

WATER PERMIT NO. 5554A-3

Name of Applicant: Stillson Oil Co., Inc.

Address: 12 Veterans Ave, Sisseton SD 57262

Phone: 605 698-3512

Amount of Water Claimed: 0.022 cfs

Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: commercial

County: Roberts

Type of Waste Disposal System:

Location: in Sisseton

PRIORITY Date Received: 12-19-2002

Application/License Fee: \$100

Corrected Application Received: 12-23-2002

Period of Annual Use: January 1-December 31

Remarks: change from industrial use permit to a commercial use

Diversion Point: SW 1/4 SE 1/4 Sec 28-T126N-R51W

Land to be Irrigated: NA

Depth of Well: 18.5 feet deep

Well Driller: : Geotek Engineering

Remarks:

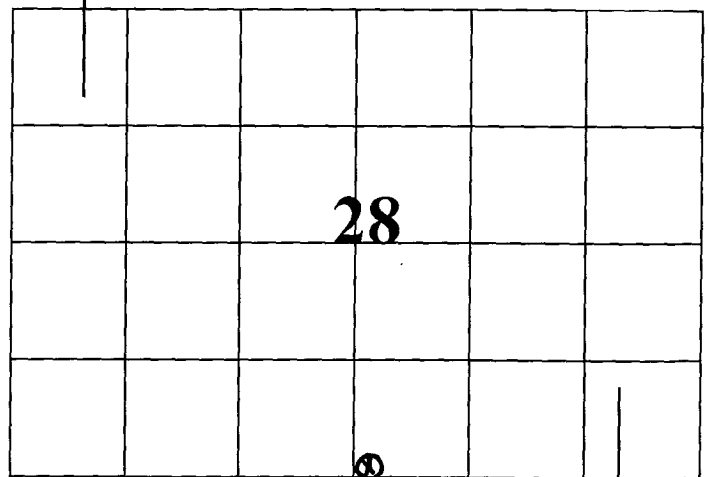
Type of Map: topo

Prepared by: Gary Lewis

Reviewed and the Number Assigned on: 12-19-02

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



FORM 2: Application for uses other than irrigation
(type or print)

Mail to:
Water Rights Program
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181
(605) 773-3352

(office use only)
No. 5554A-3 Hydrologic Unit 07020001
Basin Minnesota - Whetstone
Newspaper Sisseton Courier, Sisseton

RECEIVED
DEC 19 2002
WATER RIGHTS
PROGRAM

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

Check use(s) of water:

☐ Municipal ☐ Suburban Housing ☐ Recreational ☐ Institutional
☐ Rural Water System ☒ Commercial ☐ Fish & Wildlife ☐ Geothermal Heat
☐ Domestic (over 18 gpm) ☒ Industrial ☐ Other

Type of Application: ☐ New ☒ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☒ Amendment/Correction to Permit No. 5554-3

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) Change permit from Industrial to commercial use.

1. Name of Applicant Dave Stillson, Stillson Oil Co. Inc. Phone 605-698-3512
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 12 Veterans Ave, Sisseton State SD 57262
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 0.022 *CFS or 10 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Recovery well RW-1
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
RW-1 is located in SE corner of property adjacent to former remediation system building.
SW1/4 SE 1/4 Sec 28-T126N-R51W County Roberts
5. County or counties where water will be used Roberts
6. Annual period during which water is to be used year round Jan. 1-Dec 31
7. Give a description of the 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)

A No Further Action letter, dated 9/20/02, was received from the DENR for the release (# 88.256) associated with this property. The well will no longer be used for remediation purposes, but will be used by the owner, Dave Stillson for commercial use.
Stillson Oil Co. Inc.

STATE OF SOUTH DAKOTA)
County of Roberts SS

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

I, David Stillson, 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.

Applicant's signature: [Signature]

Subscribed and sworn to before me this 17 day of Dec 20 02

[Signature]
Notary Public signature

SOUTH DAKOTA
WATER PERMIT NO. 5554A-3

Date of first receipt of application December 19, 2002.

Date of return to applicant for corrections, amendments or changes December 19, 2002.

