

Considered: _____

WATER PERMIT NO. 5624-3

Phone: 796-4444

Name of Applicant: Sanborn County Farmers Union

Post Office Address: Box 5, Woonsocket SD 57385

Amount of Water Claimed: 0.055 cfs 25 gpm Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: commercial County: Sanborn

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 2-12-92 Fee: \$50.00 Remarks _____

Corrected Application Received 2-20-92 Period of Annual Use April 1 - October 31

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

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

Diversion Point: SW 1/4 SE 1/4 Sec 22-T107N-R62W

Land to be Irrigated: _____

			22		

Well Log: Driller: Chase Well Drilling Licensed YES X NO _____

Depth of Well: 163' REMARKS _____

Type of Map: aerial PREPARED BY: Gordon Ferguson, ASCS Reviewed and the Number

Assigned on 2-20-92 By Karen Schlaak

523 E. Capitol

Pierre, SD 57501

(605) 773-3352

No. 5624-3 Hydrologic Unit 10160011
 Map No. _____ Basin James River
 Newspaper Woonsocket News, Box 218 (Thurs)

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 retainedChange 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 Sanborn County Farmers Union Phone No. 796-4444Post Office Address Bx 5 Woonsocket State SD 57385
(Street, RR or Box) (City) Zip Code2. Amount of water claimed (c.f.s) 25 G.P.M. (0.055 cfs)3. Source of water supply drilled well4. Location of point of diversion SW 1/4 SE 1/4 Section 22 T167N-R62W_____ County Sanborn5. Counties where water will be used @ Sanborn6. Annual period during which water is to be used April October 31

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)

To Supply water to our fertilizer / Crop protection Building for use in
 cleaning equipment and applying crop protection products (pesticides). The
 well will be at least 150' from potential pollution source.

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 _____)

I, David J. Holton (David Holton) 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 David J. HoltonSubscribed and sworn to before me this 9 day of January 1992

Notary Public

Expires 1-19-95

**SOUTH DAKOTA
WATER PERMIT No. 5624-3**

Date of first receipt of application February 12, 1992.

Date of return to applicant for corrections, amendments or changes
February 12, 1992.

Date of receipt of corrected application February 20, 1992.

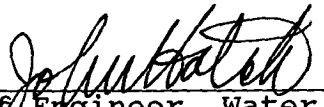
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5624-3 to Sanborn County Farmers Union, Box 5, Woonsocket SD 57385 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5624-3 appropriates 0.055 cubic feet of water per second (25 gallons per minute) from one well (Niobrara Formation) 163 feet deep located in the SW 1/4 SE 1/4 Section 22-T107N-R62W.
2. The water appropriated shall be used for the purpose of supplying water to the business and may not exceed the amount of water needed for beneficial use for commercial purposes.
3. The water is to be used during the following described annual period: April 1 - October 31.
4. The date of approval of Permit No. 5624-3 is May 13, 1992.
5. The date from which applicant may claim right is February 12, 1992.
6. One-fifth of the construction is to be completed on or before November 13, 1994.
7. All construction is to be completed on or before May 13, 1997.
8. Water is to be put to beneficial use on or before May 13, 2001.
9. 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: 
Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

AUG 6 1992
date

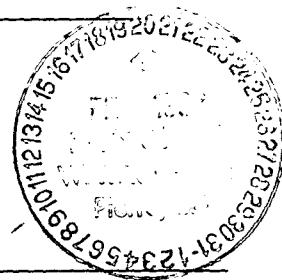
Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 7 7/8 Depth 163'
- b) Casing Type 200# PVC Diameter 5" Thickness Schedule 80
- c) Screen Type open hole Diameter — Thickness —
- d) Gravel Pack Thickness None Length of Gravel Pack None
- e) Depth to Top of Water Bearing Material 155'
- f) Depth to Water (ground surface to water level) 20'
- g) Distance to nearest existing domestic well:
- On applicants property — On property owned by others 800'



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) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

