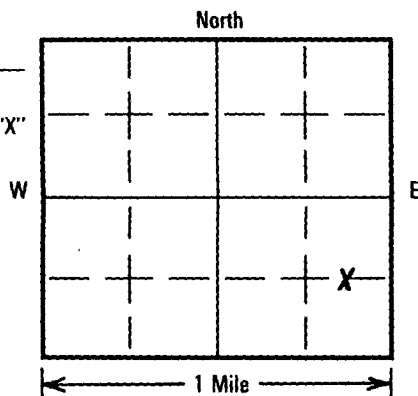


Location  $\frac{1}{4}$  SE  $\frac{1}{4}$  Sec 17 Twp 36 Rg 29

County Todd

Please mark well location with an "X"

Helper #2



Well Completion Date 4-28-00

## LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? NA ft. from NA (identify source).

## PROPOSED USE:

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

## METHOD OF DRILLING:

Reverse circulation with air assist

## CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe \_\_\_\_\_

| PIPEWEIGHT   | DIAMETER | FROM     | TO        | HOLE DIAMETER |
|--------------|----------|----------|-----------|---------------|
| 16.151 LB/FT | 16 IN    | 1 agl FT | 73 bgl FT | 30 IN         |
| _____ LB/FT  | _____ IN | _____ FT | _____ FT  | _____ IN      |
| _____ LB/FT  | _____ IN | _____ FT | _____ FT  | _____ IN      |

## GROUTING DATA

| Grout Type | No. of Sacks | Grout Weight  | From     | To       |
|------------|--------------|---------------|----------|----------|
| cement     | 58           | 15.5 lb./gal  | 0 ft     | 20 ft    |
| _____      | _____        | _____ lb./gal | _____ ft | _____ ft |

Describe grouting procedure \_\_\_\_\_

pumped tremie pipe

SCREEN: ☒ Perforated pipe ☐ Manufactured

Diameter 16 IN Length 160 FEET

Material PVC

Slot Size .057 Set From 233 Feet to 73 Feet

Other information \_\_\_\_\_

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? \_\_\_\_\_

Describe packer(s) and location? \_\_\_\_\_

## DISINFECTION:

Was well disinfected upon completion? \_\_\_\_\_ YES, How: \_\_\_\_\_

X NO, Why Not? NA

Laboratory sent to for water quality analysis \_\_\_\_\_

Well Owner: Gayle Tinant

Business Name: \_\_\_\_\_

Address: HC 15 Box 31

Valentine, NE 69201

## WELL LOG:

| FORMATION                     | DEPTH |     |
|-------------------------------|-------|-----|
|                               | FROM  | TO  |
| sand, sandstone               | 0     | 29  |
| sand, sandstone, mag layers   | 29    | 40  |
| sand, sandstone, sm. mag lay  | 40    | 60  |
| medium sand, sandstone        | 60    | 94  |
| magnesia                      | 94    | 95  |
| medium sand, sandstone        | 95    | 100 |
| medium sand, sandstone, small | 100   | 113 |
| magnesia layers               |       |     |
| clay                          | 113   | 116 |
| medium sand, sandstone, mag   |       |     |
| layers                        | 116   | 120 |
| medium sand, sandstone        | 120   | 148 |
| med sand, sandstone, sm mag l | 148   | 171 |
| med sand, sandstone           | 171   | 208 |
| med sand, sandstone, clay Lay | 208   | 220 |
| clay & redrock                | 220   | 240 |

STATIC WATER LEVEL 85 Feet

If flowing: closed in pressure NA PSI

GPM flow \_\_\_\_\_ through \_\_\_\_\_ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other \_\_\_\_\_

Reduced Flowrate \_\_\_\_\_ GPM

Can well be completely shut in? \_\_\_\_\_

## WELL TEST DATA:

☒ Pumped Describe: Rawhide & pumping

☐ Bailed \_\_\_\_\_

☐ Other \_\_\_\_\_

Pumping Level Below Land Surface

202 ft. After 2 Hrs. pumped 450 GPM

164 ft. After 2 Hrs. pumped 400 GPM

If pump installed, pump rate 400 GPM

## REMARKS

This well was drilled under license # 189

And this report is true and accurate.

Drilling firm Grosch Irrigation Co., Inc.

