

Considered: _____

WATER PERMIT NO. 5263-3

HAP No. same 886-2577

Name of Applicant CSS Company

Post Office Address RR3, Box 138 B, Watertown SD 57201

Amount of Water Claimed 1.88 Total Acres 132

Source of Water Supply ground water 1 well

Water to be used for irrigation County Grant

About 7 miles S of Marvin.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved 3/2/89 Subject to _____

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

PRIORITY _____ Date Received Dec 22, 1988 Fee \$250⁰⁰ Remarks _____

12/22/88

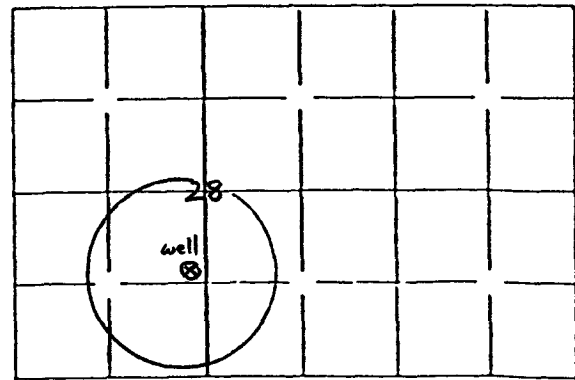
Corrected Application Received _____ Period of Annual Use Apr 1 - Oct 1

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

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

Diversion Point well: NE¹/₄SW¹/₄ section 28 -
T120N-R51W

Land to be Irrigated SW¹/₄, W¹/₂SE¹/₄, SE¹/₄NW¹/₄,
SW¹/₄NE¹/₄ section 28 - T120N-R51W



Well Log: Driller R.E. Kahnke Licensed YES ☒ NO _____

Depth of Well 72 feet REMARKS test hole log & plugging report

Type of Map aerial photo PREPARED BY Marilyn Henning Reviewed and the Number assigned on January 17, 1989 By Ron L. Durrell

(See instructions)

No. 5263-3 Hydrologic Unit 07020001
 Basin Minnesota - Chetstone
 Newspaper Grant Co. Review, Box 390, Milbank 57252
 (wed)



Application For Soil/Water Compatibility Permit and Permit To Appropriately Use Water

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

- Name of Applicant CSS Company Phone No. 886-2577
- Post Office Address RR3 Box 132 B Watertown State SD 57201
(Street, RR or Box) (City) Zip Code
- Amount of water claimed (c.f.s.) -2.28 1.88 Total acres irrigated -160 132
- Source of Water supply One Well Ground water
- Location of point of diversion Well is located in the NE 1/4 of SW 1/4 Sec 28 T120N - R51W
County Grant
- Counties where water will be used Grant
- Annual period during which water is to be used April 1 - October 1
- 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.
NE 1/4 SW 1/4 Sec 28 T120N-R51W	40 39
SE 1/4 SW 1/4 Sec 28 T120N-R51W	40 33
NW 1/4 SE 1/4 Sec 28 T120N-R51W	40 27
SW 1/4 SE 1/4 Sec 28 T120N-R51W	40 21

Land Description	No. Acres Irr.
NW 1/4 SW 1/4 Sec 28 T120N-51W	5
SW 1/4 SW 1/4 " "	4
SE 1/4 NW 1/4 " "	2
SW 1/4 NE 1/4 " "	1

Attach sheet if more space is needed

- Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: X Gun: _____ Other: _____
(Specify)
- Crops to be Irrigated: Corn, Potatoes, Navy Beans
- Give a description of proposed project. (Attach sheet if more space is needed)

Irrigation Project for Potatoes, Corn & Beans. Water Source will be one well approximately 72' deep. Plan to begin irrigating in the Spring of 1989.

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

STATE OF SOUTH DAKOTA
 County of CODINGTON ss

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

Signed CSS Company by Richard R Spavat
 Subscribed and sworn to before me this 16th day of December 1988
Johanne Hardie
 6-3-89 Notary Public

SOUTH DAKOTA
WATER PERMIT No. 5263-3 FOR IRRIGATION

Date of first receipt of application December 22, 1988.

Date Soil/Water Compatibility Permit received January 20, 1989.

Date of return of applicant for correction, amendments or changes required December 28, 1988.

Date of receipt of corrected application December 28, 1988.

The Water Management Board approved Water Permit Application No. 5263-3 on March 2, 1989 for CSS Company, RR #3, Box 138B, Watertown, SD 57201 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5263-3 appropriates 1.88 cfs from one well, 72 feet deep, to irrigate 132 acres. The well is to be located in the NE1/4 SW1/4 and the acreage to be irrigated is located in the SW1/4, W1/2 SE1/4, SE1/4 NW1/4, SW1/4 NE1/4; all in Section 28, T120N, R51W. Water Right No. 3782-3 authorizes irrigation of the same acreage from a well in the NE1/4 Section 28, T120N, R51W. Use of the well in the NE1/4 Section 28 is to be abandoned for irrigation of the above described acreage.
2. The amount of the appropriation may not exceed 2 acre feet per acre per year or one-seventieth (1/70) cubic feet of water per second for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1- October 31.
3. The date from which applicant may claim right is December 22, 1988.
4. One-fifth of the construction is to be completed on or before September 2, 1991.
5. All construction is to be completed on or before March 2, 1994.
6. Water is to be put to beneficial use on or before March 2, 1998.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
2. 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.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: _____

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

JUN 13 1989

(date)

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 20" Depth 72'
- b) Casing Type Steel Diameter 14" Thickness 3/8"
- c) Screen Type John S. S. S. Diameter 14" Thickness 3/8"
- d) Gravel Pack Thickness 3" Length of Gravel Pack 25'
- e) Depth to Top of Water Bearing Material 18'
- f) Depth of Water (ground surface to water level) 18'
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others 4500'

2. Dugout Information Estimates

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

3. Water Storage Dams

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

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

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Outlet Dimensions:

Pipe diameter _____

Spillway width _____

f) X & Y Slope

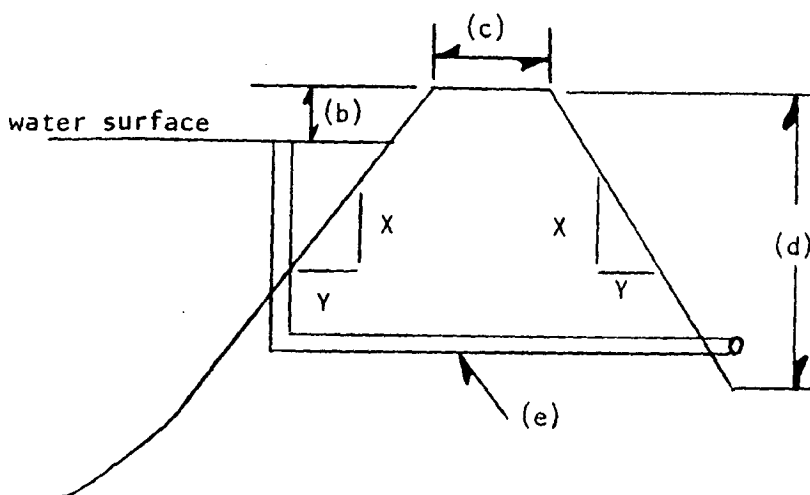
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



CS by Bill K. J. J.
Signature of Applicant

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411560

Pierre, December 22, 1988

RECEIVED OF CSS Company, RR 3, Box 138B, Watertown SD 57201

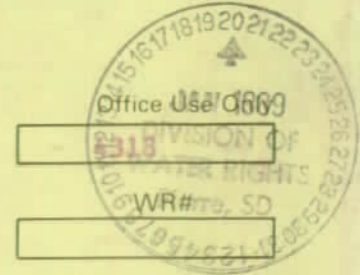
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. 5263-3 to Appropriate Water, to construct works and to put water to beneficial use	250	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	250	00

By John Hatch /
Chief Engineer 1/13

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation



OWNERS NAME: CSS Company OWNERS ADDRESS: RR 3, Box 138-B
Watartown, SD 57201

COUNTY LAND LOCATED IN: Grant PHONE: 83602577

LEGAL DESCRIPTION:

☒ Well

☐ Surface

1. LOCATION NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28-T120N-R51W

Depth: _____

Legal Description	Acres	Legal Description	Acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28-T120N-R51W	39	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28-T120N-R51W	5
SE $\frac{1}{4}$ SW $\frac{1}{4}$ " "	33	SW $\frac{1}{4}$ SW $\frac{1}{4}$ " "	4
NW $\frac{1}{4}$ SE $\frac{1}{4}$ " "	27	SE $\frac{1}{4}$ NW $\frac{1}{4}$ " "	2
SW $\frac{1}{4}$ SE $\frac{1}{4}$ " "	21	SW $\frac{1}{4}$ NE $\frac{1}{4}$ " "	1

TOTAL ACRES=132

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

3. CROPS TO BE IRRIGATED: corn, potatoes, navy beans

WATER QUALITY:

4. WATER SAMPLE NUMBER: 88-0567

7. ADJUSTED (SAR): 0.33

5. SALINITY (EC X 10⁶): 730

8. PERCENT SODIUM: 3.46

6. SODIUM (SAR): 0.14

Requirements:

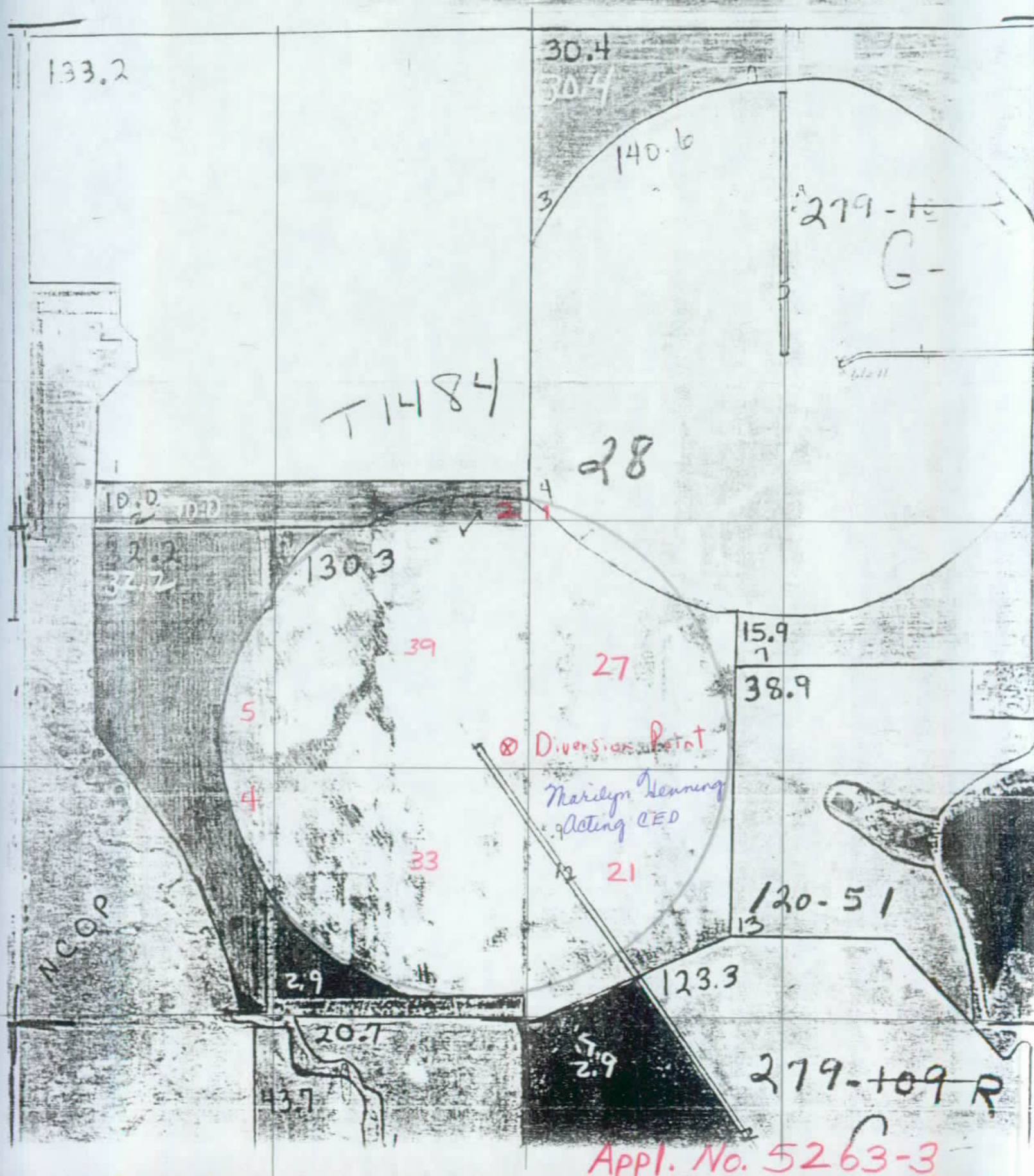
Director, Division of Conservation

11/9/87
Date

☒ APPROVED
☐ DISAPPROVED
☐ WAIVER
☐ REQUIREMENTS

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

Meyers NEA



Water Rights Division - DWNR
Conversation or File Documentation

File No. _____

NAME OF PERSON OR FILE: CSS Company

ADDRESS: RR3, Box 138 B, Watertown SD COUNTY Grant

DATE: Dec 28, 1988 TELEPHONE 886-2577

RE: Status of Application No.

COMMENTS:

Contacted Randy Spevak to determine the following:

1. Location of acreage to be irrigated. -- I informed Mr. Spevak that pivot covered portions of the W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ section 28 and these areas need to be included on the application. Mr. Spevak told me to make the additions.

2. Status of well authorized by Water Right No. 3782-3 that supplies the pivot in the S $\frac{1}{2}$ section 28. -- Mr. Spevak stated that the well located in the NE $\frac{1}{4}$ section 33 - T120N-R51W is used to supply the pivot in the NE $\frac{1}{4}$ section 33 and the pivot in the S $\frac{1}{2}$ section 28. The pipeline connecting the pivot in the S $\frac{1}{2}$ sec 28 to the well in the NE $\frac{1}{4}$ sec 33 is to be abandoned. The new well in the S $\frac{1}{2}$ sec 28 will be used only to supply the pivot in the S $\frac{1}{2}$ sec 28.

3. Status of well construction. -- Mr. Spevak stated the well has been drilled and a water sample was sent in approximately one week ago.

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

NAME: Ron Durrell

Report on Application No. 5263-3
CSS Company
January 25, 1989

This application proposes to appropriate 1.88 cfs from one well 72 feet deep to irrigate 132 acres. The well is to be located in the NE 1/4 SW 1/4 and the acreage to be irrigated is in the SW 1/4, W 1/2 SE 1/4, SE 1/4 NW 1/4, SW 1/4 NE 1/4; all in Section 28, T120N-R51W in Grant County.

Aquifer - Antelope Valley (AV)

The Antelope Valley (AV) Aquifer is a Pliestocene outwash (sand and gravel) under water table conditions. The AV aquifer underlies 14,500 acres and contains an estimated 32, 630 acre-feet of recoverable water (Hedges, 1982) in Grant County. Test hole data submitted with the application indicates sand and gravel from 2-72 feet below land surface with an 18 feet static water level.

The Division of Water Rights monitors two observation wells in the AV Aquifer in Grant County. Hydrographs for these wells, GT-76D and GT-77G, are included with this report. Water levels for the wells show a clear correlation between wet and dry climatic conditions. The effects of recharge are obvious with wet periods showing rising water levels. Drought periods are illustrated by gradually declining water levels. Pumping, mostly from irrigation wells in this area, does not obviously affect water levels and this is shown by the hydrographs

Review of Existing Water Permits

This application is simply an additional well to Water Permit No. 3783-3. The lands are already irrigated from another diversion point. The well proposed by this application will be located about 1/2 mile from the 2 wells authorized by Water Permit No. 3782-3.

Interference should not be a problem because the aquifer is under water table conditions and significant drawdowns do not extend very far from high capacity wells.

Conclusions

1. Water is available from the AV Aquifer.
2. Interference is not expected to be a problem.
3. Historical water level data for the aquifer indicates recharge to the aquifer is more than the present pumpage.
4. Completion of this well will have to be in accordance with SD Well Construction Standards.
5. Recent studies have indicated that agricultural use of land over shallow water table aquifers such as the AV aquifer will affect the ground water quality.