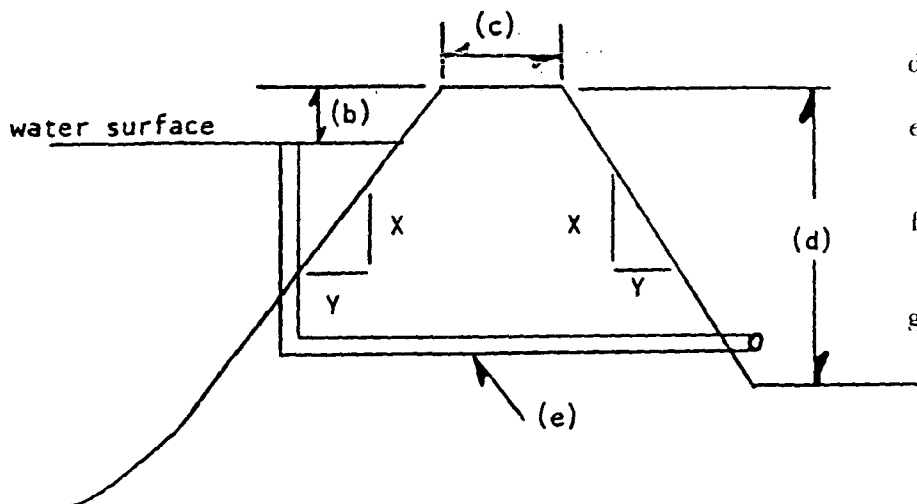
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