Signature of License Representative: \_\_\_\_\_

Gayle Tinant POA

Signature of Well Owner or Equitable Property Holder: \_\_\_\_\_

Date: \_\_\_\_\_

**07-92**

Date:

# REPORT ON WATER PERMIT APPLICATION NO. 2407-2

for Gayle Tinant

May 14, 1998

Application No. 2407-2 proposes to appropriate 1.86 cfs (835 gpm) from one well approximately 220 feet deep located in the E 1/2 SE 1/4 of Section 17 to irrigate 130 acres located in the SE 1/4 of Section 17; all in T36N-R29W in Todd County.

## AQUIFER - OGALLALA (OGLL)

The Ogallala Group in this area is made up of the Ash Hollow and Valentine Formations (Hammond, 1994). The Ogallala consists of fine to medium sand and sandstone, silt and some clay. The Ogallala rests unconformably upon the Arikaree Group and locally this is called "redrock". The aquifer is a surficial deposit and is under unconfined or water table conditions. The aquifer underlies 412,800 acres and contains an estimated 12.384 million acre-feet of recoverable water in storage in Todd County (Allen, 1984). Ground water movement is from southwest to northeast in the area of this application. Test well information supplied with the application indicates sand and sandstone layers from the surface to a depth of 220 feet where clay and redrock was encountered. The static water level was reportedly about 45 feet below land surface.

The Water Rights Program monitors five observation wells completed into the Ogallala within a four mile radius of this application. Hydrographs for three of these observation wells, TD-76E (located about three miles west), TD-90A (located about one mile north), and TD-76F (located about one mile northeast) are included with this report. In general, the water level record reflects climatic conditions, that is, rising during wet years and gradually declining during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1998).

## REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing irrigation wells in the west half of Section 17 (Water Right No. 1513-2). Interference is not a concern. Significant drawdown created by pumping does not extend very far from an individual production well. This is also shown by the observation well hydrographs.

## CONCLUSIONS

1. Water is available from the Ogallala aquifer.
2. The aquifer is under water table conditions and drawdown created by pumping is not significant. Interference is not a concern.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. This application covers the same lands as Water Permit No. 1708-2 which was never developed and is subject to cancellation.

