

Considered: _____

WATER PERMIT NO. 5021-3

MAP No. 5021-3

Name of Applicant Dale Electronics Inc

Post Office Address Box 180, Yankton 57078

Amount of Water Claimed .10 Total Acres --

Source of Water Supply 55' deep well

Water to be used for ~~com~~ Industrial County Yankton

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received 6-13-84 Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received 5/4/84 Fee 50.00 Remarks _____

5/4/84 cooling will be a closed system for molding presses & air compressors

Corrected Application Received _____ Period of Annual Use _____

WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS n/a

Diversion Point _____

NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 17-93N-55W

Land to be Irrigated _____

n/a

X					

Well Log: Driller Koranda Well Co. Licensed YES x NO _____

Depth of Well 55' REMARKS _____

Type of Map drawn PREPARED BY Johnson Engr Co. signed also by Eugene Haag, City Engineer Reviewed and the Number

assigned on 5/21/84 By Betty Westlund

cc Nelson

No. 5021-3 Hydrologic Unit 10170101
 Map No. 5021-3 Basin MR
 Newspaper Press/Dakota FOR 56 Yankton 57078

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

Check use of water: Industrial ☒ Commercial ☐ Municipal ☐ Other Common Distribution System ☐
 Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
 Domestic ☐ (above 18gpm) Other ☐

Type of Application: Check one or more of the following

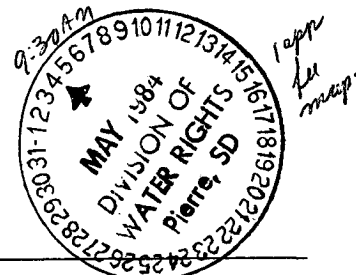
New ☒ Vested Right ☐ Future Use ☒ Change Use ☒

☐ Amend Permit No. _____ with old priority date retained

Change diversion point(s) ☐ Add diversion point(s) ☐ Other ☐ _____

☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____

☐ Construction to use water reserved by Future Use Permit No. _____



1. Name of Applicant Dale Elec Inc Phone No. 605 665 9301

Post Office Address Box 180 YANKTON SD State 57078
 (Street, RR or Box) Zip Code

2. Amount of water claimed (c.f.s.) 45 g.p.m. .10 CFS

3. Source of water supply Well

4. Location of point of diversion (See map attached) - Lot H1 of Lot 4 in Gost Lot 3 and Lot H-1 of Lot 2 in the NE 1/4 NW 1/4, Sec 17 Township 93 North, Range 55 West. of the 5th PM County YANKTON

5. Counties where water will be used YANKTON

6. Annual period during which water is to be used Yearly, monthly.

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

Water will be used for cooling only. Cooling will be a closed system for molding presses and Air compressors. will also be used for lawn watering.

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

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

I, Ron Heglin on behalf of Dale Elec., Inc. the applicant, certify that I have read the foregoing application, have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Ron Heglin

Subscribed and sworn to before me this 25th day of April 19 84

My Commission Expires: 12-30-90

Patricia C. Fleege
 Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 5021-3

Dale Electronics Box 180 Yankton
(Applicant) (Post Office Address)
South Dakota 57078 With the following qualifications.
(State) (Zip Code)

The well approved under this Permit is located near domestic 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.

Date of first receipt of application May 4, 1984.
 Date of return to applicant for correction, amendments or changes required —, 19—.
 Date of receipt of corrected application —, 19—. Approved July 11, 1984.

The Water Management Board hereby approves this Water Permit No. 5021-3 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is May 4, 1984.
2. The equivalent of at least one-fifth of the specified work is to be completed on or before January 11, 1987.
3. The whole of said work is to be completed on or before July 11, 1984.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is July 11, 1993.
5. The water appropriated shall be used for the purpose of Industrial
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 0.10 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 to which water is actually and beneficially applied for Industrial purposes on or before July 11, 1993; said water to be used during the following described annual period: year around

WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer
 Division of Water Rights
 Dept. of Water and Natural Resources
July 24, 1984

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 8" Depth 55 FT
- b) Casing Type Plastic Diameter 6" Thickness 3/8"
- c) Screen Type Plastic Diameter 4" Thickness 1/4"
- d) Gravel Pack Thickness 2" Length of Gravel Pack 39 FT
- e) Depth to Top of Water Bearing Material 35 FT
- f) Depth of Water (ground surface to water level) 20 FT
- g) Distance to nearest existing domestic well:
On applicants property N/A On property owned by others 300 FT

2. Dugout Information Estimates

- a) Surface Dimensions 5' x 5' Depth 6'
- b) Depth to water (ground surface to water level) 14 FT

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application. N/A

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

N/A

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Outlet Dimensions:
Pipe diameter _____

Spillway width _____

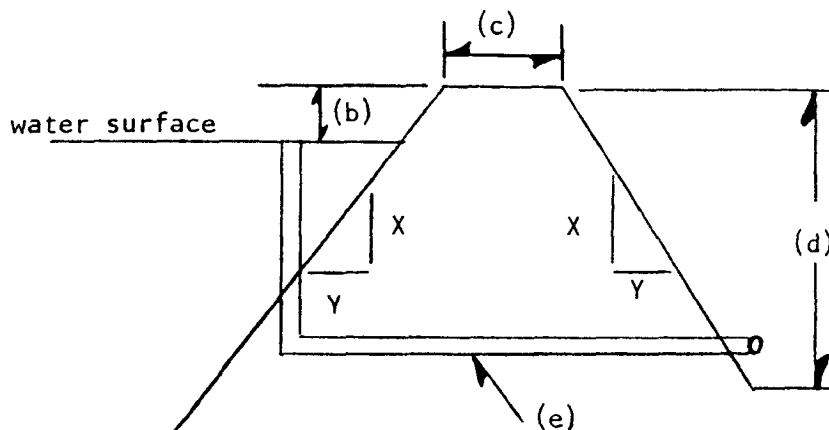
f) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant

Dale Electronics Inc
Ken Heglin

REPORT ON WATER PERMIT APPLICATION NO. 5021-3

DALE ELECTRONICS, INC.