David J. Holton
 Signature of Applicant

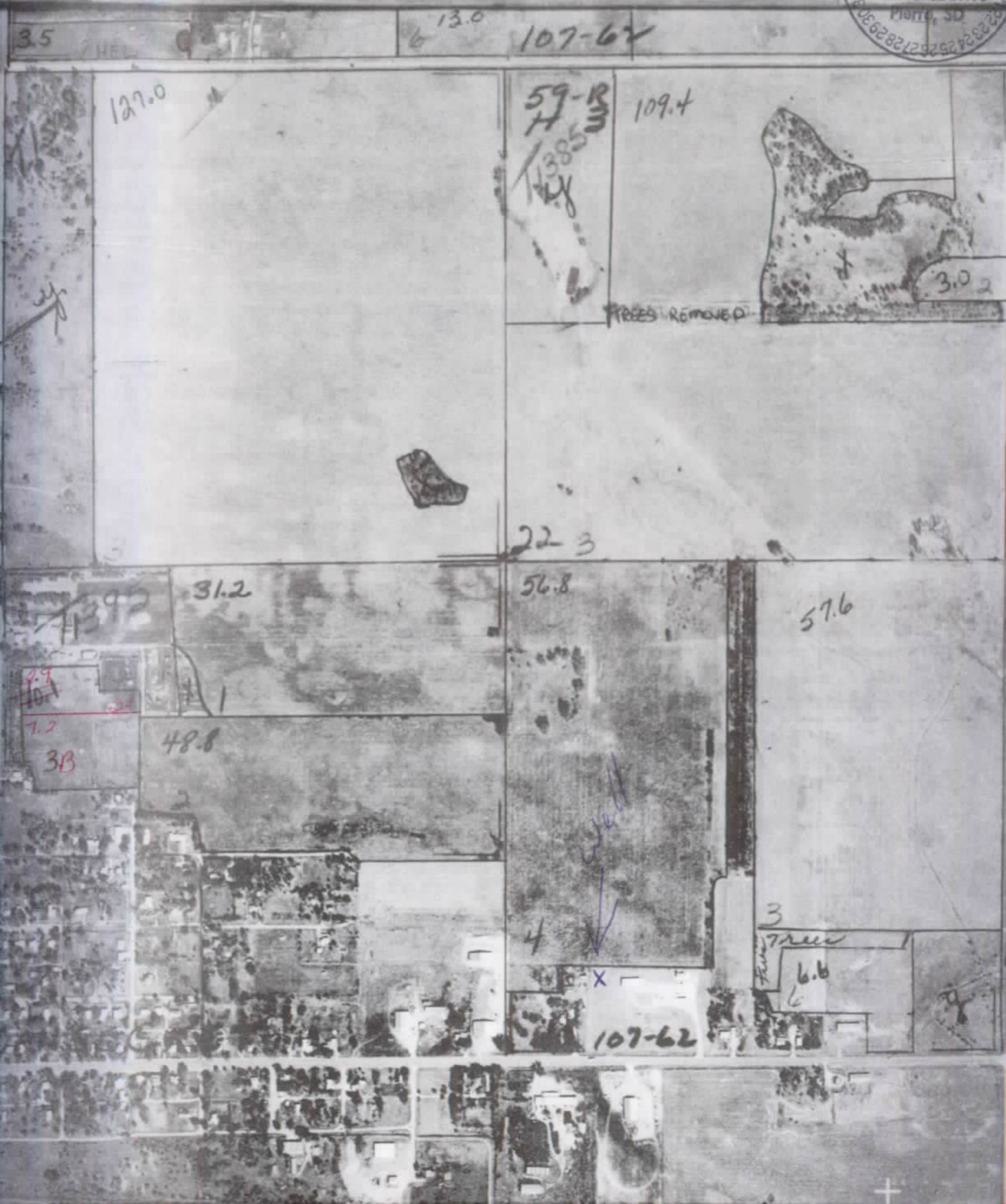
Harold S. Ferguson CFD

SANBORN COUNTY ASCS OFFICE

P.O. Box 248

Woonsocket, SD 57335

NOT TO SCALE

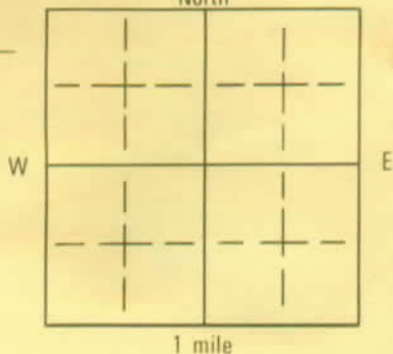


SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location $\frac{1}{4}$ $\frac{1}{4}$ Sec _____ Twp _____ Rg _____County Santon

North



1 mile

Please mark well location with an "X"

Well Completion Date 11-13-92

PROPOSED USE:

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

Method of Drilling:

Rotary mud

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>200</u> LB/FT	<u>5</u> IN	<u>0</u> FT	<u>150</u> FT	<u>7 7/8</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 10 - 40 FEET

What is grouting material? _____

If cement, number of sacks? 5

Describe grouting procedure _____

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information Open hole 150-163Was a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☐ YES ☒ NOExplain Will Disinfect when pump installedBacteriological analysis ☐ YES ☒ NO

Laboratory sent to _____

Well Owner:

Name _____

Address _____

Well Log: _____

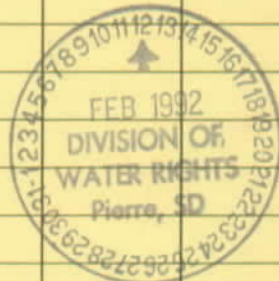
Depth

Formation

From

To

<u>Topsoil</u>	<u>0</u>	<u>1</u>
<u>yellow clay</u>	<u>1</u>	<u>17</u>
<u>Blue clay</u>	<u>17</u>	<u>49</u>
<u>Sand & gravel</u>	<u>49</u>	<u>82</u>
<u>Blue clay</u>	<u>82</u>	<u>89</u>
<u>Blue clay some sand</u>	<u>89</u>	<u>155</u>
<u>Chalk</u>	<u>155</u>	<u>163</u>

STATIC WATER LEVEL 20 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify _____

Can well be completely shut in? YES

WELL TEST DATA:

☒ Pumped☐ Bailed☐ OtherDescribe: Developed with Air3" at 55 GPM

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 296

And this report is true and accurate.