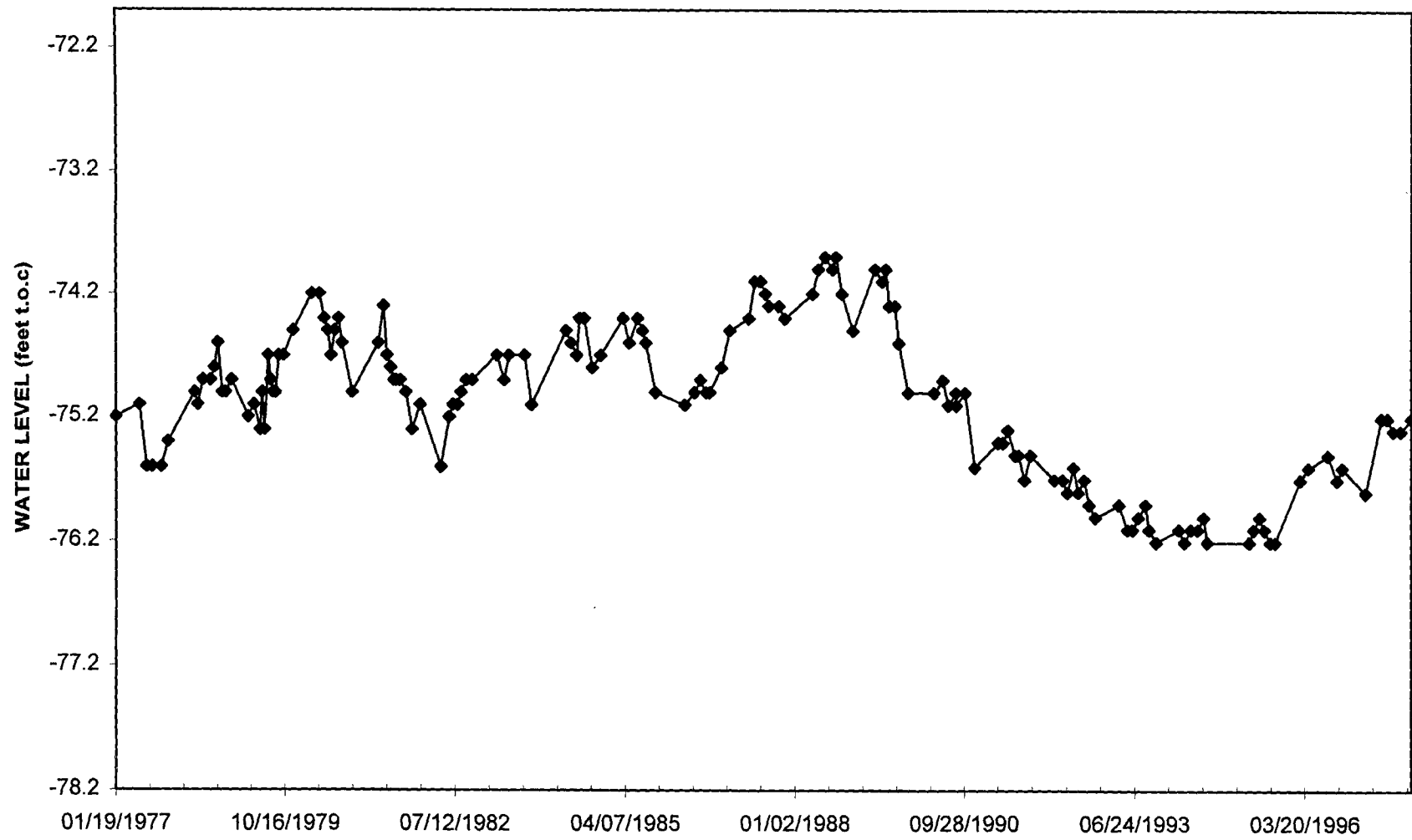


James A Goodman  
Natural Resources Engineer

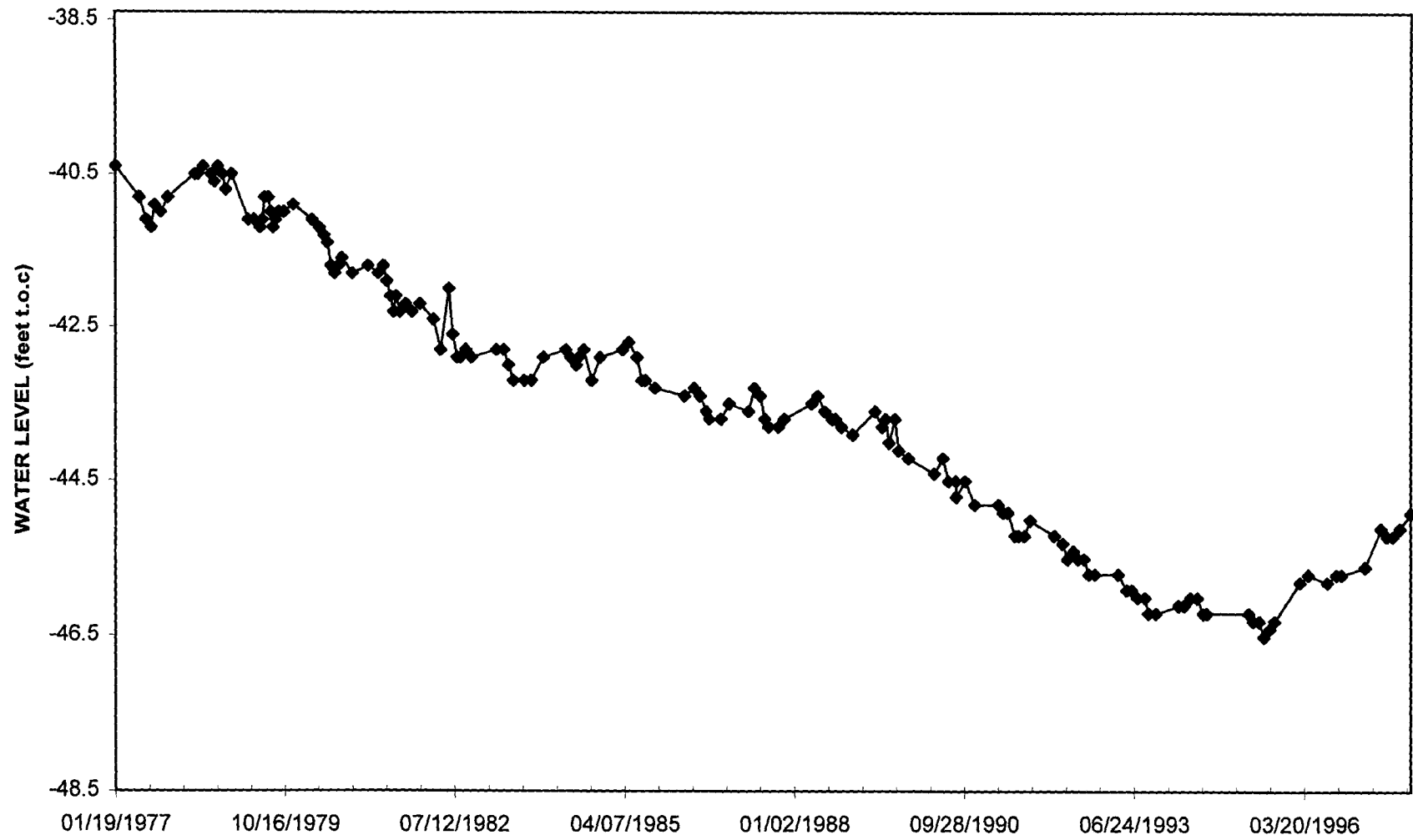
## BIBLIOGRAPHY

- Allen, J.C., D.L. Iles, A.K. Petres, 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Hammond, P.D., 1994, Ground Water Quality Investigation in Selected Areas of