JAMES A. GOODMAN
Hydrologist

Bibliography

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

OBSERVATION WELL WATER LEVELS			
OBS_WELL	LOCATION	DATE	READING
GT-76D	120N-51W-28BAAA	07/06/77	-23.0
GT-76D	120N-51W-28BAAA	07/20/77	-23.1
GT-76D	120N-51W-28BAAA	08/03/77	-23.2
GT-76D	120N-51W-28BAAA	08/16/77	-23.5
GT-76D	120N-51W-28BAAA	09/07/77	-23.7
GT-76D	120N-51W-28BAAA	09/20/77	-23.5
GT-76D	120N-51W-28BAAA	10/18/77	-23.5
GT-76D	120N-51W-28BAAA	12/01/77	-23.5
GT-76D	120N-51W-28BAAA	05/01/78	-21.4
GT-76D	120N-51W-28BAAA	05/23/78	-20.5
GT-76D	120N-51W-28BAAA	06/07/78	-20.1
GT-76D	120N-51W-28BAAA	06/20/78	-20.0
GT-76D	120N-51W-28BAAA	07/08/78	-19.8
GT-76D	120N-51W-28BAAA	07/18/78	-19.7
GT-76D	120N-51W-28BAAA	08/16/78	-19.8
GT-76D	120N-51W-28BAAA	09/07/78	-20.0
GT-76D	120N-51W-28BAAA	09/27/78	-20.2
GT-76D	120N-51W-28BAAA	10/17/78	-20.2
GT-76D	120N-51W-28BAAA	11/29/78	-20.6
GT-76D	120N-51W-28BAAA	01/23/79	-20.9
GT-76D	120N-51W-28BAAA	03/22/79	-21.5
GT-76D	120N-51W-28BAAA	05/02/79	-19.9
GT-76D	120N-51W-28BAAA	05/31/79	-19.1
GT-76D	120N-51W-28BAAA	06/13/79	-19.0
GT-76D	120N-51W-28BAAA	07/03/79	-18.9
GT-76D	120N-51W-28BAAA	07/17/79	-18.9
GT-76D	120N-51W-28BAAA	07/31/79	-19.0
GT-76D	120N-51W-28BAAA	08/14/79	-19.0
GT-76D	120N-51W-28BAAA	09/05/79	-18.9
GT-76D	120N-51W-28BAAA	09/26/79	-19.0
GT-76D	120N-51W-28BAAA	10/25/79	-19.2
GT-76D	120N-51W-28BAAA	01/17/80	-19.8
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GT-76D	120N-51W-28BAAA	04/17/80	-20.0
GT-76D	120N-51W-28BAAA	05/30/80	-20.1
GT-76D	120N-51W-28BAAA	06/23/80	-20.2
GT-76D	120N-51W-28BAAA	07/11/80	-20.2
GT-76D	120N-51W-28BAAA	07/25/80	-20.4
GT-76D	120N-51W-28BAAA	08/19/80	-20.6
GT-76D	120N-51W-28BAAA	09/10/80	-20.8
GT-76D	120N-51W-28BAAA	10/30/80	-21.2
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GT-76D	120N-51W-28BAAA	06/03/81	-22.6
GT-76D	120N-51W-28BAAA	06/10/81	-22.6
GT-76D	120N-51W-28BAAA	06/24/81	-22.7
GT-76D	120N-51W-28BAAA	07/08/81	-22.8
GT-76D	120N-51W-28BAAA	07/22/81	-22.9
GT-76D	120N-51W-28BAAA	08/06/81	-22.9
GT-76D	120N-51W-28BAAA	09/01/81	-22.9
GT-76D	120N-51W-28BAAA	10/20/81	-23.3
GT-76D	120N-51W-28BAAA	12/29/81	-23.8
GT-76D	120N-51W-28BAAA	04/01/82	-23.7
GT-76D	120N-51W-28BAAA	06/09/82	-22.9
GT-76D	120N-51W-28BAAA	07/09/82	-23.0
GT-76D	120N-51W-28BAAA	08/04/82	-23.2

17:05 WEDNESDAY, JANUARY 25, 1989 1

OBS_WELL	LOCATION	DATE	READING
GT-76D	120N-51W-28BAAA	09/02/82	-23.5
GT-76D	120N-51W-28BAAA	10/26/82	-23.8
GT-76D	120N-51W-28BAAA	03/01/83	-24.1
GT-76D	120N-51W-28BAAA	06/08/83	-23.3
GT-76D	120N-51W-28BAAA	07/07/83	-23.4
GT-76D	120N-51W-28BAAA	08/02/83	-23.1
GT-76D	120N-51W-28BAAA	09/08/83	-23.6
GT-76D	120N-51W-28BAAA	10/12/83	-23.8
GT-76D	120N-51W-28BAAA	11/09/83	-23.9
GT-76D	120N-51W-28BAAA	04/10/84	-22.8
GT-76D	120N-51W-28BAAA	05/03/84	-22.0
GT-76D	120N-51W-28BAAA	06/27/84	-20.4
GT-76D	120N-51W-28BAAA	07/25/84	-19.5
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GT-76D	120N-51W-28BAAA	08/22/84	-18.9
GT-76D	120N-51W-28BAAA	09/26/84	-19.5
GT-76D	120N-51W-28BAAA	04/08/85	-19.8
GT-76D	120N-51W-28BAAA	05/28/85	-19.6
GT-76D	120N-51W-28BAAA	06/25/85	-19.8
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GT-76D	120N-51W-28BAAA	07/23/85	-20.0
GT-76D	120N-51W-28BAAA	08/18/85	-20.2
GT-76D	120N-51W-28BAAA	10/23/85	-20.7
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GT-76D	120N-51W-28BAAA	04/09/86	-20.3
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GT-76D	120N-51W-28BAAA	06/03/86	-16.7
GT-76D	120N-51W-28BAAA	07/01/86	-16.1
GT-76D	120N-51W-28BAAA	07/31/86	-16.2
GT-76D	120N-51W-28BAAA	09/04/86	-16.5
GT-76D	120N-51W-28BAAA	10/29/86	-17.1
GT-76D	120N-51W-28BAAA	04/09/87	-18.6
GT-76D	120N-51W-28BAAA	05/27/87	-18.9
GT-76D	120N-51W-28BAAA	06/24/87	-19.2
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17:05 WEDNESDAY, JANUARY 25, 1989 3

READING]

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01/01/77 01/01/78 01/01/79 01/01/80 12/31/80 12/31/81 12/31/82 12/31/83 12/30/84 12/30/85 12/30/86 12/30/87 12/29/88

DATE

UQS0009 - END OF DATA SET

OBSERVATION WELL WATER LEVELS			
OBS_WELL	LOCATION	DATE	READING
GT-776	120N-51W-34CCCC	12/01/77	-18.3
GT-776	120N-51W-34CCCC	05/02/78	-15.2
GT-776	120N-51W-34CCCC	05/23/78	-15.4
GT-776	120N-51W-34CCCC	06/08/78	-15.5
GT-776	120N-51W-34CCCC	06/20/78	-15.4
GT-776	120N-51W-34CCCC	07/08/78	-15.6
GT-776	120N-51W-34CCCC	07/18/78	-15.6
GT-776	120N-51W-34CCCC	08/14/78	-16.0
GT-776	120N-51W-34CCCC	09/07/78	-16.1
GT-776	120N-51W-34CCCC	09/27/78	-15.9
GT-776	120N-51W-34CCCC	10/17/78	-15.8
GT-776	120N-51W-34CCCC	11/29/78	-16.7
GT-776	120N-51W-34CCCC	01/23/79	-16.6
GT-776	120N-51W-34CCCC	05/02/79	-15.0
GT-776	120N-51W-34CCCC	05/31/79	-15.3
GT-776	120N-51W-34CCCC	06/13/79	-15.2
GT-776	120N-51W-34CCCC	07/03/79	-15.4
GT-776	120N-51W-34CCCC	07/17/79	-15.4
GT-776	120N-51W-34CCCC	07/31/79	-15.6
GT-776	120N-51W-34CCCC	08/14/79	-15.3
GT-776	120N-51W-34CCCC	09/05/79	-15.5
GT-776	120N-51W-34CCCC	09/27/79	-15.6
GT-776	120N-51W-34CCCC	10/25/79	-15.7
GT-776	120N-51W-34CCCC	01/17/80	-16.0
GT-776	120N-51W-34CCCC	03/05/80	-16.2
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GT-776	120N-51W-34CCCC	05/30/80	-16.2
GT-776	120N-51W-34CCCC	06/23/80	-15.9
GT-776	120N-51W-34CCCC	07/11/80	-16.0
GT-776	120N-51W-34CCCC	07/25/80	-16.2
GT-776	120N-51W-34CCCC	08/19/80	-16.8
GT-776	120N-51W-34CCCC	09/10/80	-17.1
GT-776	120N-51W-34CCCC	10/30/80	-17.3
GT-776	120N-51W-34CCCC	12/09/80	-17.5
GT-776	120N-51W-34CCCC	03/10/81	-17.6
GT-776	120N-51W-34CCCC	04/15/81	-17.6
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GT-776	120N-51W-34CCCC	06/03/81	-17.9
GT-776	120N-51W-34CCCC	06/08/81	-17.9
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GT-776	120N-51W-34CCCC	04/01/82	-17.9
GT-776	120N-51W-34CCCC	06/09/82	-17.8
GT-776	120N-51W-34CCCC	07/09/82	-18.2
GT-776	120N-51W-34CCCC	08/04/82	-18.6
GT-776	120N-51W-34CCCC	09/02/82	-19.3
GT-776	120N-51W-34CCCC	10/26/82	-19.4
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GT-776	120N-51W-34CCCC	06/08/83	-18.0
GT-776	120N-51W-34CCCC	07/07/83	-18.0

17:05 WEDNESDAY, JANUARY 25, 1989 1

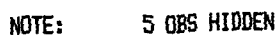
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GT-776	120N-51W-34CCCC	04/08/85	-15.7
GT-776	120N-51W-34CCCC	05/28/85	-15.8
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GT-776	120N-51W-34CCCC	07/23/85	-16.2
GT-776	120N-51W-34CCCC	08/18/85	-16.8
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GT-776	120N-51W-34CCCC	03/26/86	-16.2
GT-776	120N-51W-34CCCC	04/09/86	-14.2
GT-776	120N-51W-34CCCC	05/06/86	-14.0
GT-776	120N-51W-34CCCC	06/03/86	-14.0
GT-776	120N-51W-34CCCC	07/01/86	-14.5
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GT-776	120N-51W-34CCCC	05/27/87	-15.4
GT-776	120N-51W-34CCCC	06/24/87	-15.6
GT-776	120N-51W-34CCCC	07/23/87	-16.0
GT-776	120N-51W-34CCCC	08/20/87	-16.4
GT-776	120N-51W-34CCCC	11/19/87	-16.7
GT-776	120N-51W-34CCCC	04/12/88	-16.5
GT-776	120N-51W-34CCCC	05/19/88	-16.8
GT-776	120N-51W-34CCCC	06/16/88	-17.1
GT-776	120N-51W-34CCCC	07/29/88	-17.9
GT-776	120N-51W-34CCCC	08/25/88	-18.4
GT-776	120N-51W-34CCCC	08/31/88	-18.5

17:05 WEDNESDAY, JANUARY 25, 1989 2

N= 93

17:05 WEDNESDAY, JANUARY 25, 1989 3

PLOT OF READING*DATE SYMBOL USED IS *



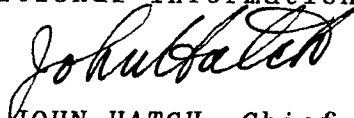
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5263-3, CSS Company

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. 5263-3, CSS Company, RR 3, Box 138B, Watertown SD 57201.

The Chief Engineer is recommending APPROVAL of Application No. 5263-3 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:

1. The wells authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
2. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
January 26, 1989



Department of Water & Natural Resources

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

January 26, 1989

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

CSS Company
Richard R. Spevak
RR3, Box 138B
Watertown, SD 57252

Dear Mr. Spevak:

Your Application No. 5263-3 for a permit to appropriate water for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of your intent to appropriate water has been sent to the Publisher of the Grant County Review printed at Milbank SD. For your information, a copy of the notice is enclosed. The recommendation of the Chief Engineer and a report on the application will be sent to you later. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Intent to Appropriate Water and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures





Department of Water & Natural Resources

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

January 26, 1989

Grant County Review
Box 390
Milbank, SD 57252

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 5263-3 to be published twice. Please publish the first notice on or before February 1, 1989 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is the CSS Company, RR 3, Box 138B, Watertown, SD 57201.