Drilling firm Chase Well Drilling

Signature of License Representative:

Don Chase

Signature of Well Owner:

Kevin J. NelsonDate 2/3/92

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413077

Pierre, _____

February 20, 1992

RECEIVED OF Sanborn County Farmers Union, Woonsocket, SD 57385

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

Fee for Application for Permit No. <u>5624-3</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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 12, 1992

David Holtom
Sanborn Co. Farmers Union
Box 5
Woonsocket SD 57385

Dear Mr. Holtom:

In regard to the water permit application received on February 12, 1992, the following information needs to be clarified in order to process the application for the Sanborn Co. Farmers Union.

Item Nos. 2 and 4 of the application need to be completed. Please indicate the amount of water claimed in cubic feet per second or gallons per minute. On Item No. 4 please indicate the quarter-quarter, section, township and range where the well is located. It would appear from the aerial photo submitted with the application that the well is located in the SW 1/4 SE 1/4 Section 22-T107N-R62W. Is this correct? *js*

Enclosed is the check for \$50.00. The filing fee is based on the amount of water claimed. If the application is for 45 gallons per minute or less the filing fee is \$50.00. Any amount from 45 to 75 gallons per minute will be \$150.00.

Upon receipt of the above, further processing of your application will continue. If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosure

REPORT ON APPLICATION NO. 5624-3
for Sanborn County Farmers Union
April 2, 1992

Application no. 5624-3 proposes to appropriate 0.055 cfs (25 gpm) from one well approximately 163 feet deep located in the SW 1/4 SE 1/4 of section 22, T107N R62W in Sanborn County. The water is for commercial use.

AQUIFER - NIOBRARA FORMATION (NBRR)

The Niobrara Formation is described as a gray speckled calcareous clay-shale or marl. The Niobrara is as much as 80 feet thick and averages about 40 feet in thickness in Sanborn County (Steece, 1965). The Niobrara underlies most of Sanborn County and there is no estimate available for the amount of water in storage for the county. The aquifer is confined and under artesian conditions. The driller's log submitted with the application indicates that the Niobrara was encountered at a depth of 155 feet. The well was completed at a depth of 163 feet, had a static water level of 20 feet below land surface and was capable of producing 55 gpm using air to develop.

The Niobrara Formation is hydraulically connected to the Warren West James and the Floyd East James aquifers (both are glacial outwash) which can directly overlay the Niobrara. The Division of Water Rights monitors one Niobrara Formation well in this area. This well SA-79B is located about 2 1/2 miles northwest of this application. Water levels for this well do respond to climatic conditions, that is rising during wet years (recharge) and gradually declining during dry years. In general the record indicates that the Niobrara Formation is capable of sustaining additional withdrawals (Water Rights, 1992).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is one existing Water Right No. 2087-3 for the City of Woonsocket located about 1/2 mile east of this application. Interference is not expected to be a problem. Even though the aquifer is under confined conditions and drawdown can be expected from pumping the diversion rate for this application is relatively small and the distance between wells is sufficient to minimize any potential effect.

CONCLUSIONS

1. Water is available from the Niobrara Formation.
2. The Niobrara Formation is under confined (artesian) conditions. Drawdown due to pumping can be expected. This is not expected to be significant and interference should not be a problem.
3. The well authorized by this application must be completed in accordance with SD Well Construction Standards. The test well log submitted with this application appears to have been constructed in accordance with the standards, except the construction does not meet the requirements for an adequate well.

4. This well is to be used to supply water for equipment cleaning and mixing herbicide/pesticide products. The well may be located no closer than 100 feet from a potential pollution source.
5. The Department of Agriculture has approved the construction plan for this facility. The facility will be inspected before a final permit is issued by the Department of Agriculture.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Steece, F.V., L.W. Howells, 1965, Geology and Ground Water Supplies in Sanborn County South Dakota, Bulletin 17, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1992, Observation Well Records for Sanborn County, unpublished, SD DENR, Division of Water Rights, Pierre, SD, 57501.