Todd and Mellette Counties, South Dakota, Open-File Report 68-UR, SD DENR, SDGS, Vermillion, SD, 57069.
- Water Rights, 1998, Unpublished Observation Well Data for Todd County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

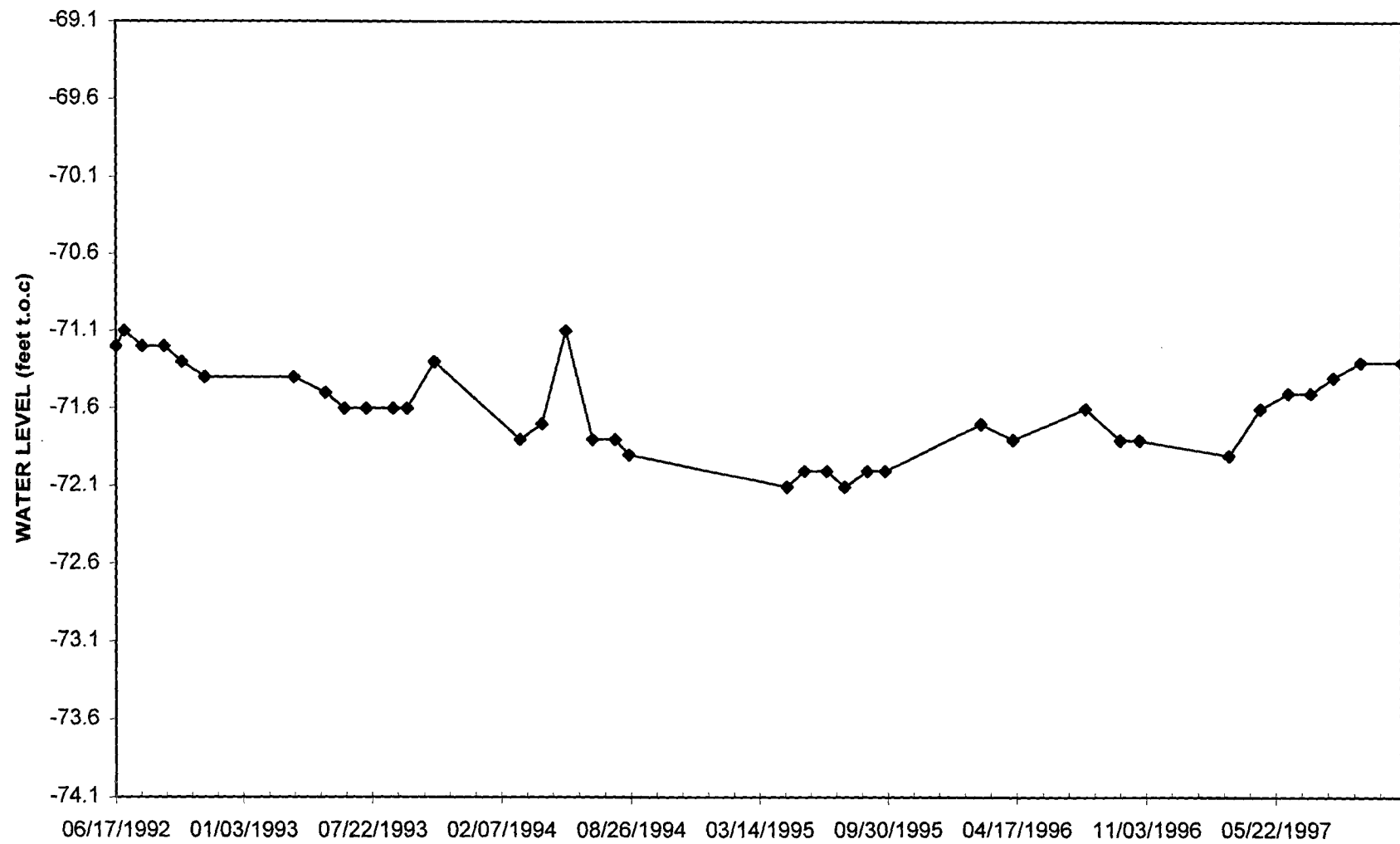
**WATER RIGHTS' OBSERVATION WELL  
TD-76E**