Date of receipt of corrected application December 23, 2002.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5554A-3 to Stillson Oil Co., Inc., 12 Veterans Ave, Sisseton SD 57262 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. 5554A-3 changes industrial use as authorized by Water Right No. 5554-3 to commercial use. Water Permit No. 5554-3 appropriates 0.022 cubic feet of water per second (10 gallons per minute) from one well (Pleistocene Unknown) 18 ½ feet deep located in the SW ¼ SE ¼ Section 28-T126N-R51W for groundwater remediation purposes. Use of the water for remediation has been completed and the well will now be used for commercial purposes. No additional water appropriation is authorized by this permit.
2. The water appropriated shall be used for the purpose of commercial use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 5554A-3 is February 14, 2003.
5. The date from which applicant may claim right is March 29, 1991 (established by No. 5554-3).
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

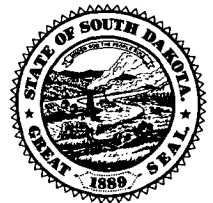
WATER MANAGEMENT BOARD

By: Garland Erbele

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

MAR 13 2003

date



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date DECEMBER 23, 20 02

RECEIVED OF STILLSON OIL CO., 5 Veterans Ave, PO Box 134, Sisseton, SD 57262-0134

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

Fee for Application for Permit No. <u>5554A-3</u> to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>5554A-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	100.00

No.

000457

By

Darland Erbe
Chief Engineer *gm*

LEGEND:

- MW-1 ● MONITORING WELL LOCATION
 - MW-5 ⊕ ABANDONED MONITORING WELL LOCATION
 - RW-1 ⊙ RECOVERY WELL LOCATION
 - OW-1 △ OBSERVATION WELL LOCATION
 - T-1 ⊕ TEST WELL LOCATION
- NOTE: MW-1, MW-4, AND RW-1 ABOVE GRADE WELLS.
ALL OTHER WELLS FLUSH GRADE.

- PRESENT UNDERGROUND STORAGE TANKS
 - 1 8,000 GALLON REGULAR GASOLINE TANK
 - 2 8,000 GALLON UNLEADED GASOLINE TANK
- REMOVED ABOVE GROUND STORAGE TANKS
 - 1 1,000 GALLON FUEL OIL STORAGE TANK
 - 2 1,000 GALLON FUEL OIL STORAGE TANK
 - 3 1,000 GALLON FUEL OIL STORAGE TANK
 - 4 1,000 GALLON FUEL OIL STORAGE TANK

