

Water Right Number 4421-3
To be considered Sept. 27, 1979
County Union about 5 miles
West of Elk Point

APPLICATION Name Missouri Valley Farms Inc. Address Elk Point, SD
Priority Date Received 4/5/77 Complete-yes no X reason Fee

June 11, 1979
Fee Rec. Fee Received-yes X, amount 150.00 no no reason Fee was received
June 11, 1979 after several notifications.
Map Received-yes X no no reason received
Log Received-yes X no no reason received

REMARKS This application is for a change in diversion ~~on Permit No. 2451-3.~~ on Permit No. 2451-3. #2451-3 has been inspected and will be
incorporated into this application and upon approval will cancel
2451-3/

WATER QUALITY Date Received 12/8/76 Approved / Conditional (Circle one)
Disapproved date no reason no
Date Disapproved no
Application returned no
WI-1 Land Description - same as Application-yes XX no no remarks no

APPLICATION INFORMATION Use Irrigation acres 240 c.f.s. 3.4
Acres-feet no Diversion Location no

SOURCE two wells

					19
					X
					X
					30

Approx. centers of NE $\frac{1}{4}$ & SE $\frac{1}{4}$
30-91N-50W
Land to be irrigated
SE $\frac{1}{4}$, Sec. 19 and NE $\frac{1}{4}$ Sec. 30
91N-50W

period of annual use June thru September
Type of Map X DRAWN Prepared by ASCS
Map No. 1818-3 Map located in W/R XX Map file no
Driller Karpen Well & Pump Licensed in SD-yes no XX
* Not licensed in 79 was licensed when well drilled
Depth and Formation 96" and 87" deep wells

4421-3

OTHER
INFORMATION
FILED
WITH
WATER RIGHT

REVIEWED

This application was reviewed within 30 days of receipt, accepted as complete, number assigned, and written up for advertisement before the Board on

~~August~~ 8/27/79

Betty Westlund

(Signed)

This application was unable to be completed - Reason

PUBLICATION

Received 8/24/79

Dates published - 1st 8/23/79 2nd

Date

Affidavit received 9-4-79 remarks

Leader Courier, Elk Point

PROTESTS

Letters/Petitions in File yes no remarks

STAFF REC-
COMMENDATIONS

BOARD ACTION

Date Approved 9-26-79 Qualifications will interfere -

no duration of permit shall not exceed 1 eps

Deferred - date reason

Denied - date reason

REMARKS
F.F. & C. OF
LAW, FINAL
DECISIONS,
ETC.

No. 4421-3Map No. 1818-3 Water Division No. 3 VERMILLION RIVER District
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Missouri Valley Farms Inc.
 Post-office address Elk Point, State So. Dakota 57025
 If a corporation show date and place of incorporation NA
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Missouri Valley Farms Inc. Irrigation Project
4. Amount of water claimed (cubic feet per second) ~~67.85~~ 3.4
5. Source of water supply Well No #1 ~~W 2 E 4~~
6. Location of point of diversion 1320 feet West and 3850 Feet South of NE corner Section 19, T91N R50W & APPROX. CENTER OF SE⁴ SECTION, 30-T91N-R50W
 County Union
7. Annual period or periods during which water is to be used June thru September
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated ~~4200~~ 240

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
120 AC in SE ⁴ of Section 19		~~120 AC in SE⁴ of Section 19~~	
T91N R50W	120 AC	~~T91N R50W~~	~~120 AC~~
120 AC in NE ⁴ of Section 20,	120 AC		
T91N, R50W			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Leader-Courier, Elk Point, S.D.
12. Principal Features of the Proposed Water Supply System.

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

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

C. Works proposed to apply water to beneficial use.

Center - Pivot

Estimated Total Cost \$20,000.00Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of Union

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

Subscribed and sworn to before me this

Signed

30th

of

March

1977

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4421-3
MISSOURI VALLEY FARMS, INC. - MERTON TURNER, SEC. ELK POINT
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57025 With the following modifications:
 (State)

The irrigation wells approved under this Permit are located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells.

Lands covered under this Permit are also covered under Permit No. 2451-3. Combinations of diversions under the two permits shall not exceed the Statutory limit of 1 c.f.s. for each 70 acres of land to be irrigated.

Date of first receipt of application APRIL 5, 19 79
 Date of return to applicant for correction, amendments or changes required APRIL 5, 1979 & OCTOBER 2, 19 78
 Date of receipt of corrected application FEE JUNE 11, 19 79
 Approved SEPTEMBER 28, 19 79, Recorded in Book 21 Page 74
 WATER RIGHT PERMIT NO. 4421-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4421-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JUNE 11, 19 79
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 28, 19 82
3. The whole of said work is to be completed on or before SEPTEMBER 28, 19 84
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 28, 19 88
5. The water appropriated shall be used for the purpose of IRRIGATION

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

7. The amount of the appropriation herein granted shall not exceed 3.4 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before SEPTEMBER 28, 19 88; said water to be used during the following described annual period: JUNE THRU SEPTEMBER

Witness my hand this 12th day of OCTOBER, 19 79

WATER RIGHTS COMMISSION
 By: John Hatcher
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

KARPEN WELL & PUMP COMPANY

PHONE 966-5572
JEFFERSON, SOUTH DAKOTA
57038

Missouri Valley Gravel Association

Hole #1
0-5 topsoil (sandy loam)
5-9 yellow clay
9-12 sand
12-13 gray clay with some fine gravel
13-20 sand
20-22 sand, gray clay, and gravel
22-29 sand and gravel
29-33 sand
33-45 sand, gray clay, and gravel
45-52 sand
52-58 sand, gray clay, and gravel
58-60 sand
60-72 gravel with some sand
72-80 gravel
80-90 boulders
90-92 gravel
92-96 fine sand

Hole #2
0-10 sand and clay layers
10-15 sand and a little clay
15-27 gravel
27-43 clay and gravel layers
43-45 gravel
45-60 sand
60-87.5 gravel

KARPEN WELL & PUMP COMPANY

PHONE 966-5572
JEFFERSON, SOUTH DAKOTA
57038

North

Missouri Valley Grazing Association

South Well

0-5 (sandy loam)
5-9 clay
9-12
12-15 with some fine gravel
15-20
20-25 clay, and gravel
25-30 gravel
30-35
35-40 clay, and gravel
40-45 y clay, and gravel
45-50
50-55
55-60 with some sand
60-65
65-70
70-75
75-80
80-85
85-90
90-95
95-100

Hole #2

0-10 sand and clay layers
10-15 sand and a little clay
15-27 gravel
27-43 clay and gravel layers
43-45 gravel
45-66 sand
66-87.5 gravel

AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS
REPRODUCTIONS. REPRODUCTION 25.1 ROL NO 45
4-23-12
Ames, Iowa

KARPEN WELL & PUMP COMPANY

PHONE 968-5572

JEFFERSON, SOUTH DAKOTA

57038

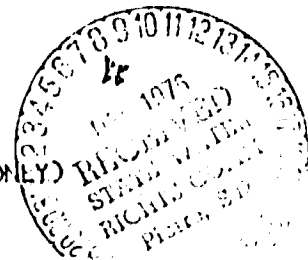
NOV

Missouri Valley Grazing Association

South Well

		Hole #2
0-5	(sandy loam)	0-10 sand and clay layers
5-9	clay	10-15 sand and a little clay
9-12		15-27 gravel
12-13	with some fine gravel	27-43 clay and gravel layers
13-20		43-45 gravel
20-22	clay, and gravel	45-66 sand
22-29	gravel	66-87.5 gravel
29-31		
31-32	clay, and gravel	
32-38		
38-40	clay, and gravel	
40-47		
47-50	with some sand	
50-52		
52-56		
56-60		
60-62		
62-64		
64-66		
66-68		
68-70		
70-72		
72-74		
74-76		
76-78		
78-80		
80-82		
82-84		
84-86		
86-88		
88-90		
90-92		