**WATER RIGHTS' OBSERVATION WELL  
TD-76F**



**WATER RIGHTS' OBSERVATION WELL  
TD-90A**



**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 2407-2, Gayle Tinant**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 2407-2, Gayle Tinant, HC 15 Box 31, Valentine, NE 69201.

The Chief Engineer is recommending APPROVAL of Application No. 2407-2 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) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 2407-2 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.



JOHN HATCH, Chief Engineer  
May 15, 1998



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3181

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

May 18, 1998

Gayle Tinant  
HC 15, Box 31  
Valentine, NE 69201

Dear Mr. Tinant:

Water Permit Application No. 2407-2 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Todd Co. Tribune printed at Mission, SD (Ph # (605) 856-4469). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

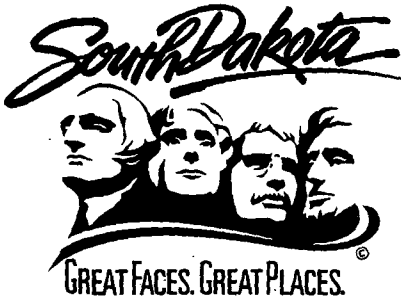
Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund  
Natural Resources Engineer  
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3181

May 18, 1998

Todd Co. Tribune  
Box 229  
Mission, SD 57555-0229

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2407-2 to Appropriate Water to be published twice. Please publish the first notice on May 27, 1998, 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 Gayle Tinant, HC 15, Box 31, Valentine, NE 69201 (Ph # (605) 378-2584).

**Please send the Water Rights Program the first publication immediately.** The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

  
Eric Gronlund  
Natural Resources Engineer  
605 773-3352

enclosures

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

No. 2407-2

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

Date \_\_\_\_\_

We are in receipt of your letter of May 18, 1998, enclosing Notice of Hearing to Appropriate Water by Application No. 2407-2 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 May 27, 1998, with the second publication 7 days later. The applicant is responsible for payment.

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NOTICE OF APPLICATION NO. 2407-2 to Appropriate Water

Notice is given that Gayle Tinant, HC 15 Box 31, Valentine NE 69201 has filed an application for a water permit to appropriate 1.86 cubic feet of water per second from one well (Ogallala Formation) 220 feet deep located in the E ½ SE ¼ Section 17 to irrigate 130 acres located in the SE ¼ Section 17; all in T36N-R29W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2407-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 15, 1998.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

Form 8



## PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County of Todd ) SS

I, Kathy R Klein

certify that the attached printed Notice was taken

from the Todd County  
Tribune

printed and published in Mission

County of Todd and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

May 27, 1998.

June 3, 1998.

Cost of Printing 33 lines -

\$38.34

## NOTICE OF APPLICATION NO. 2407-2 TO APPROPRIATE WATER

Notice is given that Gayle Tinant, HC 15 Box 31, Valentine, NE 69201 has filed an application for a water permit to appropriate 1.86 cubic feet of water per second from one well (Ogallala Formation) 220 feet deep located in the E1/2SE1/4 Section 17 to irrigate 130 acres located in the SE1/4 Section 17; all in T36N-R29W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2407-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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Nettie H. Myers, Secretary  
Department of Environment and Natural Resources  
Publ.: May 27 and June 3, 1998.