May 22, 1984

Water Permit Application No. 5121-3 requests 0.10 cfs from one 55 foot deep well for industrial use in Yankton County. The proposed water source is the Missouri Management Unit.

Discussion

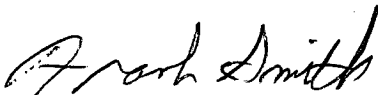
The Missouri Management Unit has an areal coverage of 45,000 acres in Yankton County, containing an estimated 675,000 acre feet of recoverable water in storage.¹ There are 14,405 acre feet appropriated from one aquifer,² which is 2% of the estimated recoverable water. Reported annual use from the Missouri Aquifer is about 10% of the volumn appropriated.³

Water levels of the Missouri Aquifer are monitored by seven Water Rights Division observation wells in Yankton County. Observation well records indicate that the water level is subject to seasonal fluctuations, but the supply of water available in the aquifer is not being depleted.

The applicant proposes to discharge a portion of water into the Missouri River, and may require a discharge permit from the Division of Water Quality.

Conclusions

1. Unappropriated water is available for Application No. 5021-3.
2. The proposed use of water under Application No. 5021-3 will not adversely affect prior water rights of adequate domestic wells.



FRANK SMITH
Water Resources Engineer

References

1. Hedges, Burch, Iles, Barari, Schoon, Evaluation of Ground Water Resources, Eastern South Dakota and Upper Big Sioux River, South Dakota an Iowa, SDGS, Vermillion , 1982.
2. Water Right Files, DWNr, Division of Water Rights, Pierre SD 1984.
3. Observation Well Files, DWNr, Division of Water Rights, Pierre SD 1984.
4. Irrigation Questionnaire Files, DWNr, Division of Water Rights, Pierre SD 1984.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

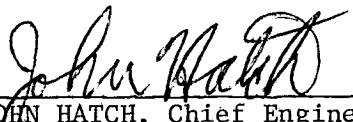
APPLICATION NO. 5021-3, Dale Electronics, Inc.

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 5021-3, Dale Electronics, Inc., PO Box 180, Yankton SD.

The Chief Engineer is recommending APPROVAL of Application No. 5021-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

The well approved under this Permit is located near domestic 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.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
May 23, 1984

REPORT ON APPLICATION NOS. 5593-3 AND 5021-3
for Dale Electronics, Inc.
December 9, 1991

Application No. 5593-3 proposes to appropriate 0.088 cfs (40 gpm) from one well approximately 55 feet deep located in the SE 1/4 NW 1/4 of section 17, T93N R55W in Yankton County. The water will be used for industrial purposes.

Water Permit No. 5021-3 issued to Dale Electronics appropriates 0.10 cfs from one well located in the SE 1/4 NW 1/4 of section 17, T93N R55W. The well location was incorrectly advertised on May 31 and June 7, 1984 in the Yankton Press & Dakotan as being in the NE 1/4 NW 1/4 of section 17, T93N R55W. This application does not authorize any increase in the diversion rate.

AQUIFER - MISSOURI ELK POINT (M-EP)

The Missouri Elk Point is an alluvium mantled outwash (sand and gravel) under predominantly water table conditions. The Missouri Elk Point underlies 45,000 acres and contains an estimated 675,000 acre feet of recoverable water in storage in Yankton County (Hedges, 1991). The aquifer is hydraulically connected to the Lower James Missouri aquifer to the north and with the Missouri River to the south.

The Division of Water Rights monitors seven observation wells completed into the Missouri Elk Point aquifer in Yankton County. Water levels for these wells respond to climatic conditions, that is rising during wet years (recharge) and gradually declining in dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1991).

Information submitted with the application indicates sand beginning at 15 feet below land surface grading to gravel from 30 to 55 feet below land surface with a static water level of 10 feet below land surface. This data was from the well completion report for Water Permit No. 5021-3.

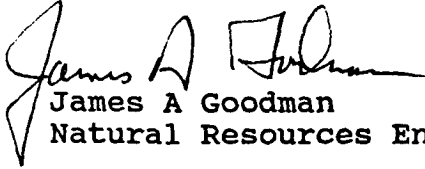
REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing permitted diversion is for Water Permit No. 5021-3 (same as applicant) which is located approximately 900 feet southwest of this application. Interference is not expected to be a concern. The pumping rates are relatively small and the distance between diversions should be sufficient to minimize any potential effects.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. Interference is not expected to be a concern.

