

Considered: _____

WATER PERMIT NO. 5453-3

Phone: 356-3325

Name of Applicant: AaLadin Industries, Inc.

Post Office Address: P.O. Box 920, Elk Point, SD 57025

Amount of Water Claimed: 0.07 cfs Total Acres: N/A

Source of Water Supply: one well

Water to be used for: industrial County: Union

About 2 miles South of Elk Point

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received: 8/22/89 Fee: \$50.00 Remarks _____

Corrected Application Received 5/24/90 Period of Annual Use Jan. 1 - Dec. 31

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

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

Diversion Point: Lot 101-B of Lot 101-A in the

SW1/4 Section 29-T91N-R49W

Land to be Irrigated: _____

		29			
(X)					

Well Log: Driller: Wetmore Licensed YES X NO _____

Depth of Well: 100' REMARKS _____

Type of Map: Plat PREPARED BY: Gregg Stroschein Reviewed and the Number

Assigned on 5/30/90 By Eric Gronlund

No. 5453-3 Hydrologic Unit 10170101
 Map No. _____ Basin Missouri
 Newspaper Elk Point Leader-Courier Box 310 57025

523 E. Capitol
 Pierre, SD 57501
 (605) 773-3352

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 AaLadin Industries Inc. Phone No. 356-3325

Post Office Address P. O. Box 920 Elk Point State SD 57025
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s.) 0.07 (30GPM)

3. Source of water supply Well

4. Location of point of diversion Legal Desc. Lot 101-B SW⁴, S29, T91N, R49W, 5TH P.M.,

Union Co., SD

County _____

5. Counties where water will be used Union

6. Annual period during which water is to be used 12 months

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)

Well to supply water to a pressurized system contained within a manufacturing facility for potable, sanitary and processing use.

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 Union) ss

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

Signed William I. Bunker

Subscribed and sworn to before me this 21st day of September 1989

Deborah M. Karpen
 Notary Public

**SOUTH DAKOTA
WATER PERMIT No. 5453-3**

Date of first receipt of application September 22, 1989.

Date of return to applicant for corrections, amendments or changes
September 22, 1989.

Date of receipt of corrected application May 24, 1990.

The Water Management Board approved Water Permit Application No. 5453-3 on October 3, 1990 for Aaladin Industries, Inc., P.O. Box 920, Elk Point, SD 57025 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. 5453-3 appropriates 0.07 cubic feet of water per second from one well (Missouri-Elk Point Aquifer) 100 feet deep located in Lot 101-B of Lot 101-A (SW1/4) Section 29 T91N-R49W.
2. The water appropriated shall be used for the purpose of supplying water for a manufacturing facility and may not exceed the amount of water needed for beneficial use for industrial purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date from which applicant may claim right is May 24, 1990.
5. One-fifth of the construction is to be completed on or before April 3, 1993.
6. All construction is to be completed on or before October 3, 1995.
7. Water is to be put to beneficial use on or before October 3, 1999.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well 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.

WATER MANAGEMENT BOARD

By: _____

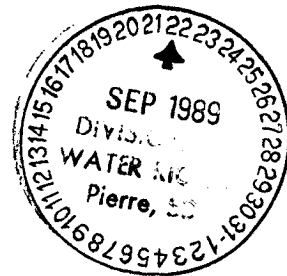
John Ruben
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

DEC 19 1990

(date)

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 8 3/4" Depth 102'
- b) Casing Type PVC Diameter 5" Thickness 3/8"
- c) Screen Type PVC Diameter 5" Thickness 3/8" 40 Slot
- d) Gravel Pack Thickness 1 1/2" Length of Gravel Pack 10'
- e) Depth to Top of Water Bearing Material 12'
- f) Depth to Water (ground surface to water level) 18'
- g) Distance to nearest existing domestic well:
- On applicants property None On property owned by others 1500'