Kathy R Klein  
(Signature)

Bookkeeper  
(Title)

June 4, 1998.  
(Date Signed)



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

SEP 4 1998

Gayle Tinant  
HC 15, Box 31  
Valentine, NE 69201

Dear Mr. Tinant:

Enclosed is Water Permit No. 2407-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer  
Water Rights Program  
(605) 773-3352

enclosures

**PLEASE NOTE:** Certain changes may be made to your water permit usually without affecting the priority date. The location of a point of diversion may be changed or additional points of diversion may be approved if the water source remains unchanged; no additional water is appropriated; and, if irrigating, no additional land is irrigated. The change may be allowed without application or publication, if the Water Rights Program is contacted and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

A new water permit application is required to change water sources, increase the permitted diversion rate, or increase the irrigated acreage. If the application is approved, the water permit will receive a new priority date.

# **NOTICE OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE**

Date 6-26-00



TO: Water Rights Program, DENR  
523 E. Capitol  
Pierre, SD 57501-3181

FROM:

Gayle Linant  
(name)

HC15 Box 31  
(address)

Valentine NE  
(city) (state)

69201  
(zip)

605-378-2584  
(phone)

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 2407-2.

Water Permit No. 2407-2 states that the diversion system is to be constructed by

6-15-03  
(date)

, and that the water is put to beneficial use by

6-15-07  
(date)

The diversion system was completed on 5-15-00  
(date)

Applying the water to beneficial use was completed on 6-01-00  
(date)

You may schedule an investigation so that the Water License may be issued.

Gayle Linant  
(signature)

## **Water Rights Program - File Documentation**

---

**NAME:** Gayle Tinant

**ADDRESS:** Valentine NE

**DATE:** 7-7-2000      **COUNTY:** Todd      **TELEPHONE:**

**RE:** Well Completion Reports

**COMMENTS:**

On July 5, 2000 we received the Notice of Completion of Works form and two well completion reports from Gayle Tinant.

Permit No. 2407-2 was approved for one well. It appears that an additional well was drilled and being utilized by this system. The additional well will need to be addressed at the time the permit is investigated.



Karen Schlaak  
Environmental Scientist



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

December 3, 2001

2407-2

Gayle Tinant  
HC 15, Box 31  
Valentine, NE 69201

Dear Mr. Tinant:

On November 14, 2001, the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 2407-2, was completed by Tim Schaal, a staff engineer with our program. Your final water right document, the water license, can now be issued.

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

Your licensed water right 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.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact me.

Sincerely,

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

# RECEIPT

## Water Rights Program

South Dakota Department of Environment and Natural Resources

417016

Pierre, December 12, 20 01

RECEIVED OF Gale, Pinant, HC 15 Box 31, 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. 2407-2

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 Erbe  
Chief Engineer

gm

**Permit No. 2407-2**  
**Niobrara Trib. - 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 Gayle Tinant of HC Box 31, Valentine, NE 69201 holder of Permit No. 2407-2, bearing the priority of April 3, 1998 authorizing the diversion of 1.86 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--Western Land Roller 6 inch turbine pump, Serial No. C77990 with 50 Hp US Electric High Thrust motor, Model 326TP, capacity 400 gpm.**

**Well #2-- Western Land Roller 6 inch turbine pump, Serial No. C771024 with 50 Hp US Electric High Thrust motor, Model 326TP WPI, capacity 350 gpm.**

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

**Approximately 550 feet of buried 8 inch PVC pipe**

C. Works used to apply water to beneficial use:

**Valley 8 tower center pivot**

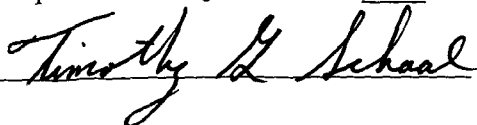
The system is in the following condition Good. The point of diversion is located Well #1--1320 ft. north & 775 west (E 1/2 SE 1/4) and Well #2--1320 ft. north & 1320 ft. west (center SE 1/4) of the SE corner of Sec. 17-T36N-R29W.