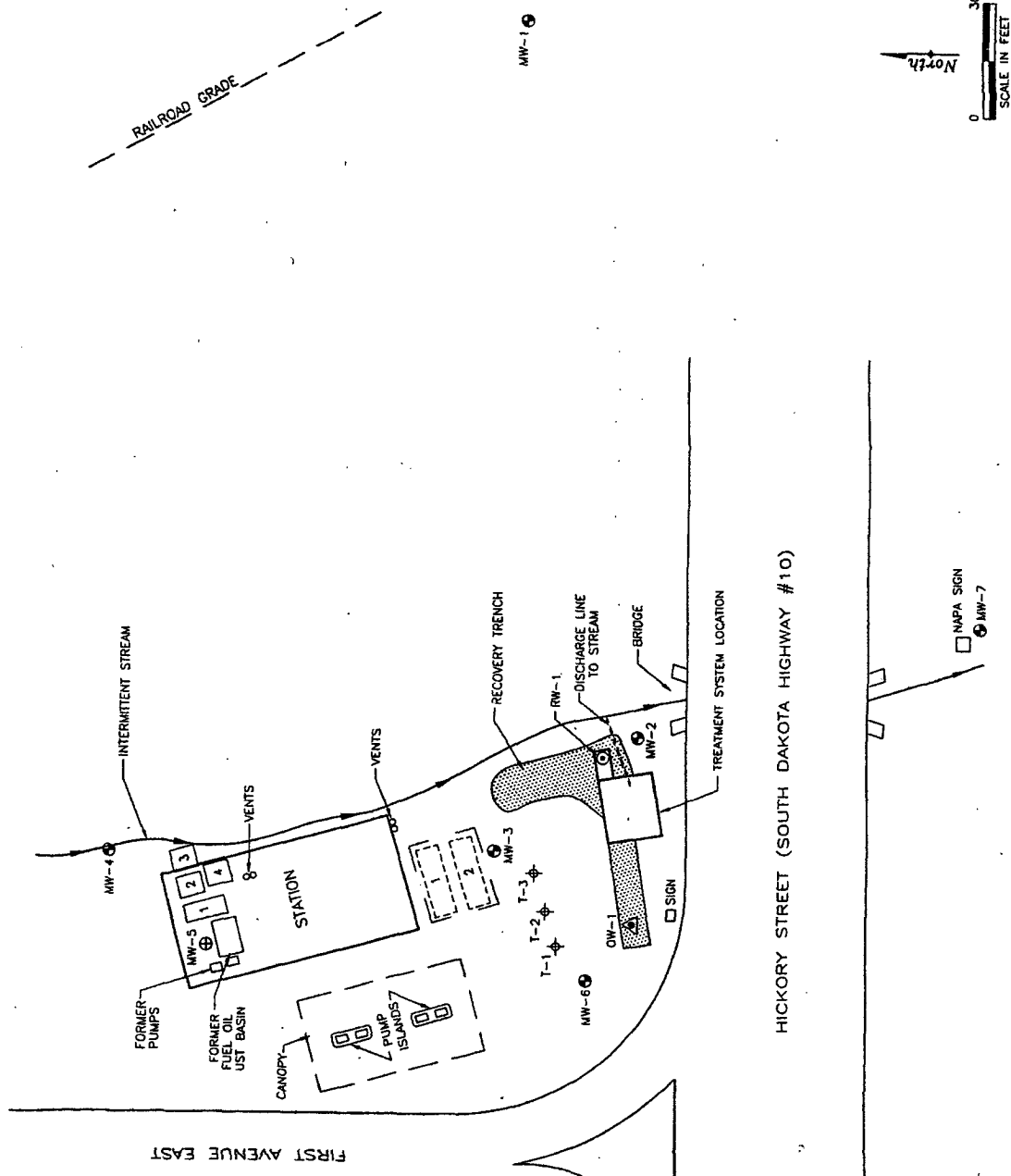
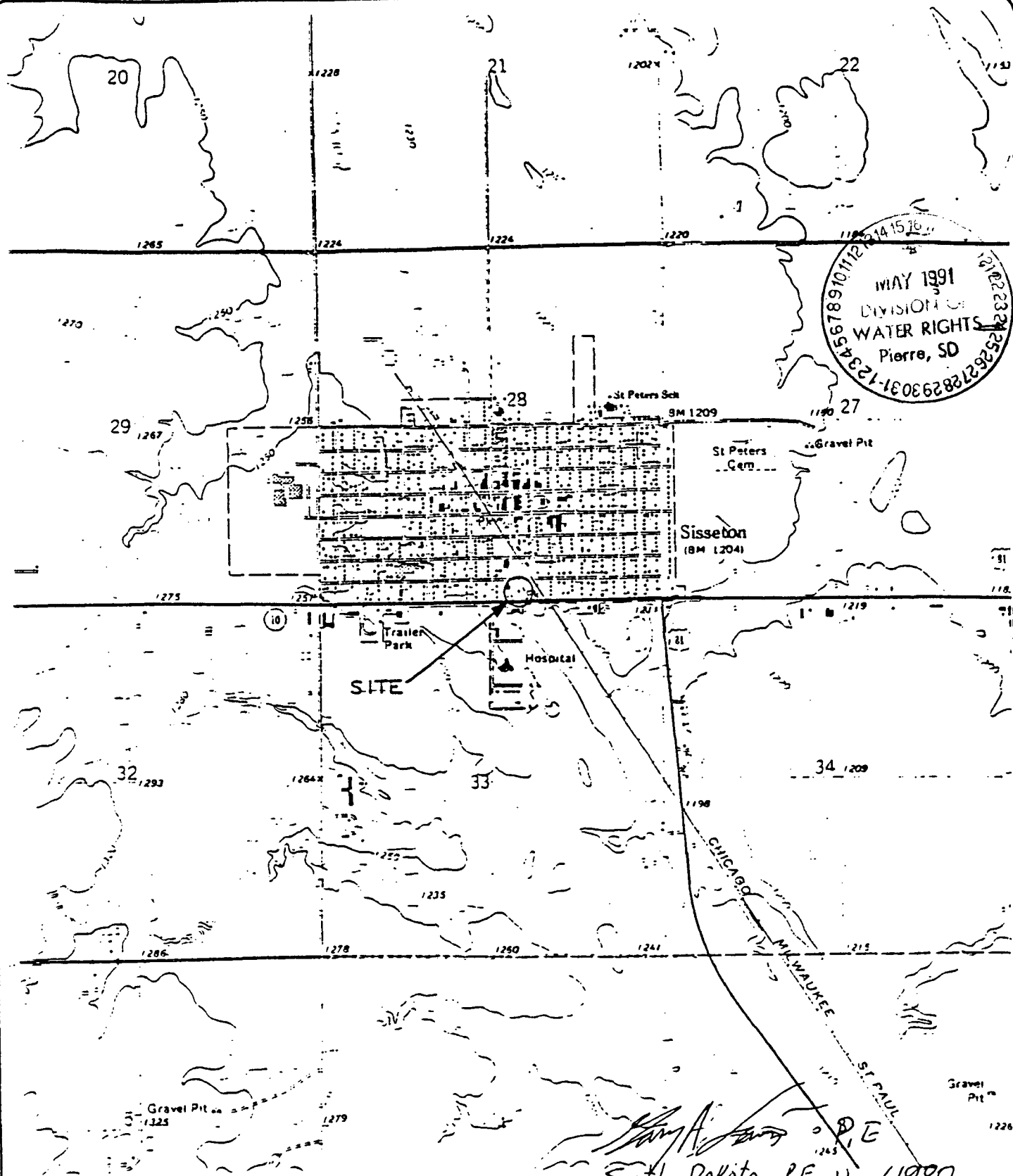
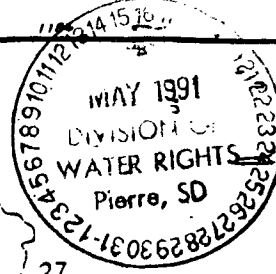