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

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

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name

Newspaper



Instruction to Newspaper - Publish first Notice on or before February 1, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5263-3 to Appropriate Water

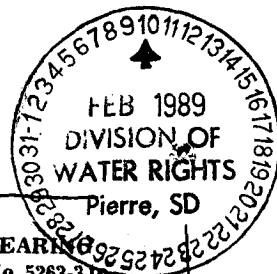
Notice is given that the CSS Company, RR3, Box 138B, Watertown, SD 57201 has filed an application for a water permit to appropriate 1.88 cubic feet of water per second (cfs) from one well (Antelope Valley Aquifer) 72 feet deep to irrigate 132 acres. The well is to be located in the NE 1/4 SW 1/4 and the acreage to be irrigated is in the SW 1/4, W 1/2 SE 1/4, SE 1/4 NW 1/4, SW 1/4 NE 1/4; all in Section 28, T120N-R51W. Water Right No. 3782-3 authorizes irrigation of the same acreage from a well in the NE 1/4 Section 28, T120N-R51W. Use of the well in the NE 1/4 Section 28, to irrigate the above described acreage is to be abandoned.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5263-3 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. This application will be considered by the Water Management Board at the Howard Johnson's, Roosevelt Room, 1-90 at LaCrosse, Rapid City SD on March 1, 1989 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by February 17, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by February 17, 1989.

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



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Grant) ss.

I, Phyllis Justice hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Grant County Review

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

City of Milbank

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

February 1, 1989

February 8, 1989

Phyllis Justice
(Signature)

Publisher
(Title)

February 8, 1989
(Date Signed)

Cost of Printing: \$39.71

at least twenty days upon written re-
quest to the Chief Engineer from the
applicant or a petitioner. The request
for a delay must be received by
February 17, 1989.

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

Feb. 1

Feb. 8

NOTICE OF HEARING

On Application No. 5263-3 to
Appropriate Water

Notice is given that the CSS Com-
pany, RR3, Box 138B, Watertown, SD
57201 has filed an application for a
water permit to appropriate 1.88 cubic
feet of water per second (cfs) from one
well (Antelope Valley Aquifer) 72 feet
deep to irrigate 132 acres. The well is to
be located in the NE 1/4 SW 1/4 and the
acreage to be irrigated is in the SW 1/4,
W 1/2 SE 1/4, SE 1/4 NW 1/4, SW 1/4 NE 1/4;
all in Section 28, T120N-R51W. Water
Right No. 3782-3 authorizes irrigation of
the same acreage from a well in the NE
1/4 Section 28, T120N-R51W. Use of the
well in the NE 1/4 Section 28, to irrigate
the above described acreage is to be
abandoned.

Pursuant to SDCL 46-2A-2, the Chief
Engineer of the Water Rights Division
recommends APPROVAL of Applica-
tion No. 5263-3 because 1(unappropri-
ated 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. This applica-
tion will be considered by the Water
Management Board at the Howard
Johnson's, Roosevelt Room, 1-90 at
LaCrosse, Rapid City SD on March 1,
1989 at 10:00 am. The Chief Engineer's
recommendation is not final or binding
upon the Board. The Board is author-
ized to 1) approve, 2) approve with
qualifications, 3) defer or 4) deny this
application based on the facts pre-
sented at the public hearing.

Any interested person that intends to
participate in the hearing before the
Board by presenting evidence or cross-
examining witnesses according to
SDCL 1-26, must file a written petition
with BOTH the applicant and Chief
Engineer by February 17, 1989. The
Chief Engineer's address is "Water
Rights Division, Foss Building, 523 E.
Capitol, Pierre SD 57501 (605 773-3352)".
The petition may be informal, but must
include a statement describing the pe-
titioner's interest in the application, the
petitioner's reasons for opposing or
supporting the application and the
signature and mailing address of the
petitioner or legal counsel if legal
counsel is obtained. The applicant need
not file a petition. Contact the Water
Rights Division to request information
on this application or to assure access
to the hearing by the handicapped.

This hearing is an adversary pro-
ceeding. Any person filing a petition
and/or the applicant have the right to be
represented by a lawyer. These and
other due process rights will be for-
feited if not exercised. Decisions of the
Board may be appealed to the Circuit
Court and State Supreme Court as pro-
vided by law. The time of the hearing
will also be automatically delayed for



Water & Natural Resources

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

February 1, 1989

CSS Company
Randy Spevak
RR 3, Box 138B
Watertown SD 57201

Dear Mr. Spevak:

Enclosed is the Recommendation of the Chief Engineer and the report on your Water Permit Application No. 5263-3.

Sincerely,

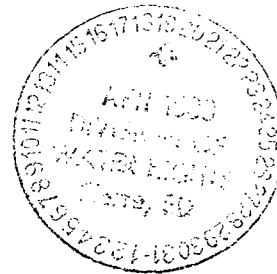
A handwritten signature in cursive script that reads "Karen Schlaak".

KAREN SCHLAACK
Senior Secretary
605 773-3352

enclosures



CSS COMPANY
"Grower of Top Quality Potatoes"



Warehouse and Office
RR 3 - Box 138B
Watertown, South Dakota 57201-9348

Telephone
(605) 886-2577

April 14, 1989

Jim Goodman
Dept of Water and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501

Dear Mr. Goodman:

We understand that you attended a meeting recently to address some of the questions and concerns pertaining to irrigation in the Rauville township area. We certainly appreciate your efforts to try to inform these people relative to aquifers and irrigation.

Enclosed is a copy of a letter which we have sent to Rauville township residents regarding their concerns about irrigated potatoes. Hopefully, our efforts will help alleviate some of their concerns.

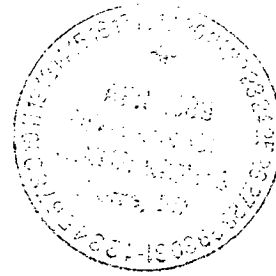
Sincerely,

A handwritten signature in cursive script that reads "Milton G. Carter".