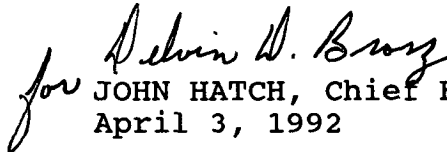
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5624-3, Sanborn County Farmers Union

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 5624-3, Sanborn County Farmers Union, c/o David Holtom, Box 5, Woonsocket, SD 57385.

The Chief Engineer is recommending APPROVAL of Application No. 5624-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualification:

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

See report on application for additional information.


for JOHN HATCH, Chief Engineer
April 3, 1992

NOTE: The well as constructed for this Permit does not meet the requirements for an adequate well. That is, the well is not deep enough to allow the pump to be placed 20 feet below the top of the aquifer, if necessary, for the well to be protected from future interference by other pumping.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

April 7, 1992

David Holtom
Sanborn County Farmers Union
Box 5
Woonsocket, SD 57385

Dear Mr. Holtom:

Water Permit Application No. 5624-3 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 Woonsocket News printed at Woonsocket, SD (Ph # 796-4221). 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. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 7, 1992

Woonsocket News
Box 218
Woonsocket, SD 57385

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5624-3 to be published twice. Please publish the first notice on April 16, 1992, 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 Sanborn County Farmers Union, Box 5, Woonsocket, SD 57385 (Ph # 796-4444).

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

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
FIRST TRANSMITTAL NOTICE

No. _____

Date _____

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

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 April 16, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5624-3 to Appropriate Water

Notice is given that the Sanborn County Farmers Union, Box 5, Woonsocket, SD 57385 has filed an application for a water permit to appropriate 0.055 cubic feet of water per second (25 gallons per minute) from one well (Niobrara Formation) 163 feet deep located in the SW 1/4 SE 1/4 Section 22-T107N-R62W. The water is for commercial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5624-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by May 4, 1992. 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.

For purposes of publishing 1) the notice of hearing on Application No. 5624-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for May 13, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the May 13, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The May 13, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by May 4, 1992.

If a hearing is held, 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 hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

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

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
 County _____)

I, Gerald W. Klaas

certify that the attached printed Notice was taken

from the Woonsocket News

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

_____ of Woonsocket

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

April 16, 1992

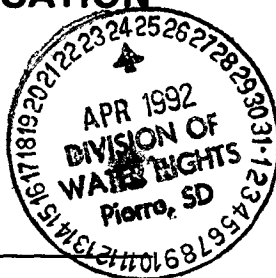
April 23, 1992

Gerald W. Klaas
 (Signature)

Publisher
 (Title)

April 23, 1992
 (Date Signed)

Cost of Printing: \$ 62.66



NOTICE OF HEARING on Application No. 5624-3 to Appropriate Water

Notice is hereby given that the Sanborn County Farmers Union, Box 5, Woonsocket, SD 57385 has filed an application for a water permit to appropriate 0.055 cubic feet of water per second (25 gallons per minute) from one well (Niobrara Formation) 163 feet deep located in the SW 1/4 SE 1/4 Section 22-T107N-R62W. The water is for commercial use.

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For purposes of publishing 1) the notice of hearing on Application No. 5624-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for May 13, 1992, at 9:00 a.m. in Room 413, Joe Foss Building, 523 E. Capitol, Pierre, SD. If this application is opposed, the recommendation is contested, the May 13, 1992 hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The May 13, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by May 4, 1992.

If a hearing is held, 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 hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. W30-2t



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 6 1992

David Holtom
Sanborn County Farmers Union
Box 5
Woonsocket, SD 57385

Dear Mr. Holtom:

Enclosed is Water Permit No. 5624-3 authorizing construction of your water diversion system and beneficial use of the water, 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.



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

Date 8/7/92

TO: Water Rights Division, DWNR
Joe Foss Building
Pierre SD 57501-3181

FROM: Sanborn Co Farmers Union Hwy 345 Woosocket SD 57385
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. 5624-3.