2. Dugout Information Estimates

N/A

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

3. Water Storage Dams

N/A

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) Primary Outlet Capacity _____
If Pipe, diameter _____

f) Secondary Spillway Capacity _____
Spillway width _____

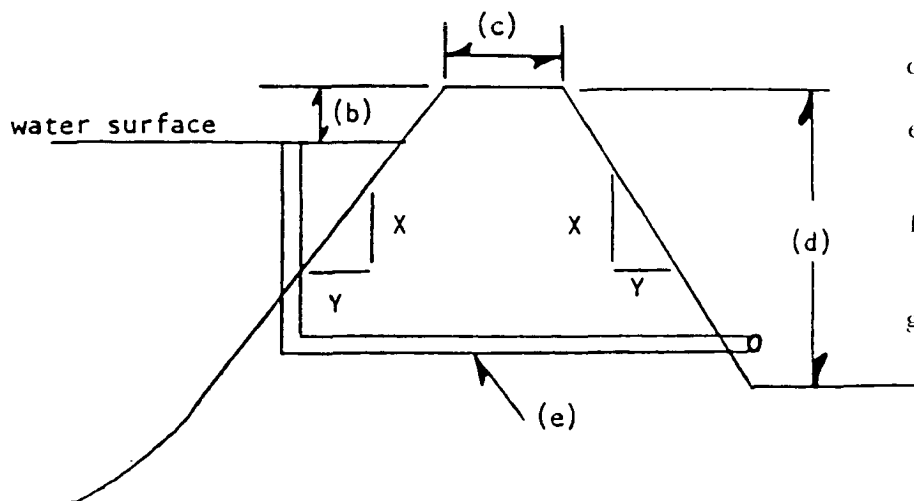
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant



AaLadin

Industries Incorporated

Southeast Intersection I-29 Exit 15
PO Box 920 Elk Point, SD 57025
605/356-3325

June 25, 1984

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

Attn: John Hatch

Dear Mr. Hatch:

Thank you for your letter of June 7, 1984.

We are a commercial business with well water as our only source of potable water.

Our current maximum water useage is about 16 gpm. This includes sanitary, heating, cooling, and processing water.

Please examine this information and provide us with the necessary permits as required.

If you need further information, please let us know.

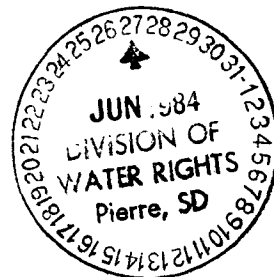
Sincerely,

AALADIN INDUSTRIES INC.

William K. Busker
Vice President

WKB/grn

*sent forms
7-5-84 ps*



Water Rights Division
605 773-3352

May 8, 1985

Aaladin Industries Inc.
William K Busker, Vice President
PO Box 920
Elk Point SD 57025

Mr. Busker:

In reviewing our files I find that water permit application forms were mailed to you July 5, 1984. We have not as of this date received any completed applications forms for your business. If your have any questions concerning this please contact this office.

Thank you,

KEVIN C LARSON
Natural Resource Engineer

KCL:ks



Department of Water & Natural Resources

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

August 15, 1989

Aaladin Industries, Inc.
William K Busker, Vice Pres.
PO Box 920
Elk Point, SD 57025

Dear Mr. Busker:

In July, 1984, application forms were sent to you for use in obtaining a water permit for commercial purposes for Aaladin Industries. A followup letter was sent to you May 8, 1985. To date, we have not received the forms or heard from you concerning this matter.

Enclosed is an additional set of water permit application forms. You should be aware that use of water from your well without a water permit is in violation of State Statutes. Please complete the forms as outlined in the instruction sheet and return them to our office.

If you have any questions, please contact Susan Bowar, Ron Duvall or myself at 773-3352.

Sincerely,

GENNY MCMATH
Natural Resources Analyst

enclosures





Department of Water & Natural Resources

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

September 22, 1989

AaLadin Industries Inc.
P.O. Box 920
Elk Point, SD 57025

Dear AaLadin Industries:

This letter is in reference to the water permit application received from you today. The application is not complete for the following reason(s):

- (1) The correct fee for appropriating 0.07 cubic feet of water per second (cfs) is \$50 (see enclosed instruction sheet). I am enclosing the check for \$150 that you submitted.
- (2) The enclosed application form needs to be signed.
- (3) A well log or test hole log, signed by a South Dakota Licensed Land Surveyor, needs to be submitted (see enclosed instruction sheet).

In addition, the legal description of the point of diversion (question no. 4 on the enclosed application form will be changed to the SW 1/4 SW 1/4 Section 29-T91N-R49W unless we hear differently from you.

The Water Management Board cannot consider a water permit application until it is complete. Please return the enclosed application, the correct fee, and a well log to begin processing of your permit application.

Feel free to contact us if you have any questions.

Sincerely,

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

enclosures





Aaladin

Industries Incorporated
PO Box 920 Elk Point, SD 57025

Norwest Bank South Dakota, N.A.
Sioux Falls, SD 57117

DATE

9-20-89

CHECK NO.

23595

No. 023595

78-4
914

Water permit

AMOUNT

150.00

PAY TO THE ORDER OF

Water Rights Div.

Joe Foster Bldg

Pierre, SD 57501

Sam Hughes

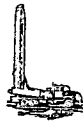
Patricia Wm

⑈023595⑈

⑈091400046⑈

01 0010153⑈

150.00 DOLLARS



WETMORE DRILLING

P.O. BOX 577 · ELK POINT, SOUTH DAKOTA 57025 · (605) 356-3272

5-18-90

Aladin Industries
West Interstate I-29
Exit 15
Elk Point SD 57025

SE 1/4 of SE 1/4 of Sec 29 T 91 - N R - 48 - 49 W

WELL LOG:

0	-	2'	Topsoil
2	-	76'	fine sand
76	-	100'	coarse sand & gravel

James Wetmore
Wetmore Drilling

James Wetmore
PO Box 577
Elk Point SD 57025



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412250

Pierre, May 29, 19 90

RECEIVED OF Aaladin Industries, Inc., RR #1 Box 28, Elk Point, SD 57025

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

Fee for Application for Permit No. <u>5453-3</u> to Appropriate Water, to construct works and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form		
Fee for Filing Extension Request		
Fee for Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By

John Hatch
Chief Engineer

Report on Water
Permit Application No. 5453-3
AaLadin Industries
July 2, 1990

This application proposes to appropriate 0.07 cfs from one well approximately 100 feet deep located in Lot 101B of Lot 101A, SW 1/4 of section 29, T91N R49W in Union County. The water is to be used for industrial purposes in the manufacturing facility.

AQUIFER - MISSOURI ELK POINT (M-EP)

The Missouri Elk Point (M-EP) is an alluvium mantled outwash (sand and gravel) under water table conditions in this area. The well log submitted with the application indicated fine sand from 2 to 76 feet and coarse sand and gravel from 76 to 100 feet below land surface. The static water level was reported to 18 feet below land surface. The M-EP aquifer underlies 99,600 acres and contains an estimated recoverable 1.5 million acre feet of water in Union County (Hedges, 1982). The aquifer is hydraulically connected to the Big Sioux and Missouri Rivers, the M-EP aquifer in Clay County, the Upper Vermillion Missouri aquifer in Clay and Union Counties and the Big Sioux South aquifer in Union County.

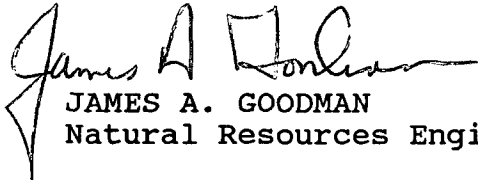
The Division of Water Rights monitors 3 observation wells within 2 miles of this location. One of these wells UN-80E is completed into the basal M-EP aquifer. Water levels for these wells respond to climatic conditions, that is, rising during wet years and gradually declining during dry years. This particular well is under artesian conditions and does show the influence of pumping in the area. The M-EP aquifer can be confined or strictly under water table conditions. The observation well UN-78A is a shallow water table well located about 1 mile west of this location. The M-EP aquifer includes the shallow system and the basal system and is hydraulically connected through vertical leakage within the system. This results in a lag in water level response between wells completed in the shallow system and the deep system (Water Rights, 1990). Water level records for the M-EP aquifer indicate the aquifer is able to sustain additional withdrawals.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are numerous water permits/rights from the M-EP aquifer in Union County. The closest existing diversion is about 1/2 mile away. Interference is not a problem because the diversion rate is very small for this application, the thickness of the aquifer at this site and the distance to an existing production well.

CONCLUSIONS

1. Water is available from the M-EP aquifer.
2. Interference will not be a problem. Drawdowns in this area are not significant as shown by the observation well record.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Rules.


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 DWR, SDGS, Vermillion, SD 57069
- Water Rights, 1990, Observation Well Records for M-EP Aquifer in Union County, SD DWR, Div. of Water Rights, Pierre, SD 57501

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5453-3, AaLadin Industries, 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. 5453-3, AaLadin Industries, Inc., P.O. Box 920, Elk Point SD.

The Chief Engineer is recommending APPROVAL of Application No. 5453-3 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 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.

See report on application for additional information.


JOHN HATCH, Chief Engineer
July 19, 1990



Department of Water & Natural Resources

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

August 22, 1990

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

William K. Busker
AaLadin Industries
P.O. Box 920
Elk Point, SD 57025-0920

Dear Mr. Busker:

Water Permit Application No. 5453-3 for industrial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Leader-Courier printed at Elk Point SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

A handwritten signature in cursive script that reads "Eric Gronlund".

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



Department of Water & Natural Resources

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

August 22, 1990

Elk Point Leader-Courier
Box 310
Elk Point, SD 57025-0310

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 5453-3 to be published twice. Please publish the first notice on or before August 29, 1990 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 AaLadin Industries, Inc, P.O. Box 920, Elk Point, SD 57025-0920.

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,

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 or before August 29, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5453-3 to Appropriate Water

Notice is given that AaLadin Industries, Inc, P.O. Box 920, Elk Point, SD 57025-0920 has filed an application for a water permit to appropriate 0.07 cubic feet of water per second from one well (Missouri Elk Point Aquifer) 100 feet deep located in Lot 101-B of Lot 101-A in the SW1/4 Section 29 T91N-R49W. The water is to be used for industrial purposes of the manufacturing facility.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5453-3 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 in the Community Room, Brule Co. Courthouse, 300 S. Courtland, Chamberlain, SD on October 3, 1990 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 September 21, 1990. 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 September 21, 1990.

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 Union) ss.

I, Lester E. Emerson

certify that the attached printed Notice was taken
from the The Leader-Courier

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 Elk Point

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

Thursday August 30 1990

Thursday, September 6, 1990

Lester E. Emerson
(Signature)

Editor/Publisher
(Title)

September 6 1990
(Date Signed)

Cost of Printing: 40.00

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.

ERIC GRONLUND
Natural Resources Director
Pub. Aug. 30 and Sept. 6.

NOTICE OF HEARING On Application No. 5453-3 to Appropriate Water

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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 September 21, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, S. D. 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 September 21, 1990.



Department of Water & Natural Resources

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

DEC 19 1990

William K. Busker, Vice President
AaLadin Industries, Inc.
P.O. Box 920
Elk Point, South Dakota 57025

Dear Mr. Busker:

Enclosed is Water Permit No. 5453-3 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,

A handwritten signature in black ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

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.

Union County
Aaladin IndustriesNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 3-4-91TO: Water Rights Division, DWR
Joe Foss Building
Pierre SD 57501-3181FROM: Watson Dilling Box 577 Ellis Point S.D.
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. 5453-3.

Water Permit No. 5453-3 states that the diversion system is to be constructed by Watson Dilling, and that the water it put to beneficial use by Aaladin Industries.

The diversion system was completed on 3-1-90
Applying the water to beneficial use was completed on 4-3-90

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

James Watson
signature



REPORT ON INSPECTION OF PERMIT NO. 5453-3

DATE OF INSPECTION: 11/6/1995

**DIVERSION POINT LEGAL LOCATION: FROM THE SW CORNER OF SECTION 29 T91N-R49W:
750 FT NORTH AND 130 FT EAST**

WELL INFORMATION:

- | | |
|---|-------------------------------------|
| 1) Drilling Firm: <u>WETMORE DRILLING</u> | 2) No. of Wells <u>1</u> |
| 3) Depth(s) <u>100</u> feet | 4) Well log is available <u>YES</u> |

Casing:

- | | |
|-----------------------------|-------------------------|
| 1) Diameter <u>5</u> inches | 2) Length <u>?</u> feet |
| 3) Type <u>STEEL</u> | |

Screen:

- | | |
|-------------------------------------|-------------------------|
| 1) Type <u>STAINLESS STEEL</u> | 2) Length <u>?</u> feet |
| 3) Static water level <u>?</u> feet | |

Pump:

- | | |
|---------------------|-----------------------------|
| 1) Make <u>TEAL</u> | 2) Model <u>SUBMERSIBLE</u> |
| 3) Size <u>?</u> | 4) Capacity <u>21</u> GPM |

Motor:

- | | |
|---------------------|---------------------------------|
| 1) Make <u>TEAL</u> | 2) Model No. <u>SUBMERSIBLE</u> |
|---------------------|---------------------------------|

DISTRIBUTION LINES OR CANALS:

- | | |
|--------------------|-------------------------|
| 1) Type <u>PVC</u> | 2) Size <u>1</u> inches |
|--------------------|-------------------------|

PERMIT QUALIFICATIONS AND REGULATIONS:

- | |
|--|
| 1) Special qualifications to permit being abided by <u>YES</u> |
| 2) All structures, wells and lands on map <u>YES</u> |
| 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period <u>NA</u> |

Permit No. 5453-3
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, NOVEMBER 6, 1995, made a thorough examination of the water use system constructed by AALADIN INDUSTRIES of RR 1 BOX 2B, ELK POINT SD holder of Permit No. 5453-3, bearing the priority of MAY 24, 1990 authorizing the diversion of 0.07 cu. ft. per second of the waters of GROUNDWATER (MISSOURI ELK POINT) for INDUSTRIAL purposes, in UNION County.

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

A. Works used to divert the water:

A TEAL SUBMERSIBLE PUMP WITH A 21 gpm CAPACITY

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

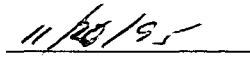
1 INCH PVC PIPE

The system is in the following condition GOOD. The point of diversion is located FROM THE SW CORNER OF SECTION 29 T91N-R49W: 750 FT NORTH AND 130 FT EAST. The works are capable of diverting and conveying to the place of use 0.05 cu. ft. per second of water which is to be used for INDUSTRIAL PURPOSES. Water has been put to beneficial use and the license should be issued for 0.05. Applicable permit qualifications have been complied with: YES

Exceptions to compliance are: NONE



Mark D. Rath
Natural Resources Engineer
DENR, Water Rights Program



Date



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 29, 1995

5453-3
5791-3

Joel A. Ryan, Plant Engineer
AaLadin Industries, Inc.
RR 1, Box 2B
Elk Point, SD 57025

Dear Mr. Ryan:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit Nos. 5453-3 and 5791-3, has been completed. 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 inspection and issuance of the Water Licenses. Upon receipt of the \$100.00 fee 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

414764

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ January 25, 19 96

RECEIVED OF Alladin, Industries, Inc, RR 1 Box 2B, Elk Point, SD 57025

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>3453-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By

Chief Engineer

John Hatch



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 4 1996

5453-3
5791-3

Joel A. Ryan, Plant Engineer
Aaladin Industries, Inc.
RR 1, Box 2B
Elk Point, SD 57025

Dear Mr. Ryan:

Enclosed Water License Nos. 5453-3 and 5791-3. These are the final water right documents completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 414764 and 414765 in the amount of \$50.00 each which you paid for the inspection 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. 5453-3 and 5791-3, constructs replacement wells and does not plan to use the old wells, the old wells are 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

ks
enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5453-3

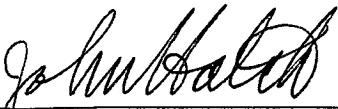
(1) Aaladin Industries, Inc., RR 1, Box 2B, Elk Point SD 57025 made Application No. 5453-3, September 22, 1989 for a water permit to divert 0.07 cubic feet of water per second from groundwater (one well), Union County, South Dakota for industrial purposes. Permit No. 5453-3, with a priority date of May 24, 1990 was approved October 3, 1990 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before October 5, 1995 and for the application to beneficial use of said water on or before October 3, 1999.

The permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on March 29, 1991. The "*Notice*" stated the diversion system was completed on March 20, 1989 and the water placed to beneficial use April 3, 1990.

(2) It is certified that the applicant 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 0.05 cubic feet of water per second for beneficial use. The location of the diversion point is 750 feet north and 130 feet east of the southwest corner of Section 29-T91N-R49W (SW 1/4 SW 1/4).

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

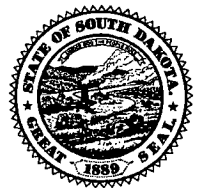
(4) Pursuant to South Dakota Water Law 46-5-30.1 Aaladin Industries, Inc., RR 1, Box 2B, Elk Point SD 57025 the holder and/or owner of Water Permit No. 5453-3 is issued a license to appropriate water, the right to use 0.05 cubic feet of water per second from groundwater (one well) with a priority date of May 24, 1990 from the location specified in (2) of this license. The water is used for industrial purposes in the manufacturing facility. This license is subject to any limitations or qualifications listed in Water Permit No. 5453-3 and subject to South Dakota State Law.

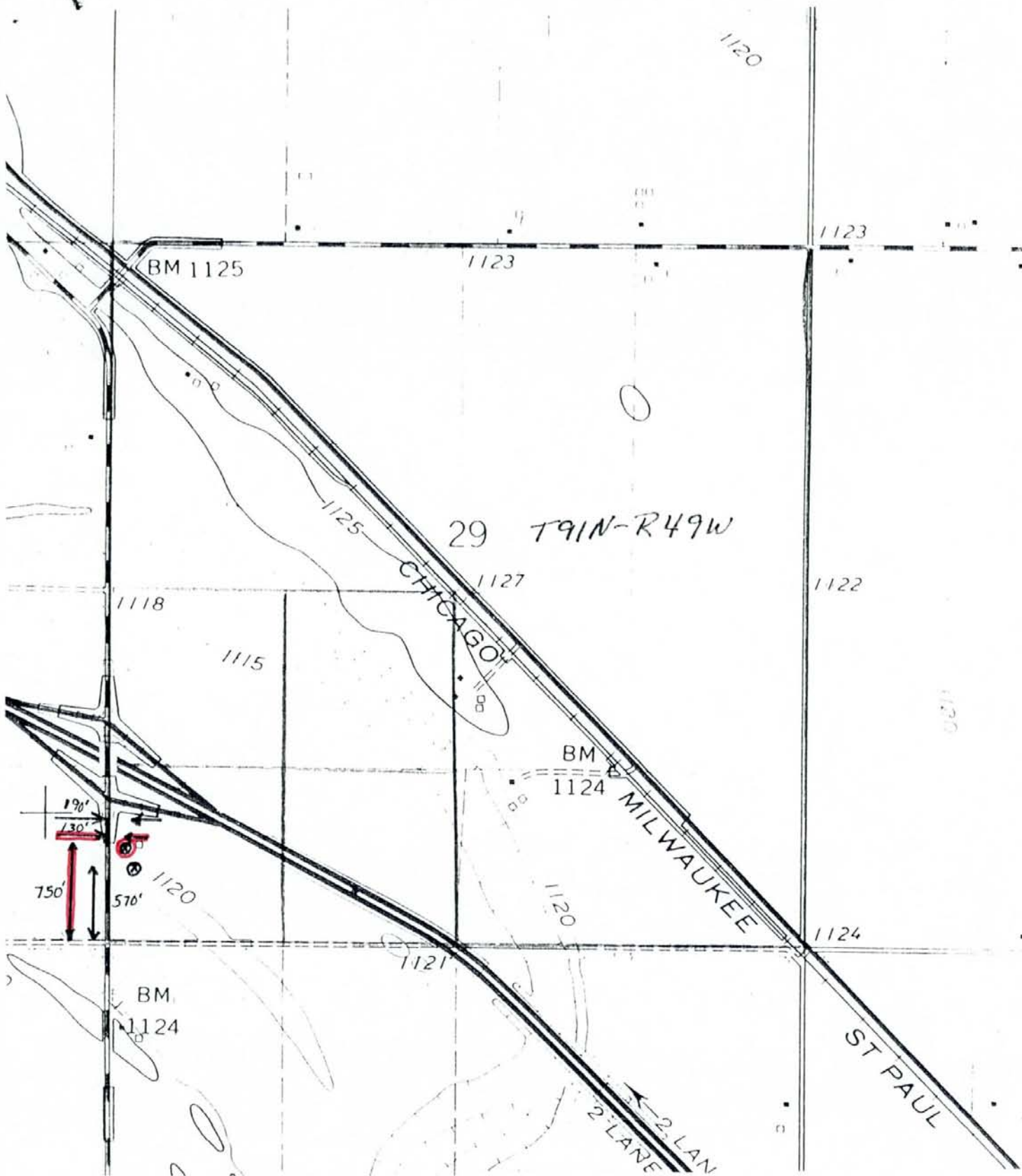


JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 4 1996

date





Mark D Rath
Mark D Rath
Natural Resources Engineer
Division of Water Rights
Date 11/20/95

5453-3

SURVEY PLAT

LOT 101-B OF LOT 101-A IN THE SW⁴ OF SECTION 29,
T91N, R49W, 5TH P.M., UNION COUNTY, SOUTH DAKOTA.

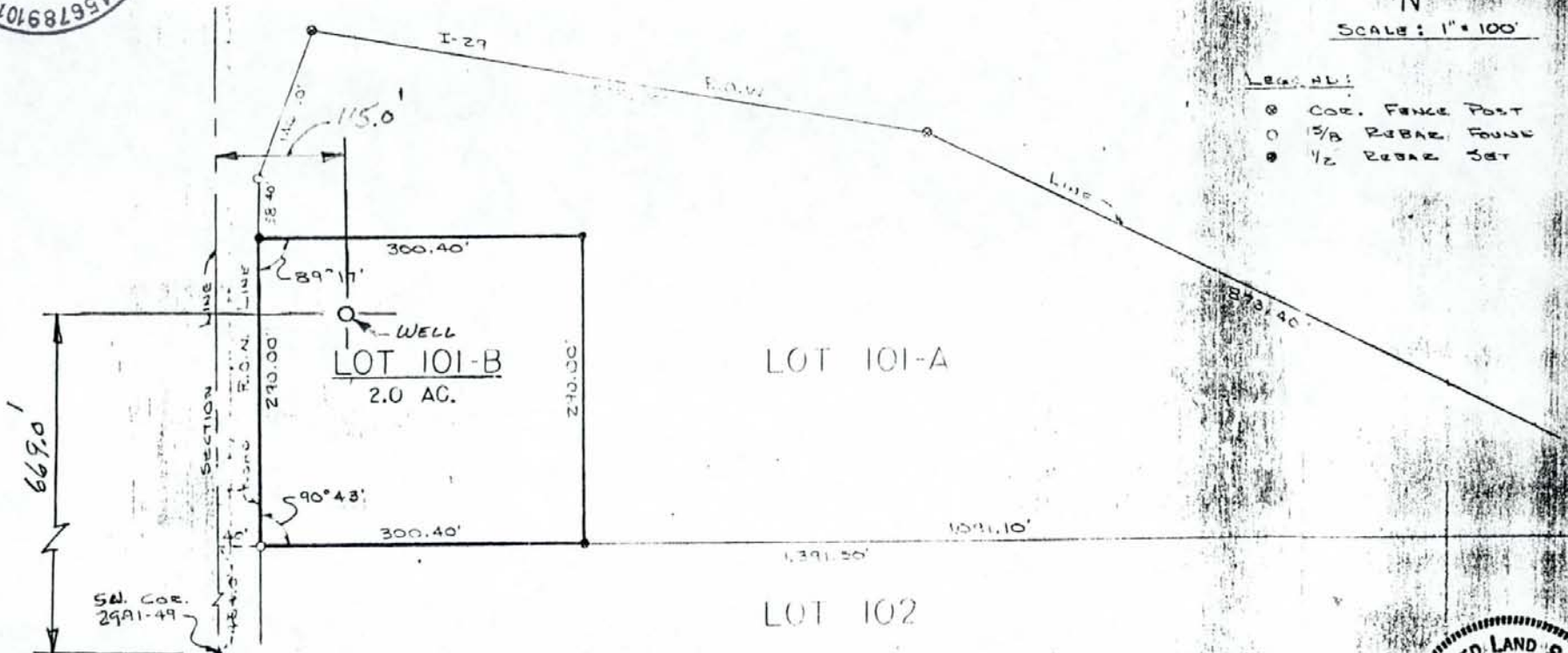
5453-3



SCALE: 1" = 100'

LEGEND:

- ⊙ COR. FENCE POST
- 3/8 REBAR FENCE
- 1/2 REBAR SET



I, Gregg A. Stroschein, a duly Licensed Land Surveyor of the State of South Dakota, do hereby certify that at the direction of the land owner, the above survey was made and that the dimensions and bearings are true and correct.

Registered Land Surveyor

Gregg A. Stroschein



Notary Public, State of _____

Be it remembered that on this _____ day of _____, 19____, before me, the undersigned, a Notary Public, personally appeared Gregg A. Stroschein, known to me to be the person described in and who executed the foregoing certificate.

My Commission expires _____

Notary Public

Witness's Certification:

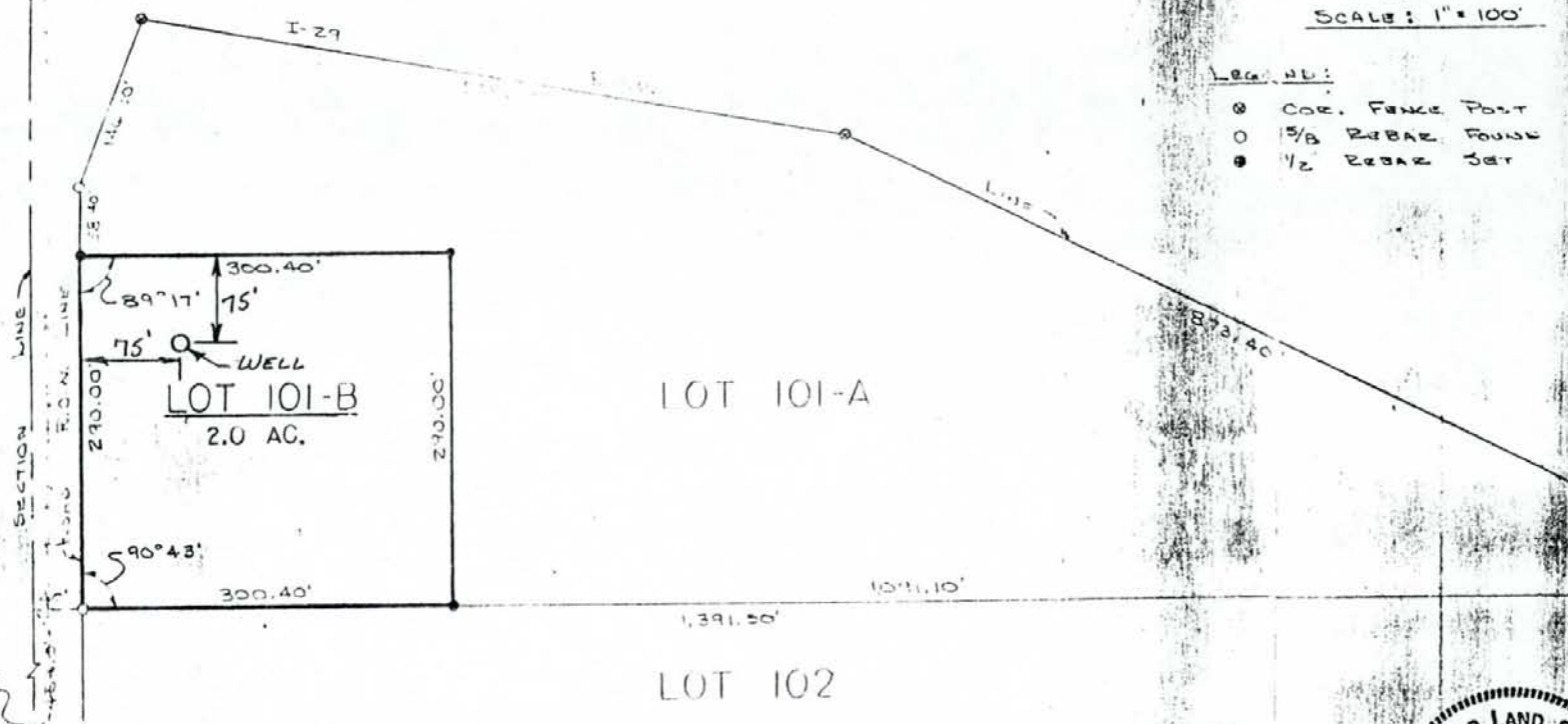
I, the undersigned, do hereby certify that I am the owner of Lot 101-B of Lot 101-A in the SW 1/4 of Section 29, T91N, R49W, 5TH P.M., Union County, South Dakota, and that said property is free of all encumbrances.

Witness, Partner _____

Witness, Partner _____

SURVEY PLAT

LOT 101-B OF LOT 101-A IN THE SW⁴ OF SECTION 29,
T91N, R49W, 5TH P.M., UNION COUNTY, SOUTH DAKOTA.



SW. Cor.
291-49

Surveyor's Certificate

I, Gregg A. Stroschein, a duly qualified and licensed surveyor of the State of South Dakota, do hereby certify that I have surveyed and platted Lot 101-B of Lot 101-A in the SW⁴ of Section 29, T91N, R49W, 5th P.M., Union County, South Dakota. All dimensions shown are true and correct.

Registered Land Surveyor

Gregg A. Stroschein



Witness
State of _____

be it remembered that on this _____ day of _____, 19____, before me, the undersigned, a Notary Public, personally appeared Gregg A. Stroschein, known to me to be the person described in and who executed the foregoing certificate.

My commission expires _____

Notary Public

Witness's Certificate:

I, the undersigned, do hereby certify that I am the owner of Lot 101-B of Lot 101-A in the SW⁴ of Section 29, T91N, R49W, 5th P.M., Union County, South Dakota, and that said property is free of all encumbrances.

Witness, Notary

Idem above, partner

5453-3