The works are capable of diverting and conveying to the place of use 1.67 (750 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 SE 1/4 | Sec. 17-T36N-R29W-- | 32.5 Ac.    |
| NW 1/4 SE 1/4 | " "                 | -- 32.5 Ac. |
| SW 1/4 SE 1/4 | " "                 | -- 32.5 Ac. |
| SE 1/4 SE 1/4 | " "                 | -- 32.5 Ac. |

comprising a total of 130 acres of land and the license should be issued for 1.67 (750 gpm) cfs. Applicable permit qualifications have been complied with: Yes X

Exceptions to compliance are: none Date Report Completed: November 29, 2001



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

# REPORT ON INSPECTION OF PERMIT NO. 2407-2

Other permit(s) associated with the project: XXXX

DATE OF INSPECTION: November 14, 2001

NAME & ADDRESS OF INSPECTION CONTACT/ Gayle Tinant

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: owner

NAME & ADDRESS OF PERMIT HOLDER: Gayle Tinant, HC Box 31, Valentine, NE 69201

DIVERSION POINT LEGAL LOCATION: Well #1--1320 ft. north & 775 west (E 1/2 SE 1/4) and  
Well #2--1320 ft. north & 1320 ft. west (center SE 1/4) of the SE corner of Sec. 17-T36N-R29W.

## WELL INFORMATION: Well #1

1) Well Drilling Firm: Grosch Irrigation Co.

2) No. of Wells 1

3) Depth(s) 240 feet

4) Well log is available yes

### Casing:

1) Diameter 16 inches

2) Length 73 feet

3) Type PVC

### Screen:

1) Type slotted PVC

2) Length 160 feet

3) Static water level 85 feet

### Pump:

1) Make Western Land Roller

2) Model C77990

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

300 feet

yes

16 inch

73 feet

PVC

slotted PVC

160

85 feet

Western Land Roller

C771024

6 inch

350 gpm

US Electric High Thrust

326 TP WPI

50 Hp

### **DISTRIBUTION LINES OR CANALS:**

- 1) Type Buried PVC 2) Size 8 inches 3) Length Approximately 550 feet

### **SYSTEM TYPE:**

#### **Center pivot:**

- 1) Make Valley
- 2) Overall length 1320 feet
- 3) Number of towers 8
- 4) Distance between towers XXX feet
- 5) End gun yes
- 6) High or low pressure low
- 7) Capacity 750 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

## Approval of Location Change and/or Additional Diversion Point(s)

NAME: Gayle Tinant

ADDRESS: HC Box 31, Valentine, NE 69201

DATE: November 29, 2001

COUNTY: Todd

TELEPHONE: (605) 378-2584

### AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

Water Permit No. 2407-2 authorized appropriation of 1.86 cfs from one well located in the E 1/2 SE 1/4 of Sec. 17-T36N-R29W. Mr. Tinant developed two wells in the SE 1/4 of Sec. 17-T36N-R29W. The second well is located in the center of the SE 1/4. Both wells are Ogallala Formation wells. There are quite a few other permits in this area and it is a common practice to add an additional well or use two wells for one pivot system. Mr. Tinant's system uses a total of 1.67 cfs (750 gpm) which is less than the amount authorized.

- **If irrigation, no new land is irrigated**

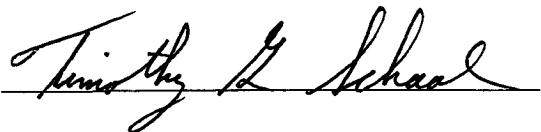
Yes--Only the pivot in the SE 1/4 of Sec. 17-T36N-R29W use these wells.

- **Review of Existing Diversions**

Yes--Authorization of this additional well should not have any adverse effect on existing diversions.

### RECOMMENDED ACTION

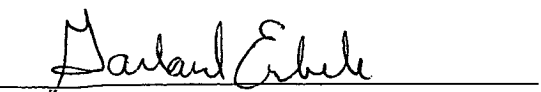
Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.



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

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer  
Water Rights Program

# Water Permit Application No. 2407-2



2000 0 2000 4000 Feet



*Timothy G. Schaal*

Timothy G. Schaal, P.E. 11/29/01  
Natural Resources Engineer Specialist  
Water Rights Program

**STATE OF SOUTH DAKOTA  
WATER LICENSE NO. 2407-2**

(1) Gayle Tinant, HC 15 Box 31, Valentine, NE 69201 made Application No. 2407-2, April 3, 1998 for a water permit to divert 1.86 cubic feet of water per second (cfs) from ground water (one well), Todd County, South Dakota for irrigation purposes. Permit No. 2407-2, with a priority date of April 3, 1998 was approved June 15, 1998 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 15, 2003 and for the application to beneficial use of said water on or before June 15, 2007.