Water Permit No. 5624-3 states that the diversion system is to be constructed by May 13, 1997, and that the water it put to beneficial use by May 13, 2001.

The diversion system was completed on May 1, 1992.
Applying the water to beneficial use was completed on May 6, 1992.

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

David J. Hoborn Gen Mgr.
signature



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 10, 1992

5624-3

David Holtom
Sanborn Co. Farmers Union
Box 5
Woonsocket, SD 57385

Dear Mr. Holtom:

Enclosed is the "Notice of Completion of Works and Application of Water to Beneficial Use" you returned to our office. In order for the form to be complete, you will need to fill in the dates on which the diversion system was completed and the water placed to beneficial use.

The form enables us to schedule an inspection of the water use system for licensing purposes. As stated in the permit, you have until May 13, 1997 to complete the system and May 13, 2001 to put the water to beneficial use. If the completion of works form does not include the dates you completed the system and put the water to use, we would not be able to schedule an inspection until after May 13, 1997.

If you have any questions about completion of the enclosed form, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosure

FIELD INVESTIGATION REPORT FOR PERMIT NO. 5624-3

DATE OF INVESTIGATION:	June 17, 2002
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Lee Langston
NAME & ADDRESS OF PERMIT HOLDER	Sanborn County Farmers Union 39759 SD Hwy 34 Woonsocket SD 57385
DIVERSION POINT LEGAL LOCATION	<u>approximately 2,240 feet west and 450 feet north (SW¼ SE¼) of the SE corner of Section 22, T107N, R62W (LAT/LON – N44.0553 W- 098.2593)</u>

WATER SUPPLY Source: Niobrara Formation

Well Information:

- | | |
|---|-------------------------------------|
| 1) Well Drilling Firm: <u>Chase Well Drilling</u> | 2) No. of Wells <u>1</u> |
| 3) Depth(s) <u>163</u> feet | 4) Well log is available <u>yes</u> |

Casing:

- | | |
|-----------------------------|---------------------------|
| 1) Diameter <u>5</u> inches | 2) Length <u>150</u> feet |
| 3) Type <u>plastic</u> | |

Screen:

- | | |
|--------------------------------------|-------------------------|
| 1) Type <u>none (open hole)</u> | 2) Length <u>#</u> feet |
| 3) Static water level <u>20</u> feet | |

Pump:

- | | |
|-------------------------|----------------------------|
| 1) Make <u>Franklin</u> | 2) Model <u>2801084915</u> |
| 3) Size <u>1 hp</u> | 4) Capacity <u>25</u> GPM |

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period not applicable

- Submersible pump recently changed by Chase Drilling with an identical new pump. Information taken from the pump lying next to the pump house.

Permit No. 5624-3
James River (10160011) - 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, June 17, 2002, made a thorough examination of the water use system constructed by Sanborn County Farmers Union of 39759 SD Hwy 34, Woonsocket SD 57385 holder of Permit No. 5624-3, bearing the priority of February 12, 1992 authorizing the diversion of 0.055 cu. ft. per second (25 gpm) of the waters of Niobrara Formation for commercial purposes, in Sanborn County.

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

A. Works used to divert the water:

1 hp Franklin submersible pump/motor

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

Water is diverted by pipeline approximately 200 feet to two storage tanks at the facility

C. Works used to apply water to beneficial use:

Water in storage tanks is used to fill fertilizer trucks and used for the bathroom at the plant.