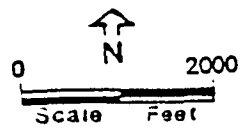
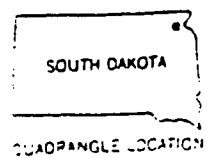
FIGURE 2
MONITORING WELL/RECOVERY AND
TREATMENT SYSTEM LOCATION MAP
STILLSON OIL COMPANY
SISSETON, SOUTH DAKOTA

PROJECT NO.	AD92-522	PREPARED BY	JAO	DRAWN BY	DD
DATE	12/19/01	REVIEWED BY	HA	FILE NAME	92522-1





SISSETON QUADRANGLE
SOUTH DAKOTA-ROBERTS CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



[Signature]
South Dakota P.E. No. 4980

FIGURE 1
SITE LOCATION MAP
STILLSON OIL CO.
SISSTON, SOUTH DAKOTA
DELTA NO. 10-88-045



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 19, 2002

Stillson Oil Co Inc.
C/o David Stillson
12 Veterans Ave
Sisseton SD 57262

Dear Mr. Stillson:

Thank you for submitting the *Application for a Permit to Appropriate Water* to amend Permit No. 5554-3 from industrial use to commercial use. The application/license fee will be \$100.

Upon receipt of the fee, further processing of your application will continue. If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

REPORT ON WATER PERMIT APPLICATION NO. 5554A-3
For Stillson Oil Company, Inc.
January 9, 2003

Application No. 5554A-3 proposes to change industrial use as authorized by Water Permit No. 5554-3 to commercial use. Water Permit No. 5554-3 appropriates 0.022 cfs (10 gpm) from one well approximately 18.5 feet deep located in the SW ¼ SE ¼ of section 28, T126N R51W in Roberts County and within the former boundaries of the Sisseton Whapeton Indian Reservation. The well originally was used for a ground water remediation project at a hydrocarbon spill site. Use of water for remediation has been completed and the well will now be used for commercial purposes with the same priority date. No additional water appropriation is authorized by this application.

AQUIFER – PLEISTOCENE UNKNOWN (PS-U)

The Pleistocene unknown aquifer is glacial till consisting of mostly clay with silt, and some sand and gravel or alluvium at this site. Test borings included with the original application indicates gray sandy silt from approximately nine feet to 16.5 feet below land surface. There is ground water in the till or alluvium but it would not be considered a major aquifer or even a mapable unit.

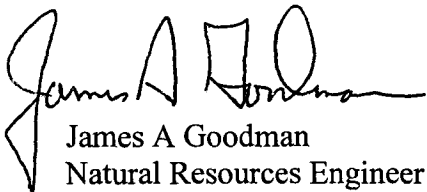
The Water Right Program does not monitor any observation wells completed into either the alluvium or glacial till in this area. In other parts of the state water levels in the till have been monitored and do respond to climatic conditions, that is, rising during wet years and gradually declining during dry years.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is no other existing water permits/rights in this area which obtains water from this source.

CONCLUSIONS

1. Water is available from this water source.
2. The well has been used for many years for recovery of hydrocarbons and remediation of this site. Because this well (actually a trench with a well behaving like a sump) may produce contaminated water the use of water should be limited to non-potable type of uses. The water should be routinely tested if potable use is proposed.
3. The industrial use of water is to be abandoned at this site. The site has been closed and water will no longer be used remediation purposes.


James A Goodman
Natural Resources Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5554A-3, Stillson Oil Company**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 5554A-3, Stillson Oil Company, c/o David Stillson, 12 Veterans Avenue, Sisseton SD 57262.

The Chief Engineer is recommending APPROVAL of Application No. 5554A-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is in the public interest with the following qualification:

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

See report on application for additional information.

for 
Garland Erbele, Chief Engineer
January 17, 2003



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2003

Sisseton Courier
PO Box 169
Sisseton SD 57262-0169

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 5554A-3 to Appropriate Water to be published twice. Please publish the first notice on January 28, 2003 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 Stillson Oil Co., Inc., %David Stillson, 12 Veterans Ave., Sisseton SD 57262 (Ph # 605-698-3512).

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

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

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

No. 5554A-3

Date _____

We are in receipt of your letter of January 22, 2003 enclosing Notice of Hearing to Appropriate Water by Application No. 5554A-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

January 22, 2003

Stillson Oil Co. Inc.
%Dave Stillson
12 Veterans Ave
Sisseton SD 57262

Dear Mr. Stillson:

Water Permit Application No. 5554A-3 for commercial 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 Sisseton Courier printed at Sisseton, SD (Ph # 605-698-7642). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,


Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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

Instruction to Newspaper - Publish first Notice on January 28, 2003 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5554A-3 to
Amend Water Permit No. 5554-3

Notice is given that Stillson Oil Co. Inc., 12 Veterans Ave., Sisseton SD 57262 has filed an application for a water permit to change industrial use as authorized by Water Right No. 5554-3 to commercial use. Water Permit No. 5554-3 appropriates 0.022 cubic feet of water per second (10 gallons per minute) from one well (Pleistocene Unknown) 18 ½ feet deep located in the SW ¼ SE ¼ Section 28-T126N-51W for groundwater remediation purposes with a March 29, 1991 priority date. Use of the water for remediation has been completed and the well will now be used for commercial purposes with the same priority date. No additional water appropriation is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5554A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 14, 2003.

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

Affidavit of Publication

STATE OF SOUTH DAKOTA }
County of Roberts ss.

Harley E. Deutsch of said county, being first duly sworn, on oath says, that he is publisher of THE SISSETON COURIER, a weekly newspaper printed and published in Sisseton, in said county of Roberts, and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bonafide circulation of at least two hundred copies weekly, and has been published within said county for 52 successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the Notice of Notice of Application, a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this affidavit, was published in said newspaper at least once in each week for 2 successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

Jan. 28, 2003; _____;
Feb. 4, 2003; _____;
_____; _____;
_____; _____;
_____; _____;

that the full amount of the fee is charged for publication of said Notice insures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division there has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever and that the fees charged for the publication there of are \$ 38.72

Harley E. Deutsch

Subscribed and sworn to before me this 4th day of

February, A.D., 2003

John Christensen

Notary Public, Roberts County, South Dakota
My commission expires February 3, 2004

NOTICE OF APPLICATION NO. 5554A-3 to Amend Water Permit No. 5554-3

Notice is given that Stillson Oil Co. Inc., 12 Veterans Ave., Sisseton, SD 57262 has filed an application for a water permit to change industrial use as authorized by Water Right No. 5554-3 to commercial use. Water Permit No. 5554-3 appropriates 0.022 cubic feet of water per second (10 gallons per minute) from one well (Pleistocene Unknown) 18 1/2 feet deep located in the SW1/4SE1/4Section 28-T126N-51W for groundwater remediation purposes with a March 29, 1991 priority date. Use of the water for remediation has been completed and the well will now be used for commercial purposes with the same priority date. No additional water appropriation is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5554A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605-773-3352)" and the applicant's mailing address is given above. The petition filed by either an interested person or the applicant must be filed by February 14, 2003.

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

(Jan. 28 - Feb. 4-2 wks.)

RECEIVED

FEB 13 2003

WATER RIGHTS
PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 13 2003

Stillson Oil Co. Inc.
% Dave Stillson
12 Veterans Ave
Sisseton SD 57262

Dear Mr. Stillson:

Enclosed is Water Permit No. 5554A-3 authorizing your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Permit No. 5554A-3
Minnesota-Whetstone - 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, August 10, 2005, made a thorough examination of the water use system constructed by Stillson Oil Company, Inc of 12 Vererans Ave, Sisseton, SD 57262 holder of Permit No. 5554A-3, bearing the priority of March 29, 1991 authorizing the diversion of 0.022 cu. ft. per second of the waters of Pleistocene Unknown for Commercial Use purposes, in Roberts County.

Inspection contact & relationship **Owner Greg Stillson (605) 698-3512**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Delta Environmental Consultants, Inc.
- 2) No. of Wells 1
- 3) Depth(s) 18.5 feet
- 4) Well log is available Y
- 5) Comment:

Casing:

- 1) Diameter 12 inches
- 2) Length 8.5 feet
- 3) Type Steel

Screen:

- 1) Type Stainless Steel
- 2) Length 10 feet
- 3) Static water level 7.5 feet

Pump:

- 1) Make Franklin Electric
- 2) Model 2143034916
- 3) Size 1/3 hp
- 4) Capacity 10 GPM

B. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period NA
- 3) Exceptions to compliance are: NONE

The system is in good condition with the point(s) of diversion located as follows: 50 ft North and 1950 ft East of the SE corner of Section 28-T126N-R51W (N 45.6603666, W -97.0481166). The works are capable of diverting and conveying to the place of use 0.022 cu. ft. per second of water which is to be used for Commercial Use. Water has been put to beneficial use.

All structures, wells and lands on map Y

Comments or other permit(s) associated with the project:

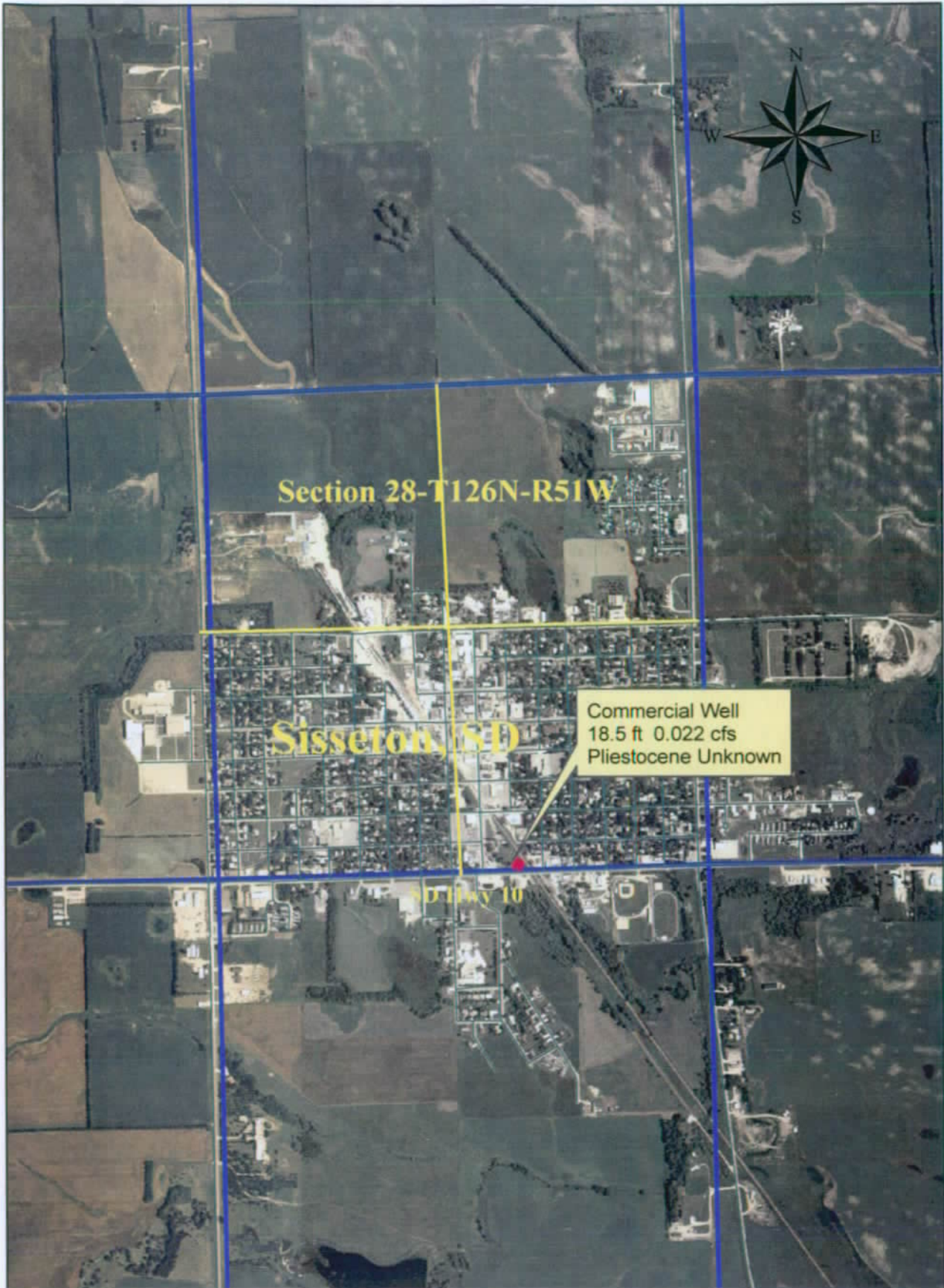
Currently, the water is being used for the convenience store and as a water supply for a live well.



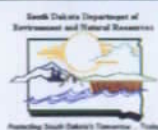
Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: August 16, 2005

Stillson Oil Co.
12 Veterans Ave.
Sisseton, SD-Roberts County
Water Permit No. 5554A-3



Mike DeFea
Natural Resources Engineer
DENR Water Rights Program
08/16/05



00.0 0.1 0.2 0.3 0.4 0.5 Miles

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5554A-3

(1) Stillson Oil Company Inc., 12 Veterans Ave., Sisseton SD 57262 made Application No. 5554A-3, December 19, 2002 for a water permit to change the authorized use of Water Permit No. 5554-3 from industrial to commercial use. Water Permit No. 5554-3 appropriated 0.022 cubic feet of water per second from ground water (one well – Pleistocene Series), Roberts County, South Dakota to be used for ground water remediation purposes. Use of water for remediation has been completed and the well is now used for commercial purposes as described in Permit No. 5554A-3. Permit No. 5554A-3, with a priority date of March 29, 1991 (established by No. 5554-3) was approved February 14, 2003 and issued to the applicant for diversion of water with construction of the described water supply system and the application to beneficial use of water completed.

The applicable portions of Water Permit No. 5554-3 have been incorporated into this Water License No. 5554A-3.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.022 cubic feet of water per second for beneficial use.

The location of the diversion point is 50 feet north and 1,950 feet east of the SE corner of Section 28, T126N, R51W (SW ¼ SE ¼).

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 Stillson Oil Company Inc., 12 Veterans Ave., Sisseton SD 57262 the holder and/or owner of Incorporated Water Right No. 5554A-3 is issued a license to appropriate water, the right to use 0.022 cubic feet of water per second from ground water (one well) with a priority date of March 29, 1991 from the location specified in (2) of this license for commercial purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Right No. 5554A-3 and subject to the following qualification:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.



AUG 18 2005

date

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





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 18 2005

5554-3
5554A-3

Greg Stillson
Stillson Oil Company Inc
12 Veterans Ave
Sisseton SD 57262

Dear Mr. Stillson:

Enclosed is Water License No. 5554A-3. This is the final water right document completing your process of obtaining a Water Right. Also enclosed is a copy of the map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5554A-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: The applicable portions of Water Permit No. 5554-3 were incorporated into Water License No. 5554A-3.