3. The well authorized by Permit Application No. 5593-3 must be completed in accordance with SD Well Construction Standards.
4. Water Permit No. 5021-3 is being advertised to correct an error made on the legal description on the original advertisement.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Hedges, L.S., 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1991, Observation Well Data for Yankton County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

RECEIPT

Division of Water Rights

No 4 9665

South Dakota Department of Water and Natural Resources

Pierre, May 17, 1984

RECEIVED OF Dale Electronics, Inc., Box 180, Yankton, SD 57078

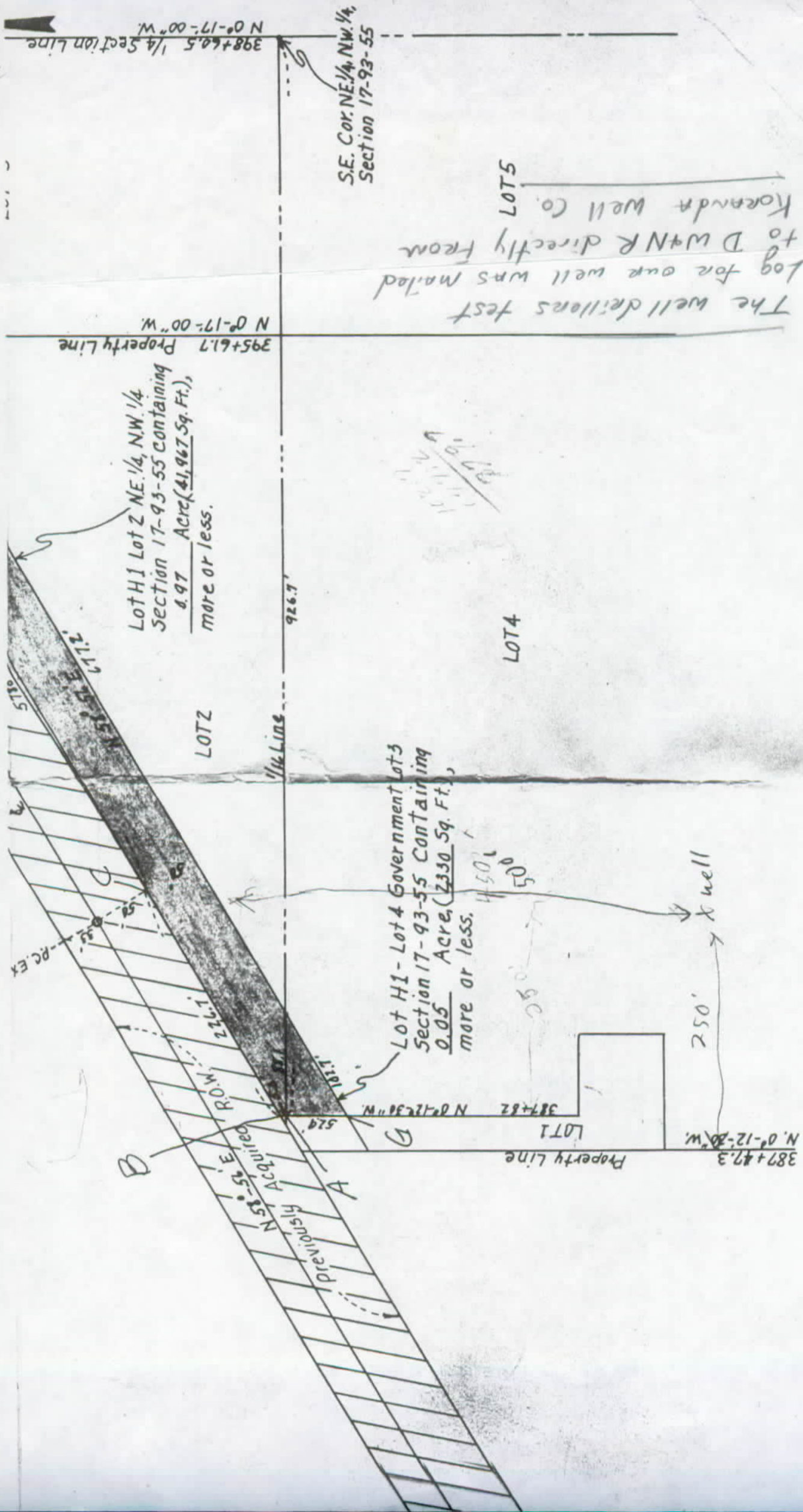
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. 5021-3 to Appropriate Water, to construct works and to put water to beneficial use	50	00
Fee for Application for Permit No. to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No.		
Fee for Filing Transfer Form		
Fee for Filing Extension Request		
Fee for Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for		
(Any Other Work Provided by Law)		
Total	50	00

By

John Hatch
Chief Engineer JOHN HATCH MS

A/M# 5021-3



Drawing prepared by Johnson Engineering Company

Drawn by D.M.J. Date 9-25-68

Checked by R. B. J. Date 9-27-68

Engineer H. Hoag
Director of Public Works / City Engineer
City of Yorkston, SD.