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)



NAME Missouri Valley Grazing Assoc.
ADDRESS Box 114 Elk Point S.D. 57121
COUNTY Lincoln

LEGAL DESCRIPTION

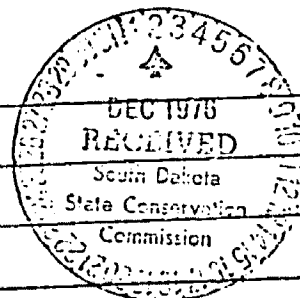
1. WELL LOCATION NE 1/4 Sec 20 T91N R 50W
2. LOCATION OF AREA TO BE IRRIGATED NE 1/4 Sec 20 T91N R 50W

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED corn alfalfa soybeans

WATER QUALITY

5. SAMPLE NUMBER 76-1782
6. SALINITY (EC X 10⁶) 1727 (high)
7. SODIUM (SAR) 2.23 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0



I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and: the soils information has been acquired from _____ Conservation District, County Extension office or Soil Conservation Service.
and:
that the legal description for the location of the well and land to be irrigated is true and correct.

Missouri Valley Grazing Assoc.
Merton Turner Sec.
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
1st DAY OF Nov. 19 78

Janette Smith
(TITLE OR SEAL)

NOT APPROVED
APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57006

Submitted by: Missouri Valley Grazing Assoc Rec'd Nov. 5, 1976
Address: Box 164 Sample No. 76-1782
Elk Point, SD 57025 Identification Well-
NE 1/4, Sec. 30, T 91N, R 50W

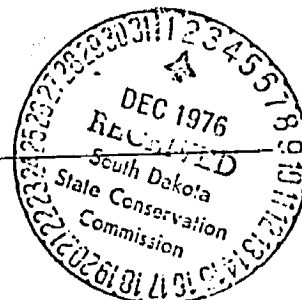
WATER ANALYSIS

Calcium (Ca)	215	ppm*	10.75	me/l**
Magnesium (Mg)	46	ppm	3.77	me/l
Sodium (Na)	120	ppm	6.00	me/l
Potassium (K)	34	ppm	0.88	me/l
Sulfate (SO ₄)	700	ppm	14.56	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	40	ppm	1.11	me/l
Bicarbonate (HCO ₃)	478	ppm	7.84	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)	392	ppm (as CaCO ₃)		
Alkalinity (Methyl Orange)	0	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	1727	micromhos per cm at 25° C.		
Electrical Conductivity	2.23			
Sodium Adsorption Ratio	28.03	% of cations		
Sodium	0.00	me/l		
Residual sodium carbonate	7.82			
pH				
Others:				

*ppm=parts per million
**me/l=millequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: Total cations 21.40 me/l
Total anions 23.51 me/l



By: Shirley Mittan

Service Performed	Amount Due
Irrigation analysis	\$8.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1782

Amount Enclosed \$

Signed

November 29, 1976



Missouri Valley Grazing Assoc.
P.O. Box 164
Elk Point, SD 57025

Dear Sir:

Your water sample (Lab. No. 76-1782, 1783) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

I am also enclosing a copy of AES pamphlet #13 for your use. The quality of your water for irrigation use is plotted approximately by means of the red cross in the chart on the outside back cover.

Your water, as indicated by this analysis, is satisfactory for use on the soils you indicate will be irrigated. If a salt problem or a water table problem should develop, contact extension personnel for assistance.

The WI-1, soils information, and a copy of the water analysis are being forwarded to the State Conservation Commission for their action.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb
Enclosures
cc: State Conservation Commission

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)



NAME Missouri Valley Grazing Assoc.
ADDRESS Box 164 Elk Point - S.D. 57002
COUNTY Lincoln

LEGAL DESCRIPTION

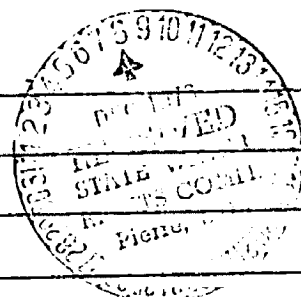
1. WELL LOCATION: S $\frac{1}{4}$ Sec 19 T91N R50W
2. LOCATION OF AREA TO BE IRRIGATED S $\frac{1}{4}$ Sec 19 T91N R50W

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____
4. CROPS TO BE IRRIGATED Corn Alfalfa Soybeans

WATER QUALITY

5. SAMPLE NUMBER 76-1783
6. SALINITY (EC x 10⁶) 172.7
7. SODIUM (SAR) 1.90
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0



I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and:
the soils information has been acquired from _____ Conservation District,
County Extension office or Soil Conservation Service.
and:
that the legal description for the location of the well and land to be irrigated is true
and correct.

Missouri Valley Grazing Assoc.
Merton Petersen Sec
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
1st DAY OF Dec 1976.

Janet Smith
(TITLE OR SEAL)

Alfred J. Smith
APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

REPORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57006

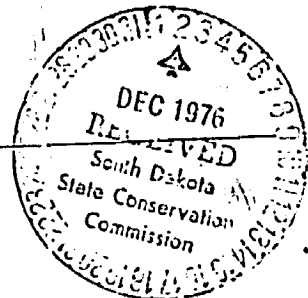
Submitted by: Missouri Valley Grazing Assoc. Rec'd November 5, 1976
 Address: Box 164 Sample No. 76-1783
Elk Point, SD 57025 Identification Well-
SE1, Sec. 19, T 91N, R 50W

WATER ANALYSIS

Calcium (Ca)	222	ppm*	11.13	me/l**
Magnesium (Mg)	46	ppm	3.77	me/l
Sodium (Na)	119	ppm	5.18	me/l
Potassium (K)	33	ppm	0.86	me/l
Sulfate (SO ₄)	704	ppm	14.64	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	40	ppm	1.11	me/l
Bicarbonate (HCO ₃)	464	ppm	7.50	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)	380	ppm (as CaCO ₃)		
Alkalinity (Methyl Orange)	0	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	1727	micromhos per cm at 25° C.		
Electrical Conductivity	1.90			
Sodium Adsorption Ratio	24.77	% of cations		
Sodium	0.00	me/l		
Residual sodium carbonate	7.62			
pH				
Others:				

*ppm=parts per million
 **me/l=millequivalents per liter
 ***g.p.g.=grains per gallon

COMMENTS: Total cations 20.91 me/l
 Total anions 23.35 me/l



By: Shirley Mittan

Service Performed	Amount Due
Irrigation analysis	\$8.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1783

Amount Enclosed \$

Signed

CONSERVATION
COMMISSION
FORM W1 #1

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)

NAME Missouri Valley Grazing Assn. (Missouri Valley Farms, Inc.)
ADDRESS Box 154 Elk Point, South Dakota 57025
COUNTY Union

LEGAL DESCRIPTION

1. WELL LOCATION 70 - NE 1/4 Sec. 30-T9N-R50W Approx. center of quarter
71 - SE 1/4 Sec. 12-T9N-R50W Approx. center of quarter
2. LOCATION OF AREA TO BE IRRIGATED as shown on permit No. 2451-3

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED Corn - Soybeans - Alfalfa

WATER QUALITY

5. SAMPLE NUMBER See attached analysis No. 75-1700 and 75-1702
6. SALINITY (EC X 10⁶) _____
7. SODIUM (SAR) _____
8. RESIDUAL SODIUM CARBONATE (meq/l.) _____

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and: the soils information has been acquired from Union Conservation District, County Extension office or Soil Conservation Service.
and:
that the legal description for the location of the well and land to be irrigated is true and correct.

Merton Turner Sec
APPLICANT'S SIGNATURE

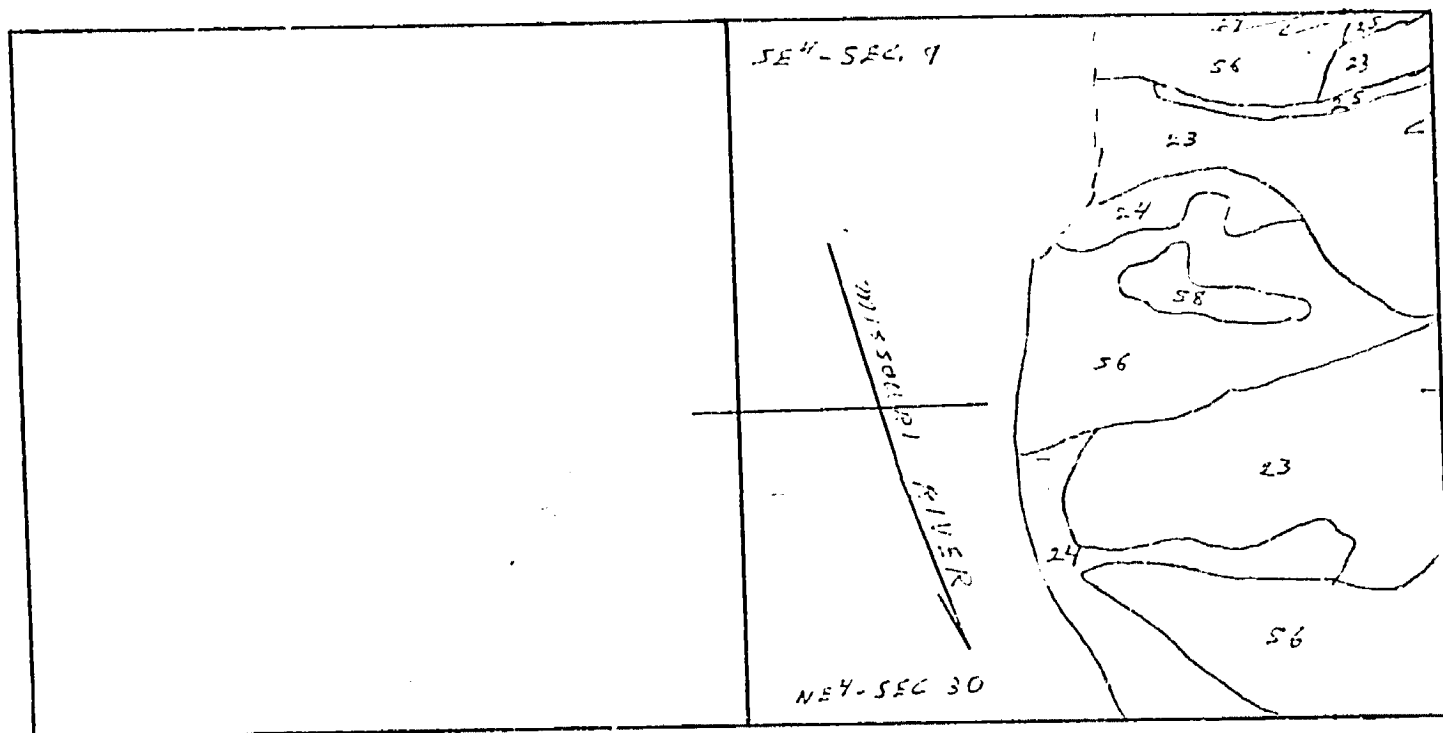
SUBSCRIBED AND SWORN BEFORE ME THIS
19 DAY OF Jan 19 77

Janette Smith
(TITLE OR SEAL)

APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

MAP



NARRATIVE

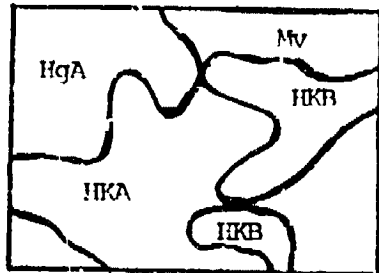
- | | | |
|-----------------------------|--|--|
| 24 - Grable silt loam | - Moderate available water capacity; Moderate intake rate. | - 0.2% slopes - 1.0in/hr. intake family. |
| 25 - Haynie silty clay loam | High available water capacity; Moderate intake rate. | - 0-2% slopes - 1.0in/hr. intake family. |
| 23 - Haynie silt loam | High available water capacity; Moderate intake rate. | - 1.0% slopes - 1.0in/hr. intake family. |
| 56 - Sarpy soils | Rapid intake rate; very low to low available water capacity; very severe hazard of soil blowing. | - 0-3% slopes - 3.0in/hr. intake family. |

These soils are suitable for sprinkler irrigation as planned.

E X A M P L E

SOILS INFORMATION

SE 1/4, Section 23, T-2N, R-51E



- HgA Highmore - DeGrev silt loams - 0-2% slopes
DeGrev soils have a shallow clay-pan and have slow to very slow permeability generally not suitable for irrigation.
- HKA Highmore - Eakin silt loams - 0-2% slopes
Soils have a high available water capacity and moderate permeability.
- HKB Highmore - Eakin silt loams - 2-5% slopes
Same physical composition as HKA - moderate erosion problems.
- Mv Munjor fine sandy loam - 0-2% slopes
Moderately rapid permeability, moderate or high available water capacity.

INSTRUCTIONS FOR PREPARING FORM W1 #1

LEGAL DESCRIPTION:

Line 1 - show legal description to nearest 40 acres.
Line 2 - show legal description to nearest 40 acres.

TYPE OF IRRIGATION:

Complete lines 3 and 4.

SOILS INFORMATION: (please see example on reverse side)

Residents of counties with published or up-to-date soil surveys shall contact their local Conservation District for a copy of the soils map for the area to be irrigated and the narrative explanation of the map.

Residents of counties with no up-to-date soil survey information shall contact the Soil Conservation Service or their local Conservation District to obtain the best information available. If soil survey information is not available, the applicant is requested to obtain this information from a private consultant or professional soil classifier.

WATER QUALITY:

The applicant must send a sample of the ground water to be used for irrigation to the Water Quality Laboratory, Water Resources Research Institute, South Dakota State University, Brookings, South Dakota 57006.

A report of the analysis will be mailed to the State Conservation Commission by the Water Quality Laboratory. The applicant will also receive an analysis report for his records.

Certification must be completed by applicant and notarized or attested to by Register of Deeds, Registered Professional Engineer, or Conservation District Official.

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57006

Submitted by: Missouri Valley Grazing Assoc Date Rec'd. Nov. 5, 1976
 Address: Fox 164 Sample No. 76-1732
Elk Point, SD 57025 Identification Well -
NE 1/4, Sec. 30, T. 91 N., R. 50 W.