On July 5, 2000, the permit holder submitted a "Notice of Completion of Works and Application of Water to Beneficial Use". The Notice indicated the water use system was completed and water was placed to beneficial use.

Water Permit No. 2407-2 authorized diversion of 1.86 cfs of water from one well to irrigate 130 acres. An investigation of the water use system found an additional well had been developed. The amount of water being used from both wells is within the amount originally appropriated. Pursuant to SDCL 46-5-13.1 and ARSD 74:02:01:14.01, the Chief Engineer makes a finding that the additional diversion point does not increase the potential for adverse effects to existing diversions.

(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 1.67 cubic feet of water per second for beneficial use. The location of the diversion points are Well #1 - 1,320'N and 775'W of the SE corner (E ½ SE ¼) and Well #2 - 1,320'N and 1,320'W of the SE corner (center of SE ¼) Section 17, T36N, R29W.

(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 17, T36N, R29W |            |           |            |
|------------------------|------------|-----------|------------|
| NE ¼ SE ¼              | 32.5 acres | NW ¼ SE ¼ | 32.5 acres |
| SE ¼ SE ¼              | 32.5 acres | SW ¼ SE ¼ | 32.5 acres |
| Total 130.0 acres      |            |           |            |

(4) Pursuant to South Dakota Water Law 46-5-30.1 Gayle Tinant, HC 15 Box 31, Valentine, NE 69201 the holder and/or owner of Water Right No. 2407-2 is issued a license to appropriate water, the right to use 1.67 cubic feet of water per second from ground water (two wells) with a priority date of April 3, 1998 from the locations specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Right No. 2407-2 and subject to South Dakota State Law.

*Garland Erbele*

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

JAN 15 2002

date





**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

JAN 15 2002

2407-2

Gayle Tinant  
HC 15 Box 31  
Valentine NE 69201

Dear Ms. Tinant:

Enclosed is Water License No. 2407-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 417016 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 2407-2, 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



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

denr.sd.gov

November 24, 2015

2407-2

Leonard Danielski  
Danielski Harvesting & Farming  
PO Box 230  
Valentine NE 69201

Dear Mr. Danielski:

I am writing in follow-up to the notation made on the 2015 irrigation questionnaire for Water Right No. 2407-2 indicating an ownership change was needed. The water right is currently listed in the name of Gayle Tinant.

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.

I have included a copy of the water right for your records. If you have any questions about the water right or completion of the transfer form, please let me know.

Sincerely,

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

enclosures

RECEIVED

FEB 01 2016

WATER RIGHTS  
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2407-2

Date: \_\_\_\_\_

I/We request that Water Right No. 2407-2

formerly owned by: Gayle Tinant

be transferred to: (name & address) Danieliski Harvesting + Farming LLC  
PO Box 230, Valentine, NE 69201

Telephone No. 402-376-3089

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

130 acres - SE 1/4 Section 17, T36N, R29W

I/We understand that the validity of Water Right No. 2407-2 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 Danieliski Harvesting + Farming LLC, 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 2/1, 20 16

RECEIVED OF Danielski Harvesting 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 | 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>2407-2</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. _____                                         | 50    | 00    |
| Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____                                      |       |       |
| (Any Other Work Provided by Law)                                                                               | TOTAL | 50 00 |

No. 07725

By J. James Hoodman  
Chief Engineer



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

[denr.sd.gov](http://denr.sd.gov)

February 1, 2016

2407-2

Leonard Danielski  
Danielski Harvesting & Farming LLC  
PO Box 230  
Valentine NE 69201

Dear Sir:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for changing ownership on Water Right No. 2407-2.

The ownership change has been completed. Water Right No. 2407-2 formerly held by Gayle Tinant is now listed under the name of "Danielski Harvesting & Farming LLC".

Enclosed for your records is Receipt No. 07725 in the amount of \$50 which you paid for filing the ownership change. If you have any questions, please contact me.

Sincerely,

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

enclosure