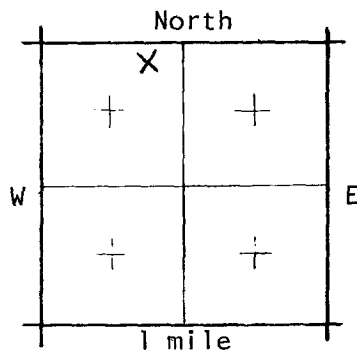
STATE OF SOUTH DAKOTA WELL DRILLERS REPORT

Location NE 1/4 NW 1/4 Sec 17 Twp 93N Rg 55W

County

YANKTON

Please mark well location with an "X"



Well Completion Date 4-23-84

PROPOSED USE:

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

Method of Drilling:

FORWARD ROTARY

WELL CONSTRUCTION:

Diameter of hole 6 inches Depth 55 feet

Casing: ☐ Steel ☒ Plastic ☐ Other
Specify _____

Pipe Weight 200 lb/ft Diameter 6 inches From 0 feet To 35 feet
_____ lb/ft _____ inches _____ feet _____ feet

Was a well screen used? ☒ Yes ☐ No

If Not Specify _____

Screen Type PLASTIC Slot Size 10

Length 20 ft. Diameter 4"

Was Casing left open end? ☐ Yes ☒ No

Was a Packer or seal used? ☒ Yes ☐ No

If so what material? PLASTIC

Was well gravel packed? ☒ Yes ☐ No

Was well grouted? ☐ Yes ☒ No

Describe grouting procedure _____

To what depth? _____ Feet

What was grouting material? _____

If cement, how many sacks? _____

Location of packer(s) and screen or perforated pipe K-PACKER @ 35 ft.

SCREEN - 35-53 ft.

WAS WELL PLUGGED OR ABANDONED ☐ Yes ☒ No

If so how and with what material? _____

Well Owner:

Name DALE ELECTRONICS

Address E. Hurv 50, YANKTON, SD

Well Log:

Depth

Formation

From

To

<u>TOPSOIL</u>	<u>0</u>	<u>10 ft.</u>
<u>CLAY, SAND MIX</u>	<u>10</u>	<u>15</u>
<u>FINE SAND</u>	<u>15</u>	<u>22</u>
<u>MED., COARSE SAND</u>	<u>22</u>	<u>30</u>
<u>GRAVEL</u>	<u>30</u>	<u>55</u>

STATIC WATER LEVEL 10 ft. Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut off? _____

WELL TEST DATA:

☒ Pumped

☐ Bailed Describe: _____

☐ Other _____

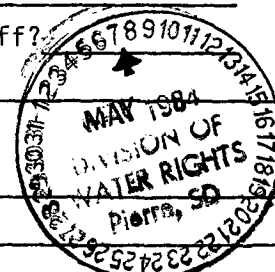
Pumping Level Below Land Surface

24 ft. After 24 Hrs. pumped 75 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

Remarks:



This well was drilled under license # 21

and this report is true and accurate.

KORANDA WELL Co Danoff/Koranda
Drilling Firm Signed by

4-29-84

Date

DALE®

DALE ELECTRONICS, INC.

April 24, 1984

Department of Water & Natural Resources
Division of Water Rights
Joe Foss Building
Pierre, South Dakota 57501

Dear Sir:

We are installing a well on our property at this time. An application for a permit for the well has been issued to DW & NR.

We will be using the well water for watering the lawn and cooling of equipment. The cooling will be done through our molding presses and air compressor which will be a closed loop. The water will not be contaminated in any way but will be at a temperature of 140° degrees fahrenheit.

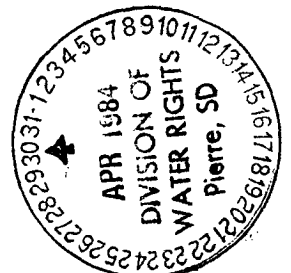
We are approximately 900 feet from an inlet on the Missouri River and want to obtain a permit to dump the heated water.

Please forward the necessary material to apply for this permit.

Sincerely,


Ron Heglin

RH/af



Water Rights Division
605 773-3352

April 30, 1984

Dale Electronics Inc.
ATTN: Ron Heglin
Box 180
Yankton SD 57078

Mr. Heglin:

I am in receipt of your letter dated April 24, 1984 concerning the well you are constructing. I am enclosing the necessary forms that must be submitted to obtain a water use permit. We do not have a permit application on file at this time. If you have any questions concerning these forms please contact our office. I am forwarding a copy of this letter to Dennis Rounds - Office of Water Quality regarding a discharge permit. If you have any questions concerning the discharge permit please contact their office (605) 773-3352.

Thank you,

KEVIN C LARSON
Water Resources Engineer

KCL:ks

encl.

cc: Dennis Rounds

WATER RIGHTS DIVISION
(605) 773-3352

May 7, 1984

Dale Electronics, Inc.
Box 180
Yankton, South Dakota 57078

ATTENTION: Ron Heglin

Dear Mr. Heglin:

I am in receipt of your application to appropriate 45 gpm from a well. The proper fee for 45 gpm is \$50.00. I am returning your check and you can send us another one. If you have any further questions please contact this office.

Thank you,

Kevin C. Larson
Natural Resources Engineer

KCL:ms
Enc.

WP or WR No. 5021-3

Instruction to Newspaper - Publish first publication of the following Notice on or before May 31, 1984 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5021-3 to Appropriate Water ~~and/or to Amend Water Permit or Water Rights No. _____~~

Notice is hereby given that Dale Electronics, Inc. whose mailing address is PO Box 180, Yankton, South Dakota has made an application for a permit

to appropriate 0.10 cubic feet per second from groundwater, one well 55 feet deep. The point of diversion is to be located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T-93N, R-55W. The water is to be used for Industrial Use, cooling water.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 5021-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Foss Building, Room 216, 523 E. Capitol, Pierre, South Dakota, July 11 1984 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by June 29, 1984. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; (ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use) 46-5-38 thru 46-5-40; (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35, (10,000 AFA) 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by June 29, 1984.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Yankton) ss.

I, Noel Hamiel hereby

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

Water was taken from the Yankton Press & Dakotan

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

Daily Newspaper of Yankton

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

May 31, 1984

June 7, 1984

Noel Hamiel
(Signature)

(Title)

(Date Signed)

5+31&6+7
**NOTICE OF HEARING
ON APPLICATION NO. 5021-3
TO APPROPRIATE WATER**

Notice is hereby given that Dale Electronics, Inc. whose mailing address is PO Box 180, Yankton, South Dakota has made an application for a permit to appropriate 0.10 cubic feet per second from groundwater, one well 55 feet deep. The point of diversion is to be located in the NE¹/₄NW¹/₄ of Section 17, T-93N, R-55W. The water is to be used for Industrial Use, cooling water.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 5021-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Foss Building, Room 216, 523 E. Capitol, Pierre, South Dakota, July 11, 1984 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on his application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by June 29, 1984. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15, 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31, 46-2A-1 thru 46-2-10, 46-2A-12; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01 thru 74:02:01:15.

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

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Cost of Printing: 1411 @ \$3.05 = \$42.70



DALE

DALE ELECTRONICS, INC.

June 11, 1984

Department of Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501



Attn: Mr. Kevin Larson

Dear Mr. Larson:

Enclosed please find notices published in the Yankton Daily Press and Dakotan on May 31st and June 7th for Dale Electronics intent to appropriate water.

Our application number is 5021-3 and is pending approval by your water management board.

Please contact me if any additional information is required.

Sincerely,


Ron Heglin

RH/af

Enclosures (2)

5-31&6-7
NOTICE OF HEARING
ON APPLICATION NO. 5021-3
TO APPROPRIATE WATER

Notice is hereby given that Dale Electronics, Inc. whose mailing address is PO Box 180, Yankton, South Dakota has made an application for a permit to appropriate 10 cubic feet per second from groundwater, one well 55 feet deep. The point of diversion is to be located in the NE 1/4 NW 1/4 of Section 17, T-33N, R-55W. The water is to be used for Industrial Use, cooling water.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 5021-3 because 1) unappropriated water is available, 2) there will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Foss Building, Room 216, 523 E. Capitol, Pierre, South Dakota, July 11, 1984 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on his application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by June 29, 1984. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15, 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31, 46-2A-1 thru 46-2-10, 46-2A-12, 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on his application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRNR, Joe Foss Bldg, Pierre, SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by June 29, 1984.

5-31&6-7
NOTICE OF HEARING
ON APPLICATION NO. 5021-3
TO APPROPRIATE WATER

Notice is hereby given that Dale Electronics, Inc. whose mailing address is PO Box 180, Yankton, South Dakota has made an application for a permit to appropriate 10 cubic feet per second from groundwater, one well 55 feet deep. The point of diversion is to be located in the NE 1/4 NW 1/4 of Section 17, T-33N, R-55W. The water is to be used for Industrial Use, cooling water.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 5021-3 because 1) unappropriated water is available, 2) there will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Foss Building, Room 216, 523 E. Capitol, Pierre, South Dakota, July 11, 1984 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on his application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by June 29, 1984. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15, 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31, 46-2A-1 thru 46-2-10, 46-2A-12, 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on his application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRNR, Joe Foss Bldg, Pierre, SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by June 29, 1984.



NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office Yankton, South Dakota

Date September 19, 1984

TO: Water Rights
Joe Foss Building
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 maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No. 5021-3.

Water Right Permit No. 5021-3 states that the diversion system is to be constructed by June 1984, and that the water is put to beneficial use by June 1984.

The diversion system was completed on June 1984. Applying the water to beneficial use was completed on July 1984.

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.



(Signature)
Ron Heglin

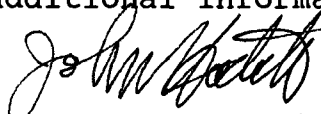
RECOMMENDATION OF CHIEF ENGINEER FOR READVERTISED
WATER PERMIT NO. 5021-3, Dale Electronics, Inc.

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning readvertised Application No. 5021-3, Dale Electronics, Inc., Box 180, Yankton, SD 57078.

The Chief Engineer is recommending APPROVAL of readvertised Application No. 5021-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualification:

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.

See report on application for additional information.



JOHN HATCH, Chief Engineer
December 13, 1991



GREAT FACES. GREAT PLACES.

**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.

December 16, 1991

Ron Heglin
Dale Electronics, Inc.
Box 180
Yankton, SD 57078

Dear Mr. Heglin:

Water Permit Application No. 5593-3 and Readvertised No. 5021-3 for industrial use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Daily Press and Dakotan printed at Yankton, SD. For your information, a copy of the notice, the recommendations of the Chief Engineer and a report on the applications 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 applications.

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.



GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 16, 1991

Daily Press & Dakotan
PO Box 56
Yankton, SD 57078

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5593-3 and Readvertised 5021-3 to be published twice. Please publish the first notice on December 23, 1991, 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 Dale Electronics, Inc., Box 180, Yankton, SD 57078.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name

Newspaper

Instruction to Newspaper - Publish first Notice on December 23, 1991, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5593-3 and
Readvertised No. 5021-3 to Appropriate Water

Notice is given that Dale Electronics, Inc., Box 180, Yankton, SD 57078 has filed an application for a water permit to appropriate 0.088 cubic feet of water per second (cfs) from one well (Missouri Elk Point Aquifer) 55 feet deep located in the SE 1/4 NW 1/4 Section 17-T93N-R55W. The water will be used for industrial purposes.

Water Permit No. 5021-3 issued to Dale Electronics appropriates 0.10 cfs from one well located in the SE 1/4 NW 1/4 Section 17-T93N-R55W. The well location was incorrectly advertised on May 31 and June 7, 1984 in the Yankton Press & Dakotan as being in the NE 1/4 NW 1/4 Section 17-T93N-R55W. This readvertisement does not authorize any increase in the diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5593-3 and Readvertised No. 5021-3 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. Unless a petition is filed opposing the applications or the applicant files a petition contesting the chief engineer's recommendations, the Water Management Board will NOT CONDUCT a HEARING to consider these applications and the chief engineer will issue the permits as recommended. Petitions filed in support of the applications will NOT require the Board to hear the applications.

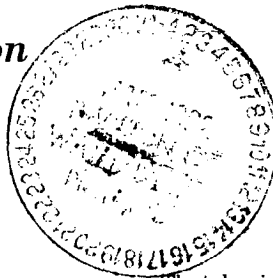
Any person interested in opposing or supporting these applications must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Division, Foss Building, 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 January 9, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5593-3 and Readvertised No. 5021-3 and 2) the chief engineer's recommendations, a meeting at the Division of Water Rights office to hear these applications is scheduled for January 21, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If these applications are opposed or the recommendations contested, the January 21, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The January 21, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the applications. The request for an automatic delay must be filed by January 9, 1992.

If a hearing is held, the Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny these applications based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to the applications or to assure access to the hearing by the handicapped.

These applications are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

Affidavit of Publication



STATE OF SOUTH DAKOTA

COUNTY OF YANKTON

SS.

Robert Helsley being first duly sworn says: That he is the Editor of the Yankton Printing Company, a corporation, the printer and publisher of the Yankton Daily Press and Dakotan, a daily newspaper of general circulation, printed and published in the City and County of Yankton, South Dakota; that he has personal knowledge of all the facts stated in this affidavit; and that the advertisement captioned Notice of Hearing on Application No. 5593-3 and Readvertised No. 5021-3 to Appropriate Water

a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper, and not in a supplement, once each week for two successive weeks, the first publication being made on the 23rd day of December, 19 91, and the last publication being made on the 30th day of December, 19 91

The first publication being made on the 23rd day of December

The second publication being made on the 30th day of December

The third publication being made on the day of

The fourth publication being made on the day of

The fifth publication being made on the day of

The sixth publication being made on the day of

The seventh publication being made on the day of

The eighth publication being made on the day of

The ninth publication being made on the day of

The tenth publication being made on the day of

That said newspaper is a legal newspaper, and has a bona fide circulation of more than two hundred copies daily and has been published in the English language within the said County of Yankton for more than one year next prior to the first publication of said notice, and is printed in Yankton in an office maintained in Yankton, South Dakota, the place of publication of said newspaper. That the full amount of the fee paid for the publication of the annexed notice is \$61.00, which inures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any person, and that no part thereof has been agreed to be paid to any person whomsoever.

Robert C. Helsley

Subscribed and sworn to before me this 30th day of December, 19 91

Jerry A. Benson
Notary Public, South Dakota

12+23&30 NOTICE OF HEARING on Application No. 5593-3 and Readvertised No. 5021-3 to Appropriate Water

Notice is given that Dale Electronics, Inc., Box 180, Yankton, SD 57078 has filed an application for a water permit to appropriate 0.088 cubic feet of water per second (cfs) from one well (Missouri Elk Point Aquifer) 55 feet deep located in the SE 1/4 NW 1/4 Section 17-T93N-R55W. The water will be used for industrial purposes.

Water Permit No. 5021-3 issued to Dale Electronics appropriates 0.10 cfs from one well located in the SE 1/4 NW 1/4 Section 17-T93N-R55W. The well location was incorrectly advertised on May 31 and June 7, 1984 in the Yankton Press & Dakotan as being in the NE 1/4 NW 1/4 Section 7-T93N-R55W. This readvertisement does not authorize any increase in the diversion rate.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5593-3 and Readvertised No. 5021-3 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. Unless a petition is filed opposing the applications or the applicant files a petition contesting the chief engineer's recommendations, the Water Management Board will NOT CONDUCT a HEARING to consider these applications and the chief engineer will issue the permits as recommended. Petitions filed in support of the applications will NOT require the Board to hear the applications.

Any person interested in opposing or supporting these applications must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Division, 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 January 9, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner, or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5593-3 and Readvertised No. 5021-3 and 2) the chief engineer's recommendations, a meeting at the Division of Water Rights office to hear these applications is scheduled for January 21, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If these applications are opposed or the recommendations contested, the January 21, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The January 21, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the applications. The request for an automatic delay must be filed by January 9, 1992.

If a hearing is held, the Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny these applications based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to the applications or to assure access to the hearing by the handicapped.

These applications are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14; 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01 thru 74:02:01:15.

Permit No. 5021-3
Missouri 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, **September 15, 1998**, made a thorough examination of the water use system constructed by **Dale Electronics Inc. of Box 180 Yankton SD 57078** holder of Permit No. **5021-3**, bearing the priority of **May 4, 1984** authorizing the diversion of **0.10** cu. ft. per second of the waters of **ground water (Missouri Elk Point Aquifer)** for **industrial** purposes, in **Yankton** County.

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

A. Works used to divert the water:

Motor/Pump:

- 1) Make **Toshiba**
- 2) Size **3 hp**
- 3) Capacity **≈ 48** GPM

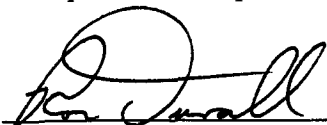
B. Works used to transport/apply water to place of use:

Water is used for lawn watering ≈ 1.5 acres and for cooling molding presses and air compressors. Drinking water is supplied by the City of Yankton.

The system is in the following condition **good**. The point of diversion is located **Well: 1,000 feet N and 750 feet W from the center of section 17-T93N-R55W (SE¼NW¼)**. The works are capable of diverting and conveying to the place of use **0.10** cu. ft. per second of water which is to be used for **industrial purposes, including lawn watering (≈1.5 acres)**. Water has been put to beneficial use to the maximum extent and the license should be issued for **0.10** cfs.

Applicable permit qualifications have been complied with: Yes **X** No

Exceptions to compliance are: **none** Date report completed: **October 26, 1998**



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR PERMIT NO. 5021-3

DATE OF INVESTIGATION	September 15, 1998
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Tim Butler
NAME & ADDRESS OF PERMIT HOLDER	Dale Electronics Inc. Box 180 Yankton SD 57078
DIVERSION POINT LEGAL LOCATION	Well: 1,000 feet N and 750 feet W from the center of section 17-T93N-R55W (SE$\frac{1}{4}$NW$\frac{1}{4}$)

Other permit(s) associated with the project: 5593-3

WELL INFORMATION:

- 1) Well Drilling Firm: Koranda Well Co.
- 2) No. of Wells 1
- 3) Depth(s) 55 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 6 inches
- 2) Length 35 feet
- 3) Type Plastic

Screen:

- 1) Type Plastic
- 2) Length 20 feet
- 3) Static water level 10 feet

Motor/Pump:

- 1) Make Toshiba
- 2) Size 3 hp
- 3) Capacity $\approx$ 48 GPM

DISTRIBUTION LINES OR CANALS:

Water is used for lawn watering $\approx$ 1.5 acres and for cooling molding presses and air compressors.

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 10, 1998

5021-3
5593-3

Dale Electronics, Inc.
%Tim Butler
Box 180
Yankton, SD 57078

Dear Mr. Butler:

The investigation of your water use systems was conducted on September 15, 1998, by Ron Duvall, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit Nos. 5021-3 and 5593-3. Your final water right documents, the Water Licenses, can now be issued.

Statutes require that we charge a \$50.00 fee per license for the investigation and issuance of the Water Licenses. Upon receipt of the \$50.00 fee per license (\$100.00 total) from you, we will begin processing your Water Licenses.

**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 numbers. This will insure proper handling of the fee.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 415921

Pierre, November 23, 19 98

RECEIVED OF Dale Electronics, Inc., Box 180, Yankton, SD 57078

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. 5021-3 _____

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

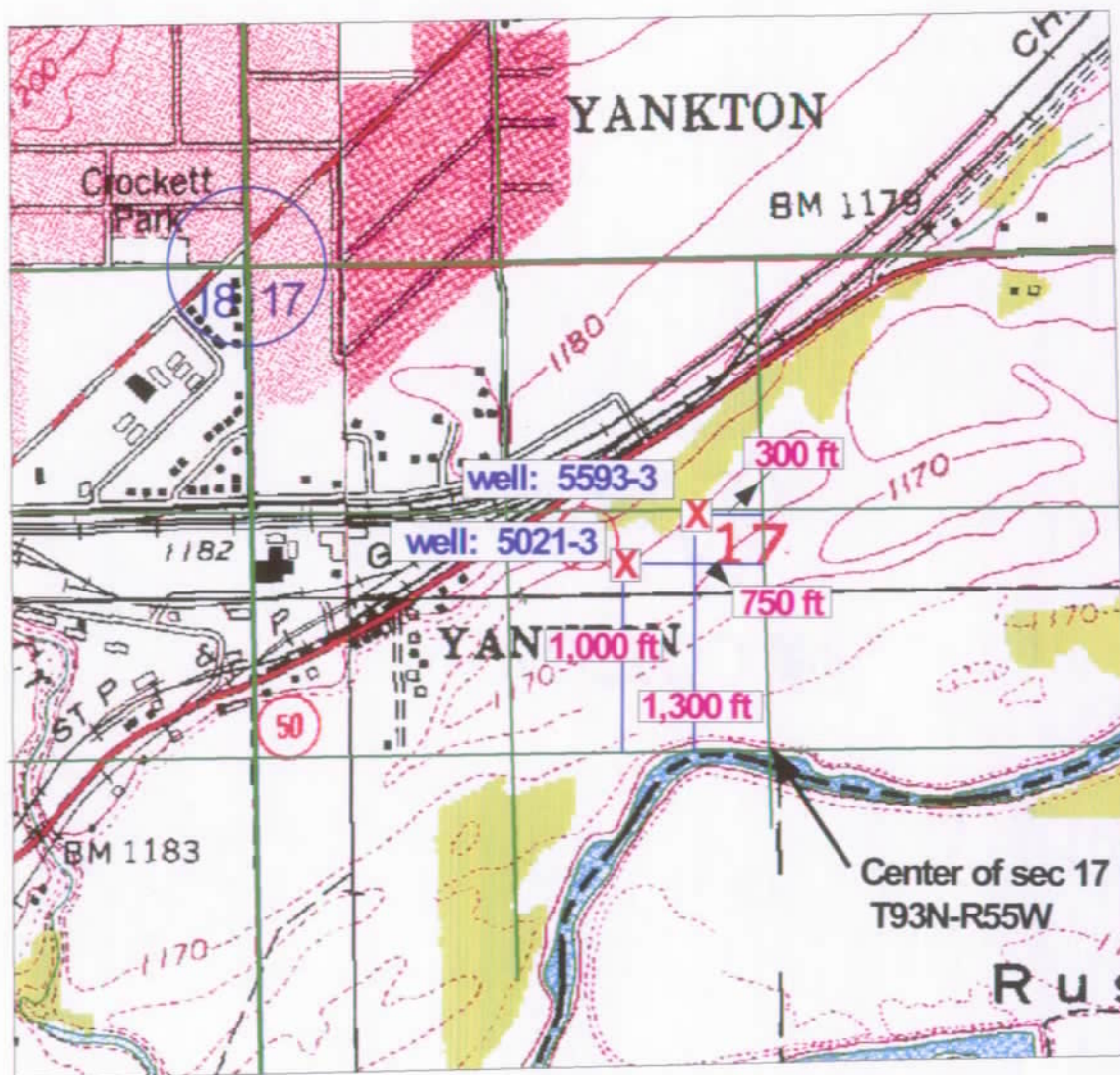
50 00

By

Chief Engineer

John Hatcher (S)

1000 0 1000 Feet



Ron Duvall
Ron Duvall, Nat Res Engineer

10/26/98
Date

Water Right Nos. 5021-3 & 5593-3

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5021-3

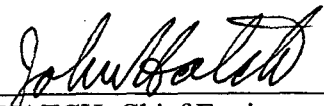
(1) Dale Electronics Inc., Box 180, Yankton SD 57078 made Application No. 5021-3, May 4, 1984 for a water permit to divert 0.10 cubic feet of water per second from groundwater (one well), Yankton County, South Dakota for industrial purposes. Permit No. 5021-3, with a priority date of May 4, 1984 was approved July 11, 1984 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 11, 1989 and for the application to beneficial use of said water on or before July 11, 1993.

The permit was readvertised on December 23 and 30, 1991 to correct an error on the original notice of hearing in the legal description of the well location. The readvertisement of the original notice of hearing did not authorize an increase in the diversion rate.

(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 0.10 cubic feet of water per second for beneficial use. The location of the diversion point is 1,000 feet north and 750 feet west from the center of Section 17-T93N-R55W (SE ¼ NW ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

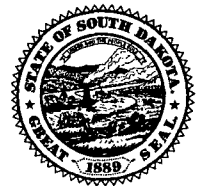
(4) Pursuant to South Dakota Water Law 46-5-30.1 Dale Electronics Inc., Box 180, Yankton SD 57078 the holder and/or owner of Water Right No. 5021-3 is issued a license to appropriate water, the right to use 0.10 cubic feet of water per second from groundwater (one well) with a priority date of May 4, 1984 from the location specified in (2) of this license for industrial use purposes. This license is subject to any limitations or qualifications listed in Water Right No. 5021-3 and subject to South Dakota State Law.



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

JAN 19 1999

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 19 1999

5021-3
5593-3

Dale Electronics, Inc.
%Tim Butler
Box 180
Yankton, SD 57078

Dear Mr. Butler:

Enclosed are Water License Nos. 5021-3 and 5593-3. These are the final water right documents completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 415921 and 415922 in the amount of \$50.00 each which you paid for the investigation and issuance of the Water Licenses.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right Nos. 5021-3 and 5593-3, 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 Licenses, 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

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enclosures



March 21, 2006

3021-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

5593-3
5021-3

Paige D Herrig
Vishay-Dale Electronics Inc
Box 180
Yankton SD 57078

Dear Mr. Herrig:

I am writing to acknowledge receipt of the ownership/name change for Water Right No. 5593-3. The transfer has been completed. The water right formerly listed in the name of Dale Electronics Inc., is now listed in the name of Vishay-Dale Electronics Inc.

Enclosed is your Receipt No. 02358 in the amount of \$2.50 which you paid for filing the ownership change. You may keep this for your records.

I noticed when changing the records for Water Right No. 5593-3 that Dale Electronics held two water rights. I am including another transfer of ownership form for you to complete for the second water right. I apologize for not including this in our first correspondence to you.

Please review the form and complete as needed. A \$2.50 filing fee is required. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

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

enclosure