Milton G. Carter
Partner

Enclosure

CSS COMPANY
"Grower of Top Quality Potatoes"



Warehouse and Office
RR 3 - Box 138B
Watertown, South Dakota 57201-9348

Telephone
(605) 886-2577

April 14, 1989

Robert Cordell
RR 1 Box 84
Watertown, SD 57201

Dear Robert:

We are aware that some of you may have concerns about the impact of irrigation development, and irrigated potatoes in particular, on ground water quantity and quality in your area. We are writing this letter to provide some information with respect to our particular operation.

We rely on the South Dakota Department of Water and Natural Resources to assure us that there is adequate water in an aquifer to meet the needs of existing users as well as a new irrigation system before developing a new system. We have to defer to them on this issue, as they are the ones monitoring the observation wells and studying the aquifers. It is our understanding that both the surface and deep aquifers in this area have recharged as expected. Hopefully, Mother Nature will be a little easier on us this summer, so that water quantity is not an issue.

In any case, we try to minimize the amount of water we use. Irrigated potatoes require approximately the same amount of water as irrigated corn. We monitor our systems at least twice per day and apply only as much water as is necessary to maintain adequate soil moisture levels. However, an irrigation system applies a uniform amount of water across the entire field even though a field will vary in the amount of water it needs because of differences in soil type. As a result, the soil moisture levels may be adequate in 90% of the field, but short in 5% and excess in 5%. Consequently, it is possible to see standing water in compacted areas (e.g., roads to the pivot) and in low spots even though the rest of the field is about right.

We try to keep our endgun shutoffs working properly so that we do not waste water or create safety hazards on the roads. Unfortunately, these shutoffs are electrical/mechanical devices that are not always easy to keep working. If you ever notice that one is not working properly on one of our systems, please give us a call at the office (886-2577) or at home.

We also do everything we can to assure that our operations do not contaminate the groundwater. In 1988, the Legislature passed a new law, which the state is implementing this year, to regulate chemigation (the application of chemicals through irrigation systems). These new regulations require a specialized check valve that prevents the accidental flow of chemicals backward down a well. We had already installed these new valves on the systems we developed last year, and we are in the process of installing the same ones on all the existing irrigation systems we operate.

We also understand there are some concerns that irrigated potatoes involve the use of chemicals that are more dangerous to the groundwater than other crops. In fact, Senator Kellogg was quoted as saying that potato growers use a "special kind of potent fertilizer" that does not breakdown and leaches into the aquifer. While we do use more chemicals on irrigated potatoes, none are any more dangerous than those that are used on other farm crops.

Specifically, we use the same fertilizer as is used on wheat, corn, or soybeans -- i.e., urea (46-0-0), phosphate (18-46-0), potash (0-0-60), and liquid nitrogen (28-0-0). Irrigated potatoes require about the same amount of nitrogen as irrigated corn, but larger quantities of phosphate and potash. However, we apply all of this fertilizer in a manner which minimizes chances of contaminating either ground or surface waters.

Neither phosphate nor potash will leach through the soil. The only way that they can harm water is through soil erosion. Most of our irrigated pivots are fairly level and we utilize conservation tillage (a disk and chisel plow combination rather than a moldboard plow), so the amount of soil erosion is very minimal.

Nitrogen, on the other hand, can leach through the soil if we had a big rainstorm (3+ inches). Consequently, we split the nitrogen we apply into 4 to 5 applications -- preplant, sidedress prior to cultivation, and 2 to 3 applications through the irrigation system. Consequently, we never have more than 100 lbs of nitrogen in the soil at any one time. In addition, on potatoes we apply only 3/4 inch of water per irrigation to eliminate any possibility of leaching due to the irrigation. As a result, our practices are probably safer with respect to the groundwater than a dryland farmer who applies all of his nitrogen in one shot in the spring.

For weed control, we use a combination of Dual and Sencore or Prowl and Sencore, which are the same herbicides that many farmers use for weed control in soybeans.

For insect control, we use Thymet applied "in furrow" at planting. This same chemical is often used for rootworm control in corn. There has been considerable concern in the media about aldocarb, an insecticide with a brand name Temek, which is used in other parts of the country on potatoes and which has been

found in groundwater. We have never used Temek in the past nor will we ever use it in the future. Thymet, unlike Temek, is short-lived and is much safer on the environment.

To control fungal diseases (early and late blight), we apply fungicides either through the irrigation system or by airplane during the growing season. These fungicides (we typically use a maneb like Dithane M-45) are some of the safer chemicals used by farmers. They are comparable to the chemicals you would use to control blight on tomatoes in your garden.

Finally, we use Diquat to kill the potato vines in the fall. Basically, Diquat is a weed killer (in this case, potato vines) comparable to Roundup.

We try very hard to handle all of these chemicals in an environmentally safe manner. We follow label directions very carefully, and apply no more than is necessary to do the job. Apparently, there is a rumor that we spilled a considerable amount of liquid fertilizer at our irrigation site south of Rauville. In the 8 years since we developed that system, we have only had two incidents in which a small amount of liquid nitrogen was spilled. In one case, a fiberglass tank developed a small leak along a seam. In the other case, a 1/4 inch hose burst because of a blockage in the check valve. We have replaced the tank, and we have installed screens on all of our systems so that nothing can get in the lines to block the check valves. The total amount of fertilizer that was spilled in both of these incidents combined was probably less than 20 gallons, an amount which is so small that it could never have an impact on nitrate levels in the groundwater.

One other concern is that CSS Company is "some big corporation with outside money." Actually, CSS Company is a general partnership, not a corporation. It basically consists of two families farming together. We only have three full-time employees that are not family members. We are the sole owners of CSS Company. We are also the sole owners of CASCO Corporation, a corporation whose only purpose is to own the equipment which CSS Company uses to farm. We obtain our operating money at First Interstate Bank in Watertown, and probably pay a higher interest rate than most farmers.