The system is in the following condition good. The point of diversion is located approximately 2,240 feet west and 450 feet north of the SE corner (SW¼ SE¼) of Section 22, T107N, R62W (LAT/LON – N44.0553 W-098.2593). The works are capable of diverting and conveying to the place of use 0.055 cu. ft. per second of water (25 gpm) which is to be used for commercial purposes. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.055 cfs

Applicable permit qualifications have been complied with: Yes

Exceptions to compliance are: none Date Report Completed: July 23, 2002



Eric Gronlund

Natural Resources Engineer

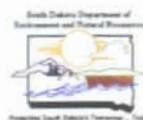
DENR, Water Rights Program

Water Permit No. 5624-3, Sanborn County Farmers Union



1000 0 1000 2000 Feet

One well located approximately 2,240 feet west and 480 feet north of SE corner (SW1/4 SE1/4) of Section 22, T107N, R62W.
Lat/Lon - N44.0553 W-098.2593



Eric Gronlund

Eric Gronlund
Water Rights Program
License Investigation - June 17, 2002

STATE OF SOUTH DAKOTA

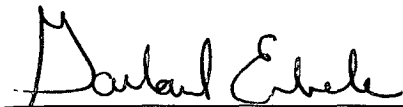
WATER LICENSE NO. 5624-3

(1) The Sanborn County Farmers Union Oil Company, 39759 SD Hwy 34, Woonsocket, SD 57385 made Application No. 5624-3, February 12, 1992 for a water permit to divert 0.055 cubic feet of water per second (25 gallons per minute) from one well (Niobrara Formation), Sanborn County, South Dakota for commercial purposes. Permit No. 5624-3, with a priority date of February 12, 1992 was approved May 13, 1992 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 13, 1997 and for the application to beneficial use of said water on or before May 13, 2001.

(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 0.055 cubic feet of water per second for beneficial use. The location of the diversion point is 2,240'W and 450'N of the SE corner of Section 22, T107N, R62W (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 the Sanborn County Farmers Union Oil Company, 39759 SD Hwy 34, Woonsocket, SD 57385 the holder and/or owner of Water Right No. 5624-3 is issued a license to appropriate water, the right to use 0.055 cubic feet of water per second (25 gallons per minute) from ground water (one well – Niobrara Formation) with a priority date of February 12, 1992 from the location specified in (2) of this license, for commercial purposes. This license is subject to any limitations or qualifications listed in Water Right No. 5624-3 and subject to South Dakota State Law.

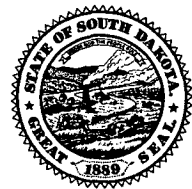


Garland Erbele, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

SEP 20 2002

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 25, 2002

5624-3

Lee Langston
Sanborn County Farmers Union
39759 SD Hwy 34
Woonsocket, SD 57385

Dear Mr. Langston:

On June 17, 2002, the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 5624-3, was completed by Eric Gronlund, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact me.

Sincerely,

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

Sanborn County Farmers Union Oil Company

RECEIVED
AUG - 2 2002
WATER RIGHTS
PROGRAM

Memo

To: Dept of Environment and Natural Resources

From: Dawn Meyers, Office Manager DM

Date: 07/31/02

Re: Water Permit No. 5624-3

Enclosed please find the fee for the water license that you requested. Please make the license out to the company Sanborn County Farmers Union Oil Company and not to one individual person.

Thank you.

RECEIPT
Water Rights Program
South Dakota Department of Environment and Natural Resources

417265

Pierre, August 2, 2001

RECEIVED OF Sanborn County Farmers Union Oil, 39759 SD Hwy 34, Woonsocket SD 57385
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. 56-4-3

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By

Daniel S. Erbe

Chief Engineer

gsm

2005 South Dakota Water Use Questionnaire

5624-3

To: Formerly

Now

~~SANBORN CO FARMERS UNION~~
~~39758 SD HIGHWAY 34~~
~~WOONSOCKET SD 57385-6600~~

Address correction requested:

South Dakota Wheat Grow
Woonsocket Agronomy
39758 SD Hwy 34
Woonsocket SD
57385

One questionnaire is being provided for each permitted water source. The following information is based on Water Permit/Right No. 5624-3. If you have other permits/rights in the same water source, also include water use under those permits/rights on this questionnaire.