WATER ANALYSIS

Calcium (Ca)	215	ppm*	10.75	me/l**
Magnesium (Mg)	46	ppm	3.77	me/l
Sodium (Na)	120	ppm	6.00	me/l
Potassium (K)	34	ppm	0.38	me/l
Sulfate (SO ₄)	700	ppm	14.55	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	40	ppm	1.11	me/l
Bicarbonate (HCO ₃)	478	ppm	7.3	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)	392	ppm (as CaCO ₃)		
Alkalinity (Methyl Orange)	0	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	1727	micromhos per cm at 25° C.		
Electrical Conductivity	2.23			
Sodium Adsorption Ratio	28.03	% of cations		
Sodium	0.00	me/l		
Residual sodium carbonate	7.82			
pH				
Others:				

* ppm = parts per million
 ** me/l = millequivalents per liter

*** g.p.g. = grains per gallon

COMMENTS: Total cations 21.40 me/l
 Total anions 23.51 me/l

By: Shirley Lott

Service Performed	Amount Due
Irrigation analysis	\$8.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1732 Amount Enclosed \$
 Signed C

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57006

Submitted by: Missouri Valley Grazing Assoc. Rec'd November 1, 1976
 Address: Box 164 Sample No. 76-1783
Elk Point, SD 57025 Identification Well-
SE1, Sec. 19, T. 91N, R. 50E

WATER ANALYSIS

Calcium (Ca)	222	ppm	11.10	me/l**
Magnesium (Mg)	46	ppm	2.37	me/l
Sodium (Na)	119	ppm	6.13	me/l
Potassium (K)	33	ppm	0.86	me/l
Sulfate (SO ₄)	704	ppm	11.64	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	40	ppm	1.11	me/l
Bicarbonate (HCO ₃)	464	ppm	7.60	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		me/l
Alkalinity (Methyl Orange)	380	ppm (as CaCO ₃)		g.p.g.***
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1727	microhmhos per cm at 25° C.		
Sodium Adsorption Ratio	1.90			
Sodium	24.77	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.62			
Others:				

*ppm = parts per million
 **me/l = milliequivalents per liter
 ***g.p.g. = grains per gallon

COMMENTS: Total cations 20.91 me/l
 Total anions 23.35 me/l

By: Chris [Signature]

Service Performed

Amount Due

Irrigation analysis

\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1783

Amount Enclosed \$

Signed

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

12 Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30 inches, Depth 100 FT.
- (2) Casing, Type Transite Diameter 16" I.D. Thickness 3/4 inch
(wood, concrete, steel, etc)
- (3) Perforated Screen
- Type 1/8" slotted, Diameter 16" I.D., Length 20 Feet
- (4) Gravel Pack, Thickness 6-9 inches, Length of gravel pack 20 + Feet

E. Dugout Information or Estimates

- (1) Surface dimensions -----, Depth -----

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

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials Water bearing gravel, sands and rock

Depth to top of water bearing material 20 feet

Depth to bottom of water bearing material 100 feet

Thickness of water bearing material 80 feet

Depth to water (ground surface to water level) 14' drawdown

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

On same owner's property 100 rds. On property owned by others 240 rds.

G. Water Storage Dams.

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

Mark T. Anderson
Signature of Applicant

No. 4421-3

Publish first publication, on or before August 31, 1979

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 16, 1979

Notice is hereby given that Missouri Valley Farms Inc. whose post office address is Elk Point, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 3.4 cubic feet of water per second of time from groundwater(2 wells) through the Missouri Valley Farms Inc. Irrigation Project, to add additional points of diversion on a existing permit of which are to be located in the approximate centers of the SE $\frac{1}{4}$, Section 19 and NE $\frac{1}{4}$ of Section 30

all in Twp. 91N, Range 50W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SE $\frac{1}{4}$, Section 19 and NE $\frac{1}{4}$, Section 30, all in T91N, R50W

This Application No. 4421-3 will be considered by the Water Management Board at the Community Room, City Hall.

222 E. Dakota, Pierre, SD upon the 27th day of September, 1979

at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

WATER MANAGEMENT BOARD

BETTY WESTLUND
Water Rights Specialist

cc: Missouri Valley Farms Inc., Elk Point, SD 57025

FORM 6 - Notice of Intent to Appropriate Water
GROUNDWATER

RECEIPT

WATER RIGHTS COMMISSION

No 4 6937

State of South Dakota

June 11

79

PIERRE, _____, 19____

RECEIVED OF Missouri Valley Farms, Inc., Box 164, Elk Point SD 57025

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

FUND 290

Fee for Application for Permit to Appropriate Water No. <u>4421-3</u> (examination, processing, recording and filing) _____	150	00
Fee for inspecting Construction, and issuing Cert. of Construction No. _____		
Fee for inspecting Beneficial Use, and issuing Water License No. _____		
Fee for issuing Location Certificate-Dry Draw, No. _____		
Fee for filing _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL	150	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer

JOHN HATCH kjw

2451-3

NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE
DEPARTMENT OF NATURAL RESOURCE DEVELOPMENT
DIVISION OF WATER RIGHTS
JOE FOSS BUILDING
PIERRE, SOUTH DAKOTA 57501

Post Office ELK POINT, S. DAK.
Date _____

TO: Water Resources Commission
State Office Building No. 2
Pierre, South Dakota 57501

Dear Sirs:

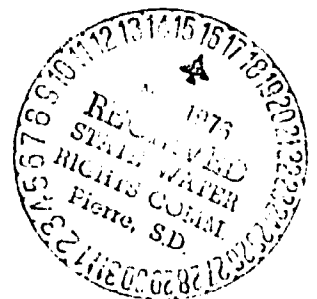
This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 2451-3

Water Right Permit No. 2451-3 states that the diversion system is to be constructed by 11-2, 1976 and that the water is to be put to beneficial use by 5-1, 1977.

The diversion system was completed on 11-12, 1976. Applying the water to beneficial use was completed on 12-15, 1976.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Missouri Valley Dredging Assn.
Merton Turner Sec.
(Signature)



2451-3

Missouri Valley Draying Assoc.

changed to Missouri Valley Farm Co.

4-14-77 Well 91 ft deep - 76 ft screen

Well 30' dia. - Casing 16" (R.I.)

Motor Elec 21.5 Horsepower

H.P. 50 176.5 R.P.M.

K-6232-01-019- R2103676 -

Pump Well Line 125 ft

8137.2 K. Stage 12 K.H.

C.P. Lockwood 1290' ft. well. d.

Iron Cover 125 Ac.

Well

Well 87 ft deep - 20' Johnson screen

test pumped at 1100 GPM

E.P. Lockwood 1290' ft. well. d.

125 Ac.

Motor 50 H.P. RPM 1765

10.1 K-6232-01-019- R2103676

Pump Well Line

Per # 8137-1K

Stage 17 RH Prod.

Check on that stage and a little fluid
to range from here location to
two wells.

Ch. 1. 2.0 C/S

4421-3

Mert irrigation acct 1446

	1988		1987	
	KWH	COST	KWH	COST
June	9720	462.85	5647	365.03
July	14057	337.37	11292	271.01
Aug	11238	267.71	12564	301.54
Sept	3625	87.00		
	<u>38638</u>	<u>\$1,156.93</u>	<u>29506</u>	<u>\$937.65</u>
		800.00		800.00
		<u>\$1,956.93</u>		<u>\$1,737.65</u>

average cost per KWH: 5.06¢
hours of operation: 909.13 hour

5.89¢
694.3 hour

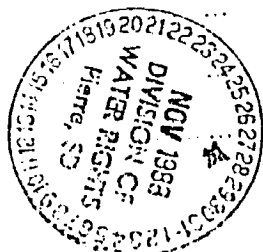
at 900 gpm (812217 gallons)

acct 1447

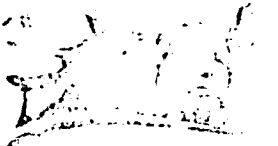
	KWH	COST	KWH	COST
June	3670	280.26	2440	190.32
July	5660	167.16	5870	238.62
Aug	7550	181.20	6060	145.44
Sept	670	16.08	830	19.92
	<u>17550</u>	<u>\$650.70</u>	<u>15200</u>	<u>\$594.30</u>
		800.00		800.00
		<u>\$1,450.70</u>		<u>\$1,394.30</u>

average cost per KWH: 8.26¢

9.17¢



South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

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

4421-3

February 1, 1991

MISSOURI VALLEY FARMS INC
BCX 164
ELK POINT SD 57025

4421-3

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 2451-3, 3527-3, 4421-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s) 2451-3, 3527-3, 4421-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire(s) is received in this office before the February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge)
2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

MISSOURI VALLEY FARMS INC
BOX 164
ELK POINT SD 57025

4. Article Number
P 694 657 309

Type of Service:
☐ Registered
☒ Certified
☐ Express Mail
☐ Insured
☐ COD
☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee
X *J. Turner*

6. Signature - Agent
X

7. Date of Delivery
FEB - 2 1991

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Apr. 1989

U.S.G.P.O. 1989-235-815

DOMESTIC RETURN RECEIPT



DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

4421-3

February 15, 1991

2451-3
3527-3
(4421-3)

Missouri Valley Farms Inc
Box 164
Elk Point, SD 57025

Dear Sirs:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires for Water Permit Nos. 2451-3, 3527-3 and 4421-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaires, your name has been deleted from the February Water Management Board meeting agenda.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division

4421-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

MISSOURI VALLEY FARMS INC
MERTON TURNER
BOX 164
ELK POINT SD 57025

NOTICE

RE: Violation of Requirement to Submit 1994 Irrigation Questionnaire

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit Nos. 2451-3, 3527-3 & 4421-3. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 8, 1995, in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 220 S Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit Nos. 2451-3, 3527-3 & 4421-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action, or
3. Take no action.

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

If the questionnaires are received in this office on/or before March 3, 1995 your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352



4421-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 14, 1995

2451-3

3527-3

4421-3

Merton Turner
Missouri Valley Farms Inc
Box 164
Elk Point, SD 57025

Dear Mr. Turner:

I am writing to acknowledge receipt of your 1994 irrigation questionnaires. You may disregard the February 7, 1995, Notice of Violation of the Requirement to Submit the 1994 Irrigation Questionnaire.

The questionnaires were received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

4421-3



January 9, 1998

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: MISSOURI VALLEY FARMS INC, MERTON TURNER, BOX 164, ELK POINT, SD 57025

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire has not been submitted for Permit No(s) 2451-3, 3527-3 & 4421-3. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, February 25, 1998, in the Floyd Matthew Trainor, Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2451-3, 3527-3 & 4421-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 20, 1998, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

4421-3
MISSOURI VALLEY FARMS INC
MERTON TURNER
BOX 164
ELK POINT SD 57025

4a. Article Number

2179157121

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

1-12-98

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X Merton Turner

PS Form 3811, December 1994

102595-97-11-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.

4421-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 27, 1998

2451-3

3527-3

4421-3

Merton Turner
Missouri Valley Farms, Inc
Box 164
Elk Point, SD 57025

Dear Mr. Turner:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit Nos. 2451-3, 3527-3 and 4421-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



January 22, 1999

4421-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

NOTICE

TO: MISSOURI VALLEY FARMS INC, MERTON TURNER, BOX 164, ELK POINT, SD 57025

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire has not been submitted for Permit No(s) 2451-3, 3527-3 & 4421-3. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, March 3, 1999, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2451-3, 3527-3 & 4421-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1999, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

4421-3

Is your RETURN ADDRESS completed on the reverse side?

SENDER: ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. ☐ Addressee's Address 2. ☐ Restricted Delivery Consult postmaster for fee.
3. Article Addressed to: MISSOURI VALLEY FARMS INC MERTON TURNER BOX 164 ELK POINT SD 57025		4a. Article Number P378 080 677
5. Received By: (Print Name) 		4b. Service Type ☐ Registered ☒ Certified ☐ Express Mail ☐ Insured ☐ Return Receipt for Merchandise ☐ COD
6. Signature: (Addressee or Agent) X Merton Turner		7. Date of Delivery JAN 23
PS Form 3811, December 1994		8. Addressee's Address (Only if requested and fee is paid)

1025PS-98 B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.



4421-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/deir

February 12, 1999

2451-3
3527-3
4421-3

Merton Turner
Missouri Valley Farms, Inc
Box 164
Elk Point, SD 57025

Dear Mr. Turner:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Permit Nos. 2451-3, 3527-3 and 4421-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

Permit No. 4421-3
Big Sioux 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, October 19, 1999 made a thorough examination of the water use system constructed by Missouri Valley Farms, Inc. of Box 164, Elk Point, SD 57025 holder of Permit No. 4421-3, bearing the priority of June 11, 1979 authorizing the diversion of 3.4 cu. ft. per second of the waters of Missouri Aquifer Elk Point Management Unit for irrigation purposes, in Union County.

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

A. Works used to divert the water:

North well 96' is deep with 70' of 16" steel casing and 26' of Johnson stainless steel screen; Lymens pump 800 gpm capacity and a 50 hp motor.

South well is 87.5' deep with 61.5' of 16" steel casing and 26' of Johnson stainless steel screen; Lymens pump 800 gpm capacity and a 50 hp motor.

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

At the north well: 20' of 8"-10" steel pipe

At the south well: 185' of 8"-10" steel pipe

C. Works used to apply water to beneficial use:

Two Valley center pivots 1078' long with 9 towers and an end gun. Low pressure systems that operate at 800 gpm.

The system is in the following condition good. The point of diversion is located north well is 1320'W and 1660' N and the south well is 1320' W and 940' S of the SE corner Section 19, T91N, R50W. The works are capable of diverting and conveying to the place of use 3.56 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:

<u>All in Section 19, T91N, R50W:</u>		<u>All in Section 30, T91N, R50W:</u>
<u>NE¼ SE¼ 37 acres</u>	<u>SW¼ NE¼ 6 acres</u>	<u>NE¼ NE¼ 37 acres</u>
<u>NW¼ SE¼ 37 acres</u>	<u>SE¼ NE¼ 6 acres</u>	<u>NW¼ NE¼ 37 acres</u>
<u>SW¼ SE¼ 27 acres</u>		<u>SW¼ NE¼ 12 acres</u>
<u>SE¼ SE¼ 27 acres</u>		<u>SE¼ NE¼ 13 acres</u>

comprising a total of 239 acres of land and the license should be issued for 3.41 cfs.

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none

Lynn Beck
 Lynn Beck

Nov 23, 1999
 Date

Natural Resources Engineer
 DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 4421-3

DATE OF INSPECTION: 10-19-99

Other permit(s) associated with the project: none

NAME & ADDRESS OF INSPECTION CONTACT: Merton Turner, Box 164, Elk Point, SD 57025

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: owner

NAME & ADDRESS OF PERMIT HOLDER: Missouri Valley Farms, Inc., address same as above.

DIVERSION POINT LEGAL LOCATION: North well is 1320'W and 1660' N and the south well is 1320' W and 940' S of the SE corner Section 19, T91N, R50W.

WELL INFORMATION:

- 1) Well Drilling Firm: Karpens
- 2) No. of Wells 2
- 3) Depth(s) 96'; 87.5' feet
- 4) Well log is available yes

Casing:

- 1) Diameter both 16 inches
- 2) Length 10; 61.5 feet
- 3) Type steel

Screen:

- 1) Type Johnson stainless steel
- 2) Length both 26 feet
- 3) Static water level 20 feet

Pump:

- 1) Make both Lymens
- 2) Model #
- 3) Size #
- 4) Capacity each 800 GPM

Motor:

- 1) Make #
- 2) Model No. #
- 3) Horsepower rating both 50 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type steel 2) Size 8"-10" 3) Length 20 feet (north well)
- 1) Type steel 2) Size 8"-10" 3) Length 185 feet (south well)

SYSTEM TYPE:

Center Pivot: two pivots

- 1) Make Valley
- 2) Overall length 1,078'
- 3) Number of towers 9
- 4) End gun yes
- 5) High or low pressure low
- 6) Capacity 1,000 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate no

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) 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 57501-3181
www.state.sd.us/denr

December 9, 1999

4421-3

Missouri Valley Farms, Inc.
%Merton Turner
Box 164
Elk Point, SD 57025

Dear Mr. Turner:

The investigation of your water use system was conducted on October 19, 1999, by Lynn Beck, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 4421-3. Your final water right document, the Water License, can now be issued.

Statutes require 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 begin processing your Water License.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

December 17, 1999

Merton Turner
Missouri Valley Farms, Inc.
Box 164
Elk Point, SD 57025

Dear Mr. Turner:

I am writing to follow up on your phone call regarding cancellation of Water Permit Nos. 2451-3 and 3527-3. Lynn Beck, a Water Rights Engineer, has also discussed these water permits with you

The following is a brief summary of the irrigation permits we have on file for you (see enclosed map):

- Water Permit No. 2451-3 authorized diversion of water from the Missouri River to irrigate 330 acres in Lot B of Section 19 and 30, T91N, R50W.
- Water Permit No. 3527-3 authorized diversion of ground water to irrigate 68 acres in the E ½ NE ¼ Section 19, T91N, R50W.
- Water Permit No. 4421-3 authorizes use of ground water (two wells) to irrigate 239 acres in the SE ¼ & S ½ NE ¼ Section 19 and the NE ¼ Section 30, T91N, R50W. Water Permit No. 4421-3 is being used and is ready to be licensed upon receipt of the \$50.00 fee as required by statute.

Water Permit Nos. 2451-3 and 3527-3 were scheduled for cancellation consideration following an licensing investigation by Lynn Beck.

This investigation found the land described in No. 2451-3 was no longer being irrigated from the Missouri River. On the 1998 irrigation questionnaire, you indicated the land under No. 2451-3 was in CRP. Our finding was that the land described in No. 2451-3 was not in CRP and was being irrigated from two wells as authorized by Water Permit No. 4421-3.

(continued)

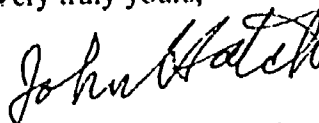
My understanding is that you reviewed a map of the area with Lynn and pointed out the areas you currently have in CRP. The land you referred to is the W ½ NE ¼ and the NW ¼ Section 19, T91N, R50W. A review of our files found a permit does not exist for the land you currently have in CRP. A permit application will be required prior to irrigating these lands. Lynn indicated you may wish to use an existing well to irrigate the land. When you are ready to proceed with the new application, make sure to include the description of the existing well.

With regard to Water Permit No. 3527-3, an investigation found no evidence of irrigation on the land. You confirmed this during a phone conversation with Lynn on October 19th.

Mr. Turner, if after reviewing the enclosed map and the above information, you feel an error has been made and the permits were not subject to cancellation, please contact Lynn Beck at (605) 773-3352. If this is the case, it would be helpful if you could submit a map of the area you are currently irrigating and the land currently held in CRP. If our records are incorrect, I would like to take the necessary steps to ensure they are corrected.

Thank you for contacting me.

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch".

John Hatch, Chief Engineer
Water Rights Program

enclosure

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 416304

Pierre, December 20, 1999

RECEIVED OF Missouri Valley Farm, Inc., Box 164, Elk Point, SD 57025

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>4421-3</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

Chief Engineer

John Hatch (C)

Licensing of Acreage Outside of Permitted Area

NAME: Missouri Valley Farms

ADDRESS: Box 164, Elk Point, SD 57025

DATE: December 21, 1999

COUNTY: Union

TELEPHONE: (605) 356-2114

AUTHORITY

Pursuant to SDCL 46-5-30.5, acreage developed for irrigation outside of the area described on the permit may be licensed provided the following conditions are met:

NO INCREASE IN PERMITTED ACREAGE OR WATER APPROPRIATED:

The acreage developed for irrigation is 239 acres as compared to 240 acres authorized by the permit. Licensing of the permit will result in a reduction in the amount of water appropriated.

UNPERMITTED ACREAGE:

- **Contiguous to Permitted Acreage**

The acres are located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ 6 acres and SE $\frac{1}{4}$ NE $\frac{1}{4}$ 6 acres in Section 19, T91N, R50W. These acres are part of a center pivot, most of which is in the SE $\frac{1}{4}$ of Section 19, T91N, R50W.

- **Owned by Same Property Owner**

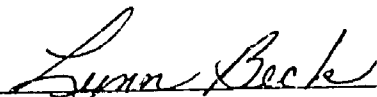
yes

- **Developed Prior to Expiration of Construction Period**

yes

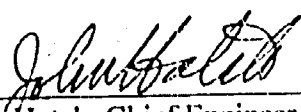
RECOMMENDED ACTION

Based on the above criteria, it is recommended that the 12 acre area be included in the water license.


Lynn Beck, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant to SDCL 46-5-30.5 that:

This acreage change does not impair existing water rights and the overall project, as developed, is consistent with the original application. Licensing of the unpermitted acreage may occur without application or publication pursuant to SDCL 46-2A-4.

 12-21-99
John Hatch, Chief Engineer
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

DEC 30 1999

4421-3

Missouri Valley Farms, Inc.
%Merton Turner
Box 164
Elk Point, SD 57025

Dear Mr. Turner:

Enclosed is Water License No. 4421-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416304 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. 4421-3, 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.

Very truly yours,

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

ks
enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4421-3

(1) Missouri Valley Farms, Inc., Box 164, Elk Point SD 57025 made Application No. 4421-3, April 5, 1979 for a water permit to divert 3.4 cubic feet of water per second from groundwater (two wells), Union County, South Dakota for irrigation purposes. Permit No. 4421-3, with a priority date of June 11, 1979 was approved September 28, 1979 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before September 28, 1984 and for the application to beneficial use of said water on or before September 28, 1988.

An investigation conducted for licensing purposes found acreage developed for irrigation outside of the area described on the permit. Pursuant to SDCL 46-5-30.5, the Chief Engineer makes a finding that existing water rights will not be impaired and the overall project, as developed, is consistent with the original application.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 3.41 cubic feet of water per second for beneficial use. The location of the diversion points are: North well - 1,320 feet west and 1,660 feet north (N ½ SE ¼ Section 19) and South Well - 1,320 feet west and 940 feet south (N ½ NE ¼ Section 30) of the southeast corner Section 19-T91N-R50W.

(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:

All in T91N-R50W					
Section 19	NE ¼ SE ¼	37 acres	Section 30	NE ¼ NE ¼	37 acres
	NW ¼ SE ¼	37 acres		NW ¼ NE ¼	37 acres
	SW ¼ SE ¼	27 acres		SW ¼ NE ¼	12 acres
	SE ¼ SE ¼	27 acres		SE ¼ NE ¼	13 acres
	SW ¼ NE ¼	6 acres			
	SE ¼ NE ¼	6 acres			
Total 239 acres					

(4) Pursuant to South Dakota Water Law 46-5-30.1 Missouri Valley Farms, Inc., Box 164, Elk Point SD 57025 the holder and/or owner of Water Right No. 4421-3 is issued a license to appropriate water, the right to use 3.41 cubic feet of water per second from groundwater (two wells) with a priority date of June 11, 1979 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. 4421-3 and subject to South Dakota State Law.


JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

DEC 30 1999

date





4421-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 14, 2000

NOTICE

TO: MISSOURI VALLEY FARMS INC, MERTON TURNER, BOX 164, ELK POINT, SD 57025

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire has not been submitted for Permit No(s) 4421-3. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 1:30 pm, March 1, 2000, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 4421-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 2000, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

4421-3

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Received by (Please Print Clearly) _____ B. Date of Delivery _____	
1. Article Addressed to: MISSOURI VALLEY FARMS INC MERTON TURNER BOX 164 ELK POINT SD 57025		C. Signature x <i>Merton Turner</i> ☐ Agent ☐ Addressee D. Is delivery address different from item 1? ☐ Yes ☐ No If YES, enter delivery address below: _____	
		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
		4. Restricted Delivery? (Extra Fee) ☐ Yes	
2. Article Number (Copy from service label)		Z 227 670 381	



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

February 2, 2000

4421-3

Merton Turner
Missouri Valley Farms, Inc
Box 164
Elk Point, SD 57025

Dear Mr. Turner:

I am writing to acknowledge receipt of your 1999 irrigation questionnaire. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit No. 4421-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

4421-3

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MISSOURI VALLEY FARMS INC
MERTON TURNER
BOX 164
ELK POINT SD 57025

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery
8/22/01

C. Signature

X Merton Turner ☐ Agent ☒ AddresseeD. Is delivery address different from Item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Copy from service label)

7000 0600 0026 9814 3178

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952



4421-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: MISSOURI VALLEY FARMS INC, MERTON TURNER, BOX 164, ELK POINT, SD 57025

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire

Our records indicate that the 2000 Irrigation Questionnaire has not been submitted for Permit No. 4421-3. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 7, 2001, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No. 4421-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 2, 2001, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3102
www.state.sd.us/denr

February 5, 2001

4421-3

Merton Turner
Missouri Valley Farms Inc
Box 164
Elk Point SD 57025

Dear Mr. Turner:

I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right No. 4421-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



4421-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2002

NOTICE

TO: MISSOURI VALLEY FARMS INC, MERTON TURNER, BOX 164, ELK POINT, SD 57025

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire has not been submitted for Permit No(s) 4421-3. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 13, 2002, in the Visitor Center (west bank of Capitol Lake), 650 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

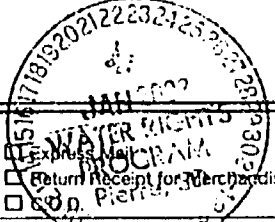
1. Amend Permit No(s) 4421-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 8, 2002, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

4421-3

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.	A. Received by (Please Print Clearly)	B. Date of Delivery 01/17/02
1. Article Addressed to:	C. Signature X <i>Merton Turner</i> ☐ Agent ☐ Addressee	
MISSOURI VALLEY FARMS INC MERTON TURNER BOX 164 ELK POINT SD 57025	D. Is delivery address different from item 1? ☒ Yes If YES, enter delivery address below: ☐ No	
		
	3. Service Type ☒ Certified Mail ☐ Registered ☐ Insured Mail ☐ Express Mail ☐ Return Receipt for Merchandise ☐ Signature Required	
	4. Restricted Delivery? (Extra Fee) ☐ Yes	

7001 2510 0004 4797 4944



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2002

4421-3

Merton Turner
Missouri Valley Farms Inc
Box 164
Elk Point SD 57025

Dear Mr. Turner:

I am writing to acknowledge receipt of your 2001 irrigation questionnaire. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right No. 4421-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



4421-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2004

NOTICE

TO: JEFF MASSEY, RENTER, PO BOX 64, ELK POINT, SD 57025 0064

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire has not been submitted for Permit No(s) 3549-3 & 4421-3. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 3, 2004, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3549-3 & 4421-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 27, 2004, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

cc: GERALD F FLANNERY, 47523 BURBANK RD, ELK POINT, SD 57025

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



4421-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-182
www.state.sd.us/denr

January 26, 2004

3549-3
4421-3

Jeff Massey
PO Box 64
Elk Point SD 57025-0064

Dear Mr. Massey:

I am writing to acknowledge receipt of the 2003 irrigation questionnaires for Marcella Flannery Estate and Missouri Valley Farms. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right Nos. 3549-3 and 4421-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

c: Gerald Flannery



4421-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 20, 2005

NOTICE

TO: JEFF MASSEY, RENTER, PO BOX 64, ELK POINT, SD 57025 0064

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaires

Our records indicate that the 2004 Irrigation Questionnaire has not been submitted for Permit Nos. 3549-3 & 4421-3. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 2, 2005, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit Nos. 3549-3 & 4421-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaires are received in this office on/or before February 25, 2005, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaires, please contact Genny McMath at (605) 773-3352.

c: **GERALD F FLANNERY, 47523 BURBANK RD, ELK POINT, SD 57025**
MISSOURI VALLEY FARMS INC, MERTON TURNER, BOX 164, ELK POINT SD 57025

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



4421-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8516 2067

Your item was delivered at 8:55 am on January 21, 2005 in ELK POINT, SD 57025. The item was signed for by M TURNER.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email

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Signature of Addressee ☐ YES ☐ NO

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PS Form 153, July 2001



4421-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 2005

3549-3
4421-3

Jeff Massey
PO Box 64
Elk Point SD 57025

Dear Mr. Massey:

I am writing to acknowledge receipt of your 2004 irrigation questionnaires. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right Nos. 3549-3 and 4421-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

c: Gerald Flannery
Merton Turner

4421-3

R50W

1135

1133
Well location as described
on permit 3527-3.

Well

116.4 Acres in CRP
Tract 1012. There
are no irrigation
permits covering
these lands.

Acres under
cancelled
permit 3527-3
68 acres

20

1130

1127

1127

1120

19

6 acres

6 acres

37 acres

37 acres

N. well

27 acres

27 acres

Location of Missouri River
diversion point on permit
2451-3. No longer used.

Acres irrigated under permit no. 4421-3
from two wells. This permit will be licensed.
Permit 2451-3 also irrigated these acres
from the Missouri River but is no longer used,
therefore it was cancelled.

1124

R 5 E
R 6 E

7

37 acres

37 acres

S. well

12 acres

13 acres

Well

30

1122

BOLTON STATE
GAME PRODUCTION AREA

Lembke

T91N

R 51 W

R 50 W

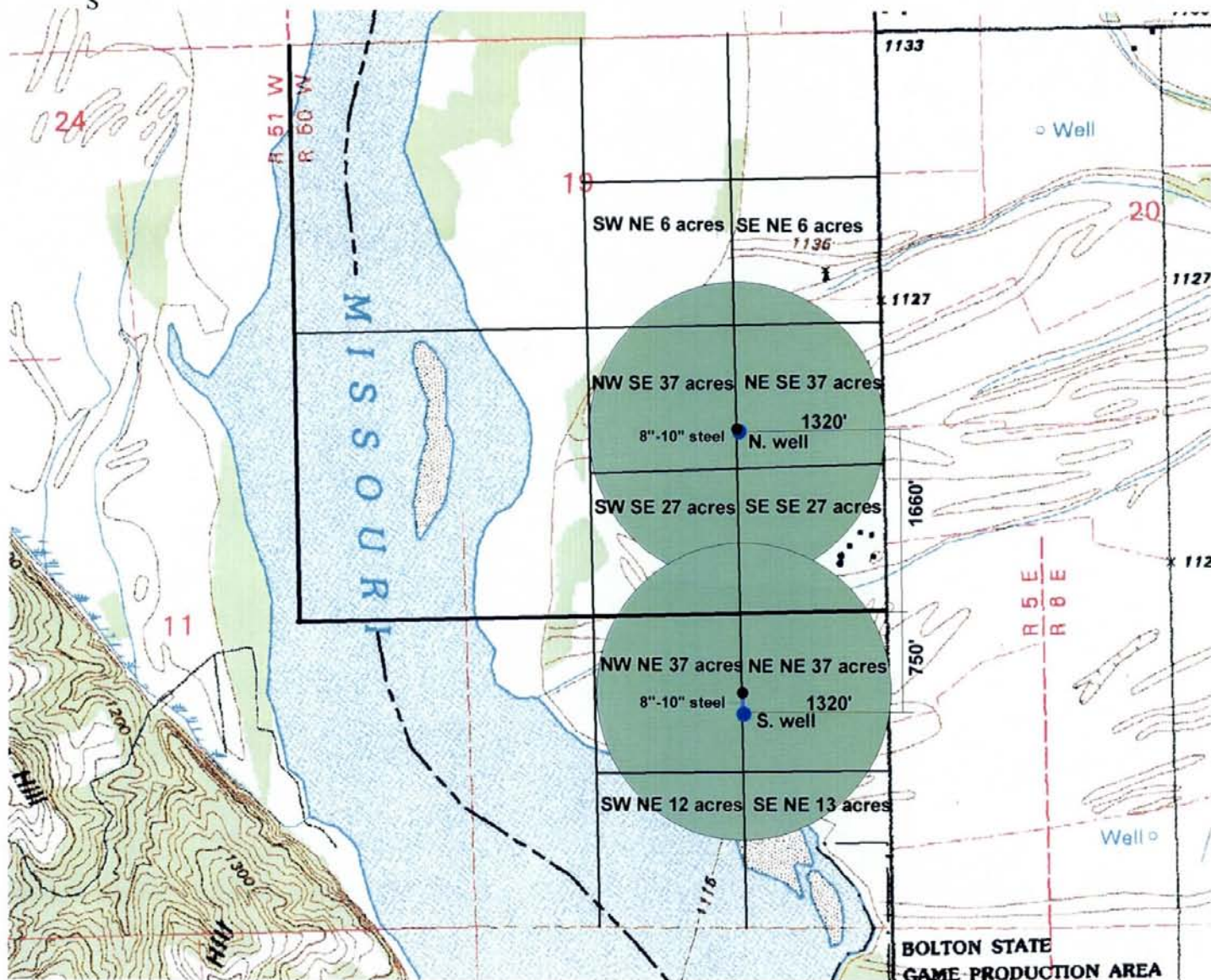
MISSOURI RIVER

11

UT HILL

24

WATER RIGHT NO. 4421-3



TOTAL = 239 acres

SCALE



Lynn Beck

Lynn Beck
Natural Resources Engineer
DENR, Water Rights Program
November 23, 1999



South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today

Note:
South center pivot makes a complete circle, the river boundary
on the topo is not in the right place.



4421-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2006

NOTICE

TO: JEFF MASSEY, RENTER, PO BOX 64, ELK POINT, SD 57025 0064

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire has not been submitted for Permit No(s) 3549-3 & 4421-3. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:30 am, March 2, 2006, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3549-3 & 4421-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **February 24, 2006**, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

c: GERALD F FLANNERY, 47523 BURBANK RD, ELK POINT, SD 57025
MISSOURI VALLEY FARMS INC, MERTON TURNER, BOX 164, ELK POINT SD 57025

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



4421-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 14, 2006

3549-3

4421-3

Jeff Massey
PO Box 64
Elk Point SD 57025

Dear Mr. Massey:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right Nos. 3549-3 and 4421-3.

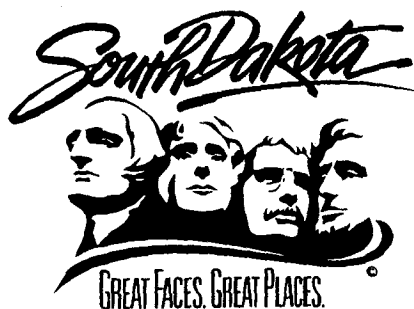
The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

c: Gerald Flannery
Merton Turner, Missouri Valley Farms



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 18, 2008

NOTICE

TO: JEFF MASSEY, RENTER, PO BOX 64, ELK POINT, SD 57025 0064

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire has not been submitted for Permit No(s) 3549-3 & 4421-3. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 11, 2008**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3549-3 & 4421-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **March 3, 2008**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

c: GERALD F FLANNERY, 47523 BURBANK RD, ELK POINT, SD 57025
MISSOURI VALLEY FARMS INC, MERTON TURNER, 508 E MAIN, ELK POINT SD 57025

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

4421-3

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SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 4247	
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Waiver of Signature	☐ YES ☐ NO
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4421-3

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SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 4223	
JEFF MASSEY, RENTER PO BOX 64 ELK POINT SD 57025 0064	
Waiver of Signature ☐ YES ☐ NO	
Postmark Here	
POSTAL CUSTOMER: Keep this receipt. For Inquiries: Access internet web site at www.usps.com or call 1-800-222-1811	
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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2008

3549-3
4421-3

Jeff Massey
PO Box 64
Elk Point SD 57025

Dear Mr. Massey:

I am writing to acknowledge receipt of the 2007 irrigation questionnaires for land you rent from Gerald Flannery and Missouri Valley Farms. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right Nos. 3549-3 and 4421-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

c: Gerald Flannery
Merton Turner, Missouri Valley Farms

4421-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 28, 2021

4421-3

Jeff Massey
32875 480th Ave
Jefferson SD 57038

Dear Mr. Massey:

I am writing in follow-up to our phone conversation about Water Right No. 4421-3. Enclosed is a copy of the license and map (printed front and back) and a partially completed transfer of ownership form.

When ownership of land described in a water right changes, the water right is either transferred in its entirety to a new owner or if more than one owner is involved, the water right is divided and reissued. In the case of No. 4421-3, the water right will be divided and reissued as

- No. 4421A-3 (Missouri Valley Farms Inc)
- No. 4421B-3 (Jeff Massey – or whatever name you want your portion to be under)

When filling out the transfer form, please indicate how many acres and the appropriate legal description for the portion being transferred. Make any necessary notations on the enclosed water right and include that along with the transfer form. This will help clarify which acreage is being transferred. A \$50 fee is required for filing an ownership change. The check or money order can be made out to the "Water Rights Program".

If you have any questions, please let me know.

Sincerely,

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

enclosures

4421-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2022

NOTICE

TO: MISSOURI VALLEY FARMS, MARK TURNER, PO BOX 689, ELK POINT, SD 57025 0689

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

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaires

Our records indicate your 2021 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4421-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 7848-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 7848-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4421-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: HEXURT**

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

4421-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 7, 2022

4421-3
7848-3

Mark Turner
Missouri Valley Farms
PO Box 689
Elk Point SD 57025 0689

Dear Mr. Turner:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Permit/Right Nos. 4421-3 and 7848-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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