We all grew up and live in the Watertown area. We are committed to this area and to farming in an environmentally safe manner. If you ever have any questions about our operation, please do not hesitate to call.

Sincerely,



Milton G. Carter
Partner



Department of Water & Natural Resources

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

JUN 13 1989

CSS Company
Richard R Spevak
RR 3, Box 138B
Watertown SD 57201

Dear Mr. Spevak:

Enclosed is Water Permit No. 5263-3 as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, not exceeding the limits as specified in the Water Permit.

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

Very truly yours,

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

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.



M. H. H.

NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 1/31/1990TO: Water Rights Division, DWR
Joe Foss Building
Pierre SD 57501-3181FROM: CSS Company RR3 Box 138B Watkins
name address city

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5263-3.

Water Permit No. 5263-3 states that the diversion system is to be constructed by 3/2/1994, and that the water it put to beneficial use by 3/2/1992.

The diversion system was completed on 5/1/89.
Applying the water to beneficial use was completed on 6/1/89.

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

[Signature]
signature





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 29, 1992

Robert L Carr
Hwy 59 North
Marshall, MN 56258

Dear Mr. Carr:

Enclosed are two partially completed "Notice of Transfer of Ownership" forms for filing an ownership change on Water Right No. 5379-3 and Water Permit No. 5263-3.

Please sign the forms in the presence of a notary. Upon completion, return the forms to our office with a required filing fee of \$2.50 each (total of \$5.00).

I am enclosing the transfer forms you submitted in July. You will note that you had originally submitted three forms and are now only completing and returning two forms. Filing an ownership change on Water Permit No. 5285-3 is no longer necessary. The applicable portions of No. 5285-3 were incorporated into Water License No. 5379-3.

If you have any questions concerning the transfer forms, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 5263-3

Date: October 1, 1992



I request that Water Permit No. 5263-3

formerly owned by: Milton G Carter

be transferred to: (name & address) Robert L Carr

Hwy 59 N, Marshall, MN 56258

(Telephone No.) (507) 532-2291

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

SW 1/4, W 1/2SE 1/4, SE 1/4NW 1/4, SW 1/4NE 1/4 Section 28, T120N, R51W

I understand that the validity of Water Permit No. 5263-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Grant)

I/We Robert L Carr being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Robert L Carr

(Signed)

Subscribed and sworn to before me this 1st day of October, 19 92.



Michele M. Rohlik
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 6, 1992

5263-3
5379-3

Robert L Carr
Hwy 59 North
Marshall, MN 56258

Dear Mr. Carr:

The "Notice of Transfer" forms you submitted for filing an ownership change on Water Permit No. 5263-3 and Water Right No. 5379-3 have been received.

The forms were completed properly and are ready for processing. However, prior to the transfers being processed, a \$2.50 filing fee is required for each transfer (total of \$5.00).

Please remit a total of \$5.00 to cover the cost of the filing fees. Upon receipt of the fee, Water Permit No. 5263-3 and Water Right No. 5379-3 will be transferred to your name.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

RECEIPT

413463

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____, October 13, 19 92

RECEIVED OF Robert L Carr, Hwy 59 North, Marshall, MN 56258

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. _____		
Fee for Filing Transfer Form <u>Water Permit No. 5263-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 4, 1992

No. 5263-3
5379-3

Robert L. Carr
Hwy 59 North
Marshall, MN 56258

Dear Mr. Carr:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Permit No. 5263-3 and Water Right No. 5379-3.

Our records now show you as the owner of Water Permit No. 5263-3 and Water Right No. 5379-3.

Sincerely,

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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 11, 1996

CSS Farms
Milt Carter
3334 9th Ave SW
Watertown SD 57201

Dear Mr. Carter:

Pursuant to our phone conversation this morning, enclosed are two partially completed *Notice of Transfer of Ownership* forms. The form for Water Permit No. 5378-3 transfers the permit to CSS Farms. The other form will transfer Water Permit No. 5586-3 to Robert Carr. Each form needs to be signed by the owner and notarized. The filing fee for each transfer is \$2.50.

Mark Rath, engineer with this office, completed the inspections of several of CSS Farms water use systems. The final water right document, the Water License, can now be issued for the following permits:

- 5376-3 (SW 1/4 Sec 18-T118N-R52W),
- 5378-3 (N 1/2 SW 1/4 Sec 18-T118N-R52W),
- 5723-3 (E 1/2 NW 1/4, W 1/4 NE 1/4 Sec 10-T122N-R52W)
- 5724-3 (SE 1/4 Sec 3-T122N-R52W)
- 5586-3 (SW 1/4, W 1/2 SE 1/4, SE 1/4 NW 1/4, SW 1/4 NE 1/4 Sec 28-T120N-R51W) will incorporate 5263-3 [listed in the name of Robert Carr] after 5586-3 has been transferred to Robert Carr.

Statutes require a \$50.00 fee for each inspection and issuance of the Water Licenses. The total amount due for the two *Notice of Transfer of Ownership* forms and the five water licenses will be \$255.00. Upon receipt fees and transfer forms, the water licenses will be issued. If you have any questions, please contact me.

Please send fee to:

Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
605 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 17 1996

CSS Farms
Milt Carter
3334 9th Ave SW
Watertown SD 57201

Dear Mr. Carter:

Enclosed are the Water License Nos. 5376-3, 5378-3, 5723-3, 5724-3 and 5586-3. These are the final documents which complete the process of obtaining a water right.

Water License No. 5378-3 has been transferred to CSS Farms. Water License No. 5586-3 has been transferred to Robert L. Carr. The applicable portions of Water Permit No. 5263-3 have been incorporated into Water License No. 5586-3. The receipts for the water licenses and transfers fees are enclosed.

As long as CSS Farms uses the water beneficially, as stated in the Water Licenses, State Water Laws a continuing right to use the water.

Very truly yours,

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

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