Water Source: GROUNDWATER
 Aquifer: NIOBRARA FORMATION
 Management Unit: NOT APPLICABLE

County: SANBORN
 Pumping Pt. Legal: SEC 22-T107N-R62W
 Type of Water Use: COMMERCIAL

- 1) Please estimate your year 2005 water use from the above water source: 450,000 gallons
 2) If no water use in 2005, please list the reason(s) why in the comments section.

Comments:

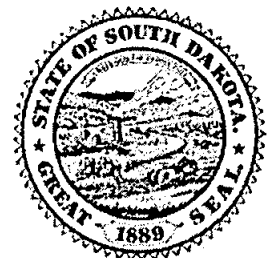
South Dakota Wheat Growers is using
the well. SDWG purchased Sanborn
County Farmers Union Oil Company Agronomy
Center on 9-1-05.

Contact Person:

Robert Gaering

Telephone No:

605-796-
4448



Questions? Please call Mark Rath or Ron Duvall at 605 773-3352 for assistance.

Thank you for completing the 2005 water use questionnaire.

Water Rights on the Web: www.state.sd.us/denr/wr

RECEIVED
 MAR - 1 2006
 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

March 2, 2006

5624-3

South Dakota Wheat Growers
Woonsocket Agronomy
c/o LeAnn Goering
39758 SD Hwy 34
Woonsocket SD 57385

Dear Ms. Goering:

Thank you for returning the 2005 Water Use Questionnaire. The form indicated an ownership change for Water Right No. 5624-3. Enclosed is a partially completed "Notice of Transfer" form for filing an ownership change. The water right is currently listed in the name of Sanborn Co Farmers Union.

The transfer form should be completed, checked over for accuracy and signed by the new owner. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Environmental Scientist
Water-Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 12, 2006

5624-3

South Dakota Wheat Growers
Woonsocket Agronomy
c/o LeAnn Goering
39758 SD Hwy 34
Woonsocket SD 57385

Dear Ms. Goering:

On March 2, 2006, I wrote you concerning Water Right No. 5624-3 listed in the name of Sanborn Co Farmers Union. On the 2005 SD Water Use Questionnaire you indicated that an ownership change had occurred in September, 2005. This is a reminder that we have not received the *Notice of Transfer of Ownership* form.

Enclosed is another partially completed *Notice of Transfer of Ownership* form. The transfer form should be completed, checked over for accuracy and **signed by the new owner.** Upon completion, return the form to our office with a required filing fee of \$2.50.

It is important to us to keep our records current. If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Environmental Scientist
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 5624-3

Date: 6/20/06

I/We request that Water Right No. 5624-3

formerly owned by: Sanborn Co Farmers Union

be transferred to: (name & address) South Dakota Wheat Growers, Woonsocket Agronomy,
39758 SD Hwy 34, Woonsocket SD 57385

Telephone No. 605-796-4448

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

SW 1/4 SE 1/4 Sec 22-T107N-R62W

I/We understand that the validity of Water Right No. 5624-3 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 with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We South Dakota Wheat Growers, the new owner, certify that the above information is true and correct.

Ben Grainer

(Signed by new owner)

Maint & Const Mgr

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. 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.

RECEIVED

JUN 21 2006

WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date June 21, 2006

RECEIVED OF South Dakota Wheat Growers Association, 110 6th Ave SE, Aberdeen SD 57401

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	2	50
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>5624-3</u>		
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	2.50

No.

By

Darland Uebel

Chief Engineer

gm

08495



June 21, 2006

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

5624-3

Ben Grismer
South Dakota Wheat Growers
Woonsocket Agronomy
39758 SD Hwy 34
Woonsocket SD 57385

Dear Mr. Grismer:

I am writing to acknowledge receipt of the ownership change and the filing fee submitted for transferring Water Right No. 5624-3. The transfer has been completed. The water right, formerly held by Sanborn County Farmers Union is now listed in the name of "South Dakota Wheat Growers".

Enclosed is Receipt No. 02496 in the amount of \$2.50. You may keep this for your records.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure