

WATER PERMIT NO. 5739-3

Phone: 339-1050

Name of Applicant: ~~Harvest States Cooperative~~ Jorgensen Pork, Inc.

Post Office Address: ~~PO Box 5047, Sioux Falls SD 57117~~ PO Greg Jorgensen
HCR 57 Box 91 Ideal 57541

Amount of Water Claimed: 5 gpm - 0.01 cfs Total Acres: NA

Source of Water Supply: groundwater - 2 wells

Water to be used for: industrial County: Sully

About 4 miles West, 1 south of Onida

PRIORITY Date Received: 11-25-92 Fee: \$50.00 Remarks: _____

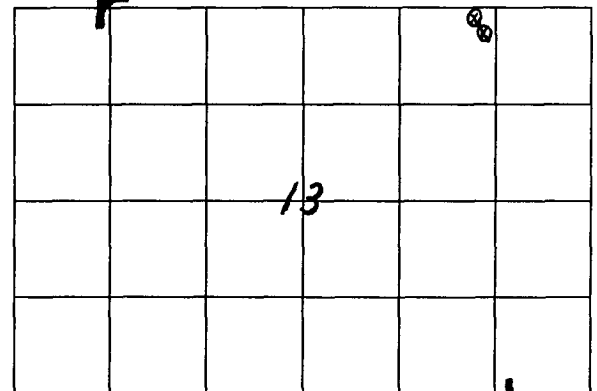
Corrected Application Received: 1-15-93 Period of Annual Use: Jan 1 - Dec 31

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

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

Diversion Point: NE 1/4 NE 1/4 Sec 13-114N-R78W

Land to be Irrigated: _____



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

Depth of Well: 88' & 2060' REMARKS: wells in two different formations

Type of Map: aerial PREPARED BY: Gary Lorenz, SCS Reviewed and the Number

Signed on: 1-15-93 By: Karen Schlaak

No. 5739-3 Hydrologic Unit 10130105
 Map No. _____ Basin Missouri River
 Newspaper The Onida Watchman, Box 205, Onida

57564

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 ☒ Old wells, not permitted

☐ 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 Jorgensen Pork Inc. o/o Greg Jorgensen Phone No. 605-339-1050
~~Harvest States Cooperatives~~ HCR 57 Box 91

Post Office Address Box 5047 Sioux Falls State SD
 (Street, RR or Box) (City) (Zip Code)

2. Amount of water claimed (c.f.s.) Shallow well 24gpm - Deep Well 18gpm (Total .093 cfs)

3. Source of water supply ground water

4. Location of point of diversion N.E. 1/4 of the N.E. 1/4 of section 13

Township 114 N., Range 78 West of the 5th P.M.

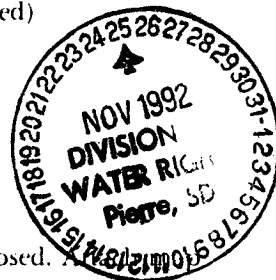
Sully County, SD

County Sully

5. Counties where water will be used Sully

6. Annual period during which water is to be used 365 days/year Jan 1 - Dec 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)



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

STATE OF SOUTH DAKOTA)
 County of Minnehaha) ss

I, Jack Krane - for Harvest States Cooperatives 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 Jack Krane

Subscribed and sworn to before me this 24 day of November 1992

Barclaygaard
 Notary Public

SOUTH DAKOTA WATER PERMIT NO. 5739-3

Date of first receipt of application November 25, 1992.

Date of return to applicant for corrections, amendments or changes November 30, 1992.

Date of receipt of corrected application January 15, 1993.

The Water Management Board approved Water Permit Application No. 5739-3 on May 5, 1993 for Jorgensen Pork Inc., % Greg Jorgensen, HCR 57, Box 91, Ideal SD 57541 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. 5739-3 appropriates 42 gallons per minute (gpm) [0.093 cubic feet of water per second] from two wells, 88 feet deep (Unnamed Pleistocene Aquifer - 24 gpm) and 2060 feet deep (Inyan Kara Formation - 18 gpm) located in the NE 1/4 NE 1/4 Section 13-T114N-R78W. Wastewater is to be stored in two existing lagoons (used 17 to 18 years) with a total capacity of 57.8 acre feet.
2. The water appropriated shall be used for the purpose of supplying water to a swine breeding/farrowing facility and may not exceed the amount of water needed for beneficial use for commercial use.
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 November 25, 1992.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

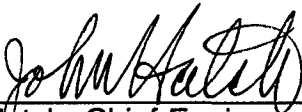
QUALIFICATIONS

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well 2060 feet deep approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. The well shall also be equipped with a pressure gauge and a record kept of any pressure fluctuations. Such records shall be available to the Chief Engineer upon request. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.
3. The wastewater storage lagoons shall be maintained so that they do not receive surface runoff from the surrounding area.
4. No wastewater may be released from the wastewater lagoon except through a disposal system, unless an extended period of above normal precipitation results in excess stored waters and prevents operation of equipment to lower water levels due to field and weather conditions.

(continued)

5. Operation of a disposal system, if necessary to dispose of water and wastewater shall be in a manner that prevents runoff from the disposal sites from entering the waters of the State. The diffused drainage of natural precipitation on agricultural land resulting from a "non-point source" is not subject to these conditions.
6. Approval of Permit No. 5739-3 is subject to compliance with the following existing and applicable Water Management Board rules:
 - a. Chapter 74:03:15 Ground Water Quality Standards
 - b. Chapter 74:03:16 Ground Water Discharge Permit
 - c. Chapter 74:03:02 Surface Water Quality Standards
 - d. Chapter 74:03:04 Uses Assigned to Streams
 - e. Chapter 74:03:17 through 74:03:26 Surface Water Discharge Provisions

WATER MANAGEMENT BOARD

By: 
John Hatch, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources

SEP 20 1993
date

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

See attached well drillers log.

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:

On applicants property _____ On property owned by others _____

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 _____

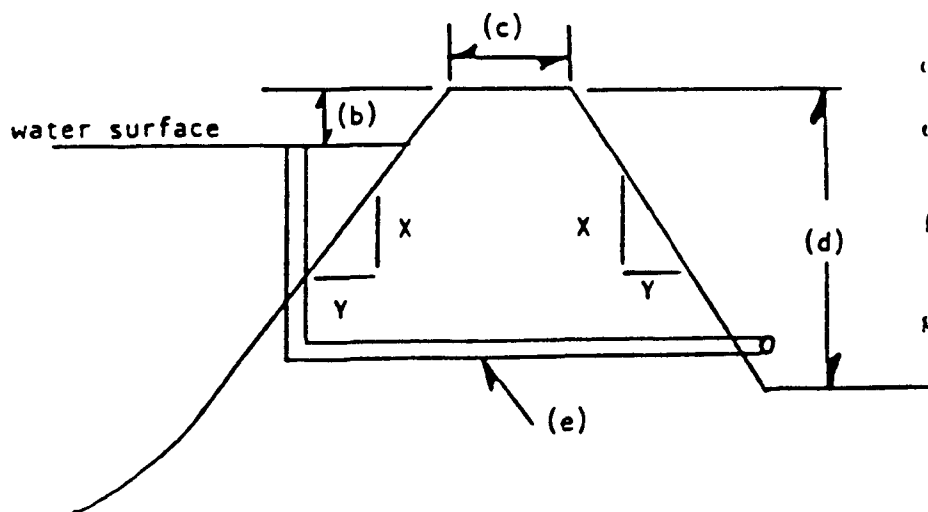
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location NE 1/4 Sec 23 Twp 114 Rg 78

County

Burdick

Please mark well location with an 'X'



Well Completion Date

Sept 23, 1989

PROPOSED USE

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

Method of Drilling

Bored

CASING DATA

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT DIAMETER FROM TO HOLE DIAMETER

10 LB/FT 10 IN 0 FT 9 FT 24 IN

10 LB/FT 10 IN 0 FT 9 FT 24 IN

10 LB/FT 10 IN 0 FT 9 FT 24 IN

GROUT

Was the well grouted? ☒ YES ☐ NOTo what depth? 18-8 FEETWhat is grouting material? Granulated Bentonite

If cement, number of sacks?

Describe grouting procedure pared in

What was grout weight? _____ LB/GAL

SCREEN ☐ Perforated pipe ☒ ManufacturedDiameter 24 IN Length 18 FEETMaterial HydriteSet From 9 Feet To 27 Feet

Slot Size Set From _____ Feet To _____ Feet

Slot Size Set From _____ Feet To _____ Feet

Other information

Well Owner

Name Junior H. H. BowlingAddress HCR 2 Box 610C Onida, SD

Well Log

Depth

5754

Formation

From

To

Top Soil	0	1
Brown Clay sandy	1	7
Gravel Dry	7	9
Clay Very sandy	9	11
Sand	11	29

STATIC WATER LEVEL 16 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? _____

WELL TEST DATA

☐ Pumped☐ BailedDescribe NO☐ Other

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS



USE 10-85. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS AND OR MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROFILM PRODUCTION. REDUCTION 25:1 ROLL NO. 44-4

DATE MICROFILMED 3-9-90

ORIGINAL OPERAT

IT IS HEREBY CERTIFIED THAT THE PHOTOGRAPH PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROFILM RECORDS. REDUCTION 25:1 ROLL NO. 4 5-12-83

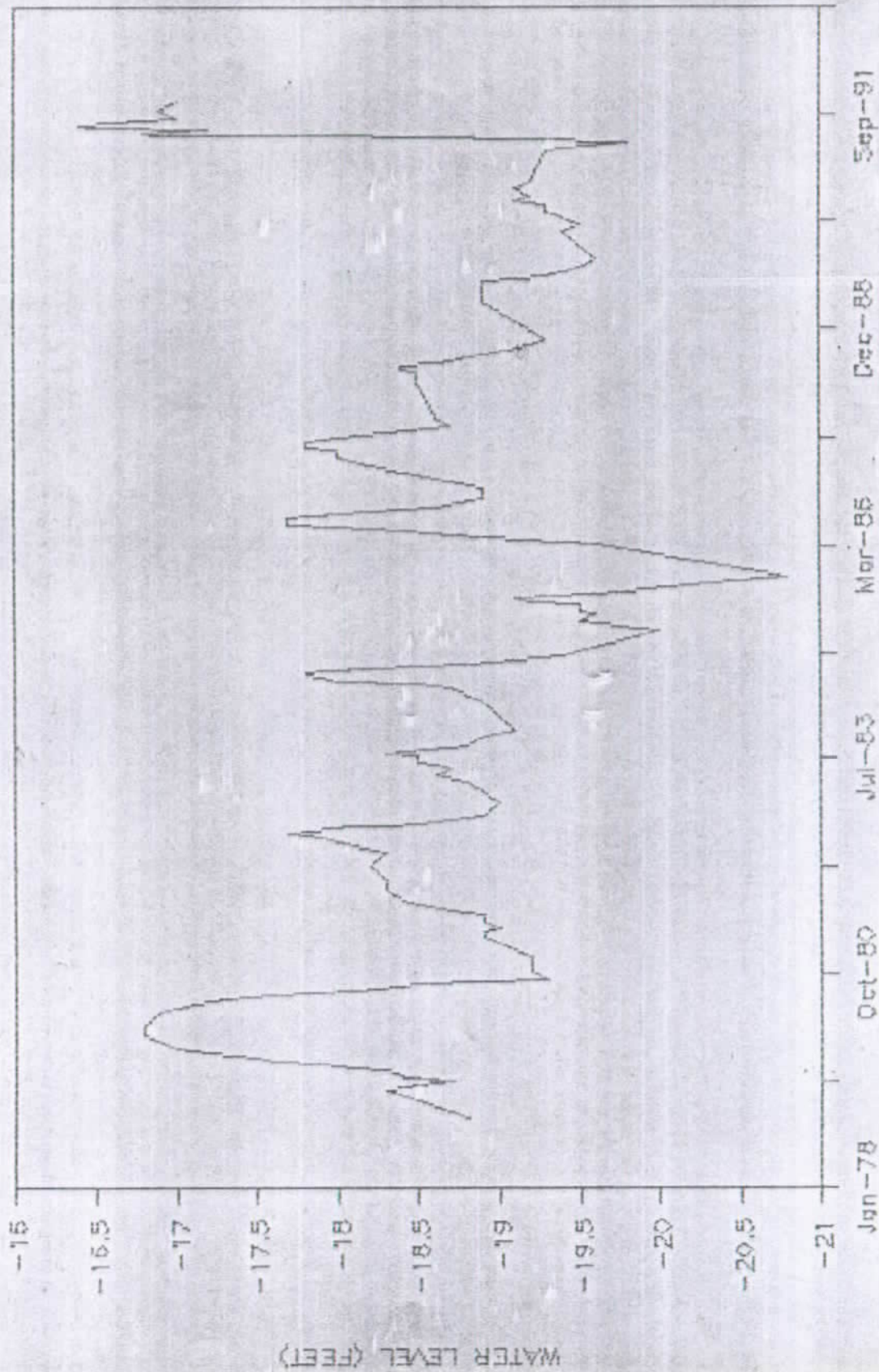
34 78 B

Source of Data: Driller: Hammond Geologist: Burch Rotary with comb. rig

Geologic Unit	Thickness	Lithologic Description	From - to Feet
	25	Till, yellow-brown; clay matrix with an assortment of sand grains	0- 25
	15	Till, medium gray; clay matrix with an assortment of silt and sand grains	25- 40
	8	Sand, gray; medium to coarse; composed largely of shale particles	40- 48
	9	Shale?, medium dark gray; hard	48- 57
		T. D. = 57 feet	
		NOTE: Poor sample recovery due to circulation problem.	
		Installed 40 feet of 2-inch diameter PVC casing and a 5 foot long sandpoint.	

WATER RIGHTS OBSERVATION WELL

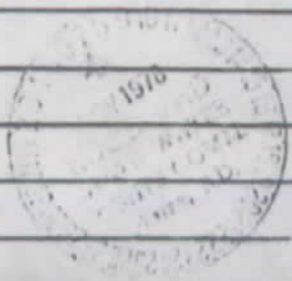
SU-78C



JAN 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER
 AND ON MICROFILM WHICH MEET THE ESTABLISHED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROREPRODUCTION
 REPRODUCTION. REDUCTION 25:1 ROLL NO. 4 5-12-82

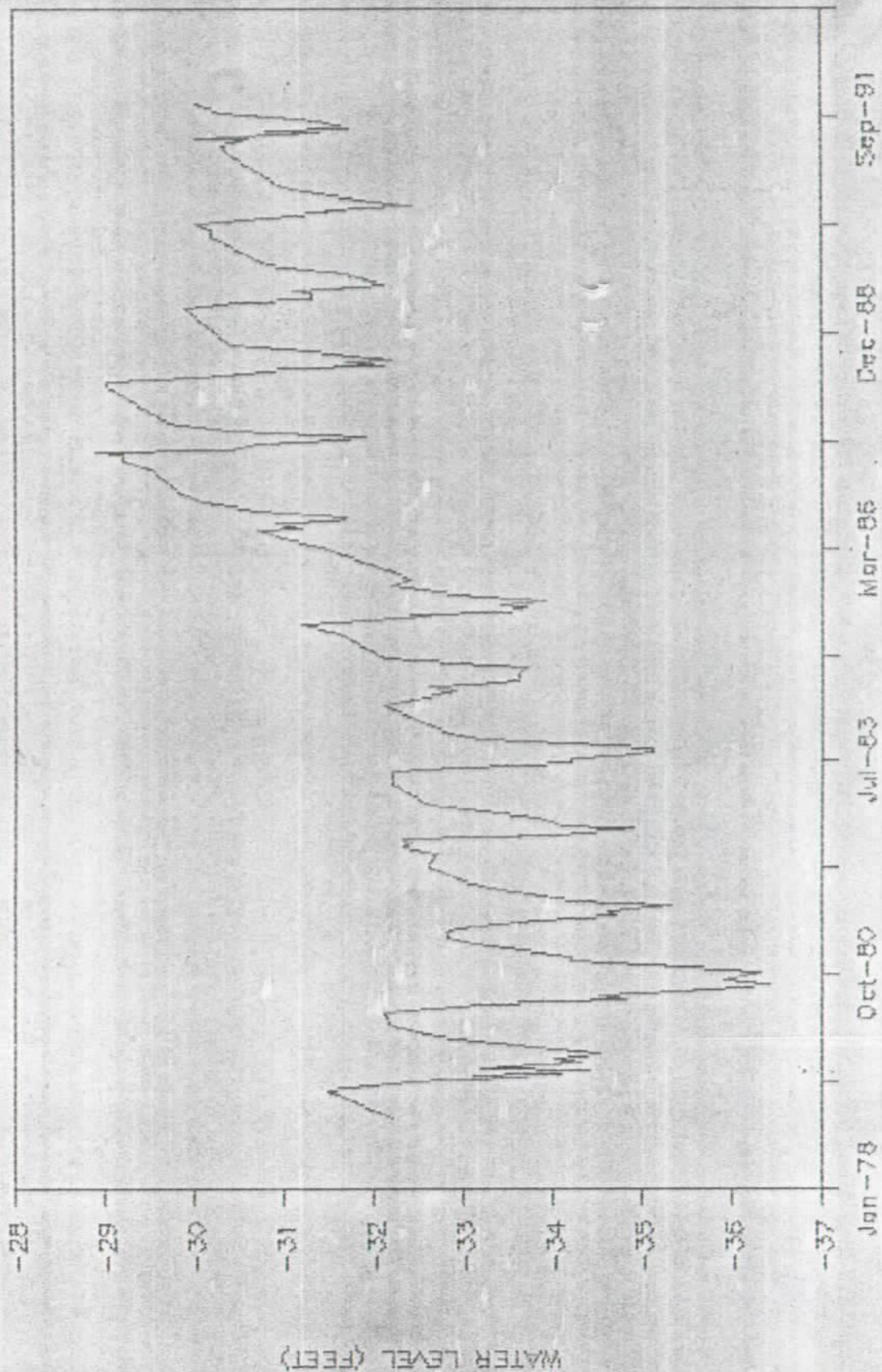
SOUTH DAKOTA GEOLOGICAL SURVEY

Source of Data: Driller: Hammond Geologist: Burch Rotary with comb. rig

[illegible]

WATER RIGHTS OBSERVATION WELL

SU-78D



54-80A

PAGE NO.

11-5113-78-Duffy County

6/23/80

12

R. E. Kuehl

LOCATION

DATE _____

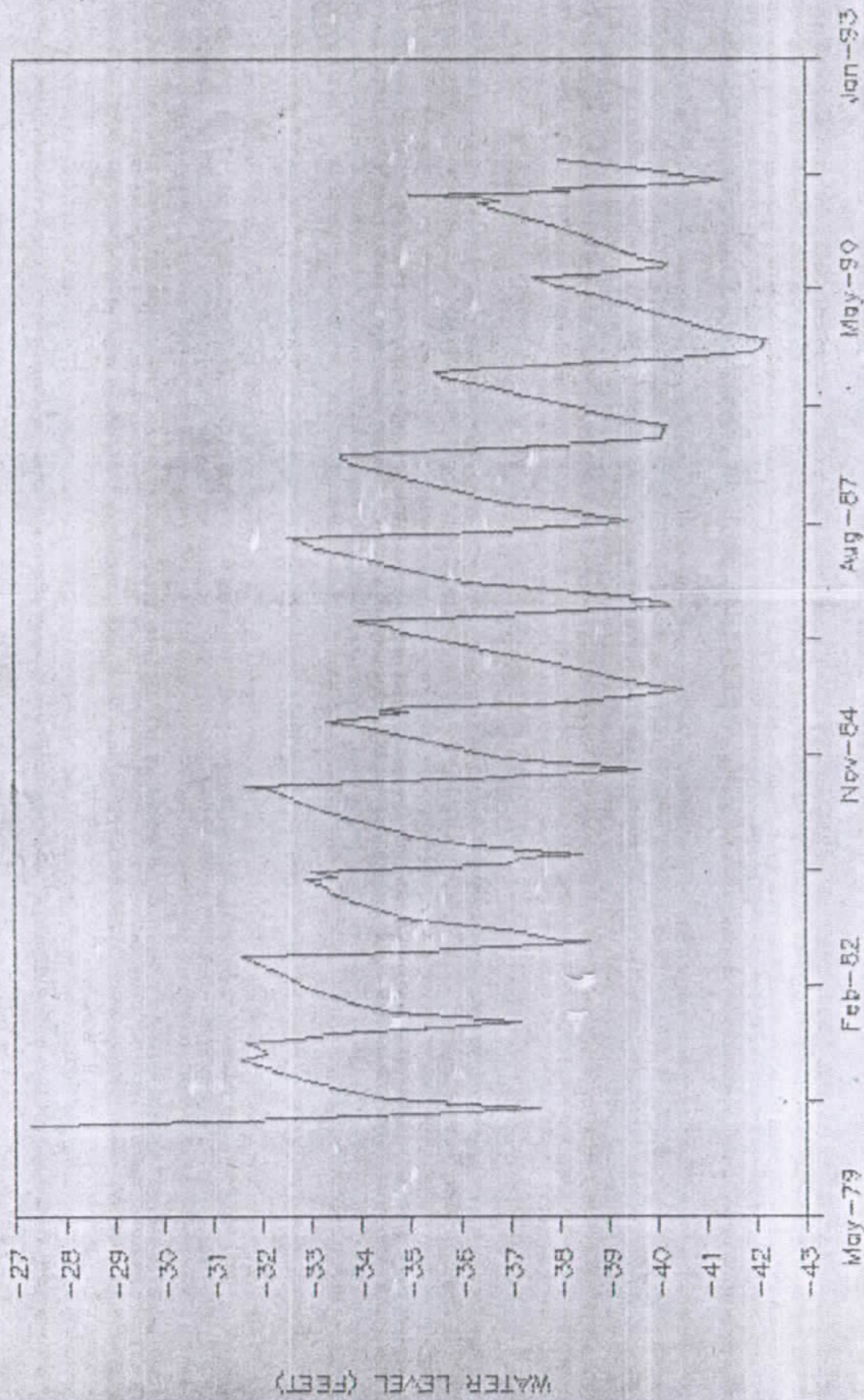
RIG NO.

FOREMAP

NO	DEPTH	TIME	REMARKS
1	20		0-20 Sand and Gravel
2	40		10-20 Sand and Gravel
3	60		20-30 Sand and Gravel
4	80		30-40 Sand and gravel
			37-40 Blue clay
			40-50 Fine sand
			50-57 Coarse Sand
			57-60 Clay
			60-80 Clay
			52 Ft. 2" Schedule 80 Plastic Pipe
			6 Ft. Sand Point

WATER RIGHTS OBSERVATION WELL

SU-804



**SOUTH DAKOTA STATE DEPARTMENT OF WATER AND NATURAL RESOURCES
WATER TESTING DATA AND REPORT FORM**

RESULTS OF TESTING (DO NOT WRITE IN THIS SPACE)		☒ Nitrate content not of concern.
☒ Bacteriologically safe at the time of sampling ☐ Bacteriologically unsafe for drinking or washing uncooked foods ☐ Bacteriologically unsafe for swimming ☐ Send recheck samples. See #6 on reverse side for recheck sampling instructions.		☐ High Nitrate. Do not use for infants up to 6 months age.

FILL IN NAME AND ADDRESS OF PERSON TO RECEIVE REPORT

Name Junior N.H. Dowling

Street or RFD HCR 2 BOX 6106

City Onida S.D. Zip Code 57564

Phone number 264-5415

PLEASE PRINT CLEARLY
(Sampling instructions on reverse side)

R 2425

WATER SUPPLY INFO

Name of water supply _____

Sample Collector S.E.P.

Date collected 11-14-89 Time 5:30am

Type of Supply Public ☐ Private ☒ Other (Explain below) _____

Source Lake ☐ Stream ☐ Cistern ☐ Well ☒ Spring ☐ Gallery ☐

Tunnels Well ☐ Drilled ☒ Dug ☐ Driven ☐ Bored ☐

Depth of Well 27' Diameter of Well 24"

Location of Sampling Tap House

Purpose of Sample (specify) _____ Routine ☐

Recheck of Unsafe Sample _____ Other (Explain below) _____

PRIVATE WELLS ONLY

LOCATION OF WELL SITE

County Sully

LEGAL DESCRIPTION

Township 114

Range 76

Section 23

Quarters NE 1/4 - NE 1/4

DISTANCE FROM NEAREST CORNER _____

2 _____ Miles N of S

5 _____ Miles E of W

Or Onida

Remarks NEW WELL

Nitrate 6.0 ppm Hardness _____ ppm or _____ ppm Iron _____ ppm

Manganese _____ ppm

Fluoride		ppm				Membrane Filter
ppm	ppm	ppm	ppm	ppm	ppm	
10	5					Bacteria Total Conform
						Count _____ per 100 ml
						Bacteria
						Count _____ per 100 ml

Sodium 18.8 ppm

Conductivity 1020 umhos/cm at 25°

Sulfate = 295 ppm

LAC NO
0766

Date Received 11-15-89 Date Reported 11/22/89

HURON DRILLING INC. DRILLERS LOG

PAGE NO.

Hida Pork Producers, Inc.

N.E.-13-114-78-Sully
County

9/6/78

19

David

JOB NAME

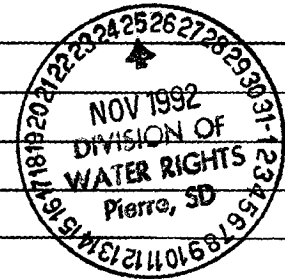
LOCATION

DATE

RIG NO.

FOREMAN

ft no.	DEPTH	TIME	REMARKS
			Test Hole #1
	0-20		0-17 Yellow gravel
			17-20 Yellow clay
	20-35		20-35 Yellow clay
	35-50		35-50 Blue clay
	50-65		50-65 Blue clay
	65-80		65-80 Blue clay
	80-95		Blue clay, with coarse gravel streak @ 90 ft. -
	95-110		95-106 Blue clay
	TD 110		106-110 Shale
			Test Hole #2
	0-20		0-2 Topsoil
			2-11 Yellow clay
			11-17 Brown gravel
			17-20 Yellow clay
	20-35		20-25 Yellow clay
			25-35 Blue clay
	35-50		35-50 Blue clay
	50-65		50-65 Blue clay
	65-80		65-80 Blue clay, few small streaks of sand
	80-95		80-93 Blue clay
	TD 95 Ft.		93-95 Shale
			Well #1 <i>Shallow well</i>
	0-20		0-2 Topsoil
			2-5 Yellow clay
			5-20 Brown sand and gravel
	20-35		20-23 Brown sand & gravel
			23-35 Yellow clay
	35-50		35-50 Blue clay
	50-65		50-65 Blue clay
	65-80		65-80 Blue clay, streaks of coarse sand 73-80
	80-95		80-83 Coarse sand and gravel
			83-95 Blue clay
	95-110		95-107 Blue clay
			107-110 Shale
			Cased to 88 Feet



Onida Park Producers, Inc. N.E. 13-114-78

September 2, 1979

OWNER

DESCRIPTION	DATE	AMOUNT	REMARKS
...	...	...	...

DATE _____

CASING LOG

CASING LOG					
Depth	88	ft.			
Flows		gpm	88	ft.	5" Plastic pipe to 88 ft.
Pumps	18	gpm		ft.	pipe to ft.
Head		ft.		ft.	pipe to ft.
20 Ft. Slotted @ bottom					
		Perforations		ft.	pipe to ft.

REMARKS

Pressure

Drilling Time

Rig No. 19

1,500# Concrete Band

David Mendel

Foreman



Deep Well

Wheatland Pork Products
JOB NAME

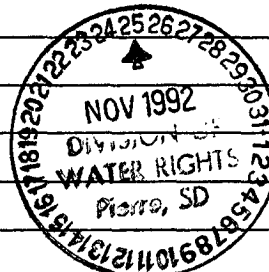
NE 13-114-78 Sully Co
LOCATION

8/31/1974
DATE

9
RIG NO.

L. Peterson
FOREMAN

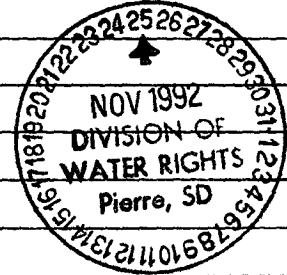
Jt No.	DEPTH	TIME	REMARKS
1	23		
2	43		
3	63		
4	83		
5	103		Shale @ 95
6	123		211' 5" cemented in 20 bags cement.
7	143		
8	163		
9	183		
10	203		
11	220		
12	240		
13	260		
14	280		
15	300		
16	320		
17	340		
18	360		
19	380		
20	400		
21	420		
22	440		
23	460		
24	480		
25	500		
26	520		
27	540		
28	560		
29	580		
30	600		
31	620		
32	640		
33	660		
34	680		
35	700		
36	720		
37	740		
38	760		
39	780		
40	800		chalk



HURON DRILLING INC. DRILLERS LOG

PAGE NO. 2

Wheatland Pork Products		NE 13-114-78 Sully Co		8/31/1974	9	L. Peterson
JOB NAME		LOCATION		DATE	RIG NO.	FOREMAN
Jt No.	DEPTH	TIME	REMARKS			
41	820		Codell top @ 815			
42	840		Very tuff			
43	860		5" James bit #2 at 870			
44	880		rock at 870			
45	900					
46	920					
47	940					
48	960		Hard rock @ 955			
49	980					
50	1000					
51	1020					
52	1040		Greenhorn @ 1130			
53	1060					
54	1080					
55	1100					
56	1120					
57	1140					
58	1160					
59	1180					
60	1200					
61	1220					
62	1240					
63	1260					
64	1280					
65	1300					
66	1320					
67	1340					
68	1360					
69	1380					
70	1400					
71	1420					
72	1440					
73	1460					
74	1480					
75	1500					
76	1520		Dakota Top 1505			
77	1540					
78	1560		1520-1565 good sand			
79	1580		1565-1590 streaked			
80	1600					



PAGE NO. 3

L. Peterson

FOREMAN

NOV 1992
DIVISION OF
WATER RIGHTS
Pierre, SD

Given:

Assuming a worst case scenario both wells are utilized by the swine unit at maximum capacity. All water flows to waste into the lagoons.

Lagoon dimensions

each lagoon

175 ft by 600 ft by 12 ft deep

PMP 24 inches

Maximum useable depth therefore 10 feet

Volume calculation of lagoons.

$$2 [175 \times 600 \times 10] = 2,100,000 \text{ ft}^3$$

Inflow maximum

$$42 \text{ gpm} \times 60 \text{ min/hr} \times 24 \text{ hrs/day} = 60,480 \text{ gals/day}$$

Inflow as described by applicant

$$24 \text{ gpm} \times 60 \text{ min/hr} \times 24 \text{ hrs/day} = 34,560 \text{ gals/day}$$

Days of available storage with 2 ft reserved for PMP

Maximum inflow (pumping 24 hrs per day)

$$[2,100,000 \text{ ft}^3 \times 7.48 \text{ gals/ft}^3] \div 60,480 \text{ gals/day} = 259.7 \text{ days}$$

Inflow as described by applicant (pumping 24 hrs per day)

$$[2,100,000 \text{ ft}^3 \times 7.48 \text{ gals/ft}^3] \div 34,560 \text{ gals/day} = 454.5 \text{ days}$$

RECEIPT

413595

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____, January 15, 19 93

RECEIVED OF Fin-Ag, PO Box 90027, Sioux Falls, SD 57105

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

Fee for Application for Permit No. <u>5739-3</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. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By *John Hatch*
Chief Engineer

HARVEST STATES

COOPERATIVES

FARM MARKETING AND SUPPLY

November 23, 1992



Mr. Gregory Johnston
Natural Resources Engineer
Water Rights Division
D.E.N.R. - Joe Foss Bldg.
523 E. Capitol
Pierre, SD 57501-3181

Dear Greg:

Attached is an application for permitting two wells that were drilled by the previous owner of the property.

Harvest States Cooperatives would like to have a permit for the wells on this property.

Attached is a diagram of the property showing where the two wells are located. I apologize that this isn't a professional print.

If you have any questions don't hesitate to call 800-677-4482.

Thank you for your help.

Sincerely,

Jack Krause
Quality Control and
Environmental Concerns Mgr.

Enclosure

cc: Darwin Britzman
Ollie Hillier
Bob Woerman

**GTA
FEEDS**

**CC-BAR
FEEDS**

**NORCO
FEEDS**



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 30, 1992

Harvest States Cooperatives
Jack Krause
Box 5047
Sioux Falls SD 57117

Dear Mr. Krause:

In regard to your water permit application received on November 25, 1992, the following information needs to be submitted in order to process your application.

1. Enclosed is the map submitted with the application. The map must show the location of the diversion point (place where the well is located) in relation to a government section corner or quarter corner by direction and distance. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties. Possibly you could obtain an aerial photo from the local SCS or ASCS office and they could assist you with preparing the map.
2. The filing fee for this application will be \$50.00.

The water permit application can not be considered until the application is complete. 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

**HARVEST
STATES**
COOPERATIVES
FARM MARKETING AND SUPPLY



January 12, 1993

Karen Schlaak
Dept. of Environmental and Natural Resources
Joe Foss Bldg.
523 - East Capitol
Pierre, SD 57501-3181

Dear Ms. Schlaak:

Enclosed is the map showing the well placement for the water permit for Harvest States Cooperatives swine unit at Onida, SD.

this was verified by Mr. Greg Lorenz, director of the District Conservation office for Sully County.

Enclosed is a check for \$50.00 to cover the application fee.

Thank you for your help.

Sincerely,

Jack Krause
Group Director
Quality Control and Regulatory Affairs

Enclosure

JK/mt

cc: Bob Woerman
Wayne Wiseman

**GTA
FEEDS**

**CC-BAR
FEEDS**

**NORCO
FEEDS**

Conversation or File Documentation

NAME OF PERSON OR FILE: Jack Krause

ADDRESS: _____ COUNTY _____

DATE: 2-12-93 TELEPHONE _____RE: Application No 5739-3 Harvest States Cooperative

COMMENTS:

Mr. Krause stated this application has been
transferred to: Jorgensen Park, Inc.to Greg JorgensenHCR 57 Box 91Idaho 50 57541 842-3439He would like the correspondence cc to him.

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

NAME: Loren Schloatz

Conversation or File Documentation

NAME OF PERSON OR FILE: Jack KrauseADDRESS: _____ COUNTY MADATE: 2/12/93 TELEPHONE _____RE: Application for 5739-3 Johnson Park, Inc.

COMMENTS:

Jack called and Inquired if 50 GPM was the correct amount to be diverted on appl. No. 5739-3. He said Shallow well ought to divert 0.4 gps not 0.04 gps and deep well will divert 0.3 gps ^{not} 0.03 gps. Therefore, the total amount diverted would be $24 \text{ GPM (shallow well)} + 18 \text{ GPM (deep well)} = 42 \text{ GPM (0.093 cfs)}$.

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

NAME: _____

Conversation or File Documentation

NAME OF PERSON OR FILE: Jack KrauseADDRESS: GTA - Feeds Sioux Falls COUNTY MADATE: 3/5/93 TELEPHONE 605 339-1050RE: Compliance with Feedlot / Well head protectionCOMMENTS: Jorgenson Park, Inc. - Onida, SD

Called Jack Krause - asked questions regarding use / disposal of water applied for under No. 5739-3, Jorgenson Park, Inc. Jack said wells were used interchangeably for pork (swine) watering and different areas of the swine units. Now owned by Jorgenson park. Will call on Roger Seefeldt and Joan Borthem on feed lot compliance as well as groundwater protection on 3/8/93

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

**REPORT ON APPLICATION NO. 5739-3
JORGENSEN PORK, INC.
MARCH 11, 1993**

This application proposes to appropriate 42 gallons per minute (gpm) or 0.093 cubic feet per second from two wells 88 feet deep (Unnamed Pleistocene Aquifer - 24 gpm) and 2060 feet deep (Inyan Kara Group - 18 gpm) located in the NE1/4 NE1/4 Section 13-T114N-R78W, Sully County, for commercial use at a swine farrowing facility. Wastewater is to be stored in two existing lagoons with a total capacity of 57.8 acre-feet. This production unit has been in operation for 17 to 18 years.

Aquifer - Inyan Kara Group

The well driller's log indicates that the deep well, drilled in August of 1974, was completed into the Sundance Formation. The well is probably completed into the Inyan Kara Group (which consists of the Fall River Formation and Lakota Formation in descending order). The Inyan Kara Group consists of well-bedded, fine-grained sandstone and less abundant interbedded siltstone and claystone (USGS and USBR, 1975). The Inyan Kara Group underlies 1058 square miles in Sully County and contains an estimated 9 million acre-feet of recoverable water (Hedges, 1982). The well log indicates sand of varying hardness from 1925 feet to 2060 feet, the total depth of the well. The well flowed at 70-80 gpm at the time of completion.

Aquifer - Unnamed Pleistocene

The shallow well, drilled in September of 1978, is completed into an unnamed Pleistocene aquifer. The well log indicates the aquifer is confined and that it consists of glacial outwash sands and gravel from 65-83 feet. The well pumped 18 gpm at the time of completion.

Existing Water Rights

There are no water permits in the Sundance or Inyan Kara Group or in the Unnamed Pleistocene aquifer in the application area. The only wells in the vicinity are for domestic and livestock use.

Environmental Regulations

The deep well has been used primarily as a water source for a house located on the site, and the shallow well has been used primarily for supplying water to the swine operation. Presently there are approximately 500 sows at the site with expected expansion to approximately 1000 sows. The operation will maintain the sows through gestation and farrowing, then the piglets will be removed at six weeks of age. In case of well or pump failure, both wells are interconnected and either well can be used for the house or barns. The house wastewater is

contained in a closed septic tank system and the wastewater from the sows is carried into two lagoons. The lagoons are each 175 feet X 600 feet and 12 feet deep (each lagoon has a volume of 28.9 acre-feet or 9,425,413 gallons). According to Jorgensen Pork personnel, the lagoons will not be expanded and they have never been pumped in the life of the existing operation (approximately 17 to 18 years). Below is a table summarizing calculations for volume of storage available, maximum inflow and days of available storage with 2 feet reserved for a probable maximum precipitation (pmp) event. These numbers are based on the worst case scenario that both wells are utilized by the swine unit at maximum capacity. Calculations assume all water flows into the lagoons. Water losses due to evaporation, any leakage from the lagoons or use by the animals are not considered.

Lagoon Dimensions = 175'X 600'X 12' deep Assuming a 24" PMP, the maximum useable depth is 10 feet
Volume of Lagoons = $2(175' \times 600' \times 10') = \underline{2,100,000 \text{ ft}^3}$
Maximum Inflow = $42 \text{ gpm} \times 60 \text{ min/hr} \times 24 \text{ hrs/day} = \underline{\underline{60,480 \text{ gals/day}}}$
Days of available storage with 2 feet reserved for PMP = $\frac{\text{Volume of Lagoons}}{\text{Maximum Inflow}} =$ $(2,100,000 \text{ ft}^3 \times 7.48 \text{ gals/ft}^3) / 60,480 \text{ gals/day} = \underline{260 \text{ days}}$

If necessary, the lagoons will be pumped and the wastewater disposed of on nearby farm land owned by Alma Matzen and Joe and Lee Goddard, all from Onida, SD. The legal description of the lands where the wastewater would be disposed of is as follows:

Joe and Lee Goddard - A Total of 800 acres located in the NE1/4 and SE1/4 Section 7-T114N-R77W
NE1/4 (less ten acres) Section 23-T114N-R78W
NE1/4, SE1/4 and SW1/4 Section 14-T114N-R78W

Alma Matzen - Unknown legal description and number of acres at this time

The swine facility site is located on an outwash area of gravel and sand called the Cow Creek Aquifer (see the accompanying map for well locations). The Division of Water Rights monitors 3 observation wells in the Cow Creek Aquifer. The water-bearing sands and gravels vary from 11 to 52 feet below ground surface in a domestic well and the three observation wells (well logs and hydrographs are attached at the end of the report). A domestic well, owned by Junior Dowling, is completed into the Cow Creek aquifer and is located approximately 1 mile to the southwest of the site in the NE1/4 NE1/4 of Section 23-T114N-R78W. Water

levels vary from between 16.5 to 41 feet below the ground surface in the Cow Creek Aquifer observation wells depending on seasonal fluctuation. The closest observation well, No. SU-78D, is located approximately 3 miles to the southwest of the site. Water analyses have been taken from SU-78D since 1979 and the nitrate levels have always been below 1.0 part per million (ppm). Mr. Dowling's well water was analyzed in November of 1989 and the nitrate level was 6.0 ppm at that time (the report is attached to the application).

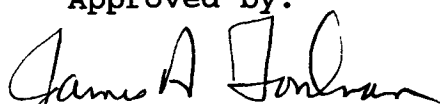
Staff from the Division of Environmental Regulation of the Department of Environment and Natural Resources are presently investigating the site and will notify the Division of Water Rights as to their conclusions regarding placement of monitoring wells at the site. The permit can, if necessary, include qualifications requiring compliance with groundwater monitoring as a condition of permit approval.

Conclusions

1. Water is available from the Inyan Kara Group and the Unnamed Pleistocene Aquifer
2. Interference is not a problem - existing water rights will not be impaired.
3. The lagoons are capable of containing 260 days of maximum inflow plus a maximum precipitation of 24 inches without discharging.
4. Water use by the swine production unit is a beneficial use of water.
5. The deep well is not completed in accordance to SD Well Construction Standards. The shallow well is completed in accordance to SD Well Construction Standards.
6. The Environmental Regulation Division of the South Dakota DENR is presently investigating the site. Depending upon their conclusions, groundwater monitoring may be a qualification of permit approval.


Gregory C. Johnston
Natural Resources Engineer II

Approved by:


James A. Goodman, P.E.
Natural Resources Engineer IV

BIBLIOGRAPHY

Hedges, L.S., Et. al., 1982, Evaluation of Groundwater Resources of Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, DENR, SDGS, Vermillion, SD 57069.

US Geological Survey and US Bureau of Reclamation, 1975, Water Resources of South Dakota, Mineral and Water Resources of South Dakota Report, U.S. Congress 94th, 1st Sess., U.S. Senate Committee on Interior and Insular Affairs, U.S. Government Printing Office, Washington, D.C.

Water Rights Division, 1993, Observation Well Files, SU-78B, SU-78D, SU-80A, DENR, Division of Water Rights, Joe Foss Building, Pierre, SD 57501

Water Rights Division, 1993, Domestic Well Files, DENR, Division of Water Rights, Joe Foss Building, Pierre, SD 57501

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5739-3, Jorgensen Pork, Inc.

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 5739-3, Jorgensen Pork, Inc., c/o Greg Jorgensen, HCR 57 Box 91, Ideal, SD 57541.

The Chief Engineer is recommending APPROVAL of Application No. 5739-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The wells 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.
2. The well 2060 feet deep approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. The well shall also be equipped with a pressure gauge and a record kept of any pressure fluctuations. Such records shall be available to the Chief Engineer upon request. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.
3. The wastewater storage lagoons shall be maintained so that they do not receive surface runoff from the surrounding area.
4. No wastewater may be released from the wastewater lagoon except through a disposal system, unless an extended period of above normal precipitation results in excess stored waters and prevents operation of equipment to lower water levels due to field and weather conditions.
5. Operation of a disposal system, if necessary to dispose of water and wastewater shall be in a manner that prevents runoff from the disposal sites from entering the waters of the State. The diffused drainage of natural precipitation on agricultural land resulting from a "non-point source" is not subject to these conditions.

6. Approval of Permit No. 5739-3 is subject to compliance with the following existing and applicable Water Management Board rules:
- a. Chapter 74:03:15 Ground Water Quality Standards
 - b. Chapter 74:03:16 Ground Water Discharge Permit
 - c. Chapter 74:03:02 Surface Water Quality Standards
 - d. Chapter 74:03:04 Uses Assigned to Streams
 - e. Chapter 74:03:17 through 74:03:26 Surface Water Discharge Provisions

See report on application for additional information.


JOHN HATCH, Chief Engineer
March 12, 1993



**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.

March 26, 1993

Greg Jorgensen
Jorgensen Pork, Inc.
HCR 57 Box 91
Ideal, SD 57541

Dear Mr. Jorgensen:

Water Permit Application No. 5739-3 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 Onida Watchman printed at Onida, SD (Ph # 258-2344). 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

March 26, 1993

The Onida Watchman
Box 205
Onida, SD 57564

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5739-3 to be published twice. Please publish the first notice on April 1, 1993, 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 Jorgensen Pork, Inc., HCR 57 Box 91, Ideal, SD 57541 (Ph # 339-1050).

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

FIRST TRANSMITTAL NOTICE

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

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 April 1, 1993, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5739-3 to Appropriate Water

Notice is given that Jorgensen Pork, Inc., c/o Greg Jorgensen, HCR 57 Box 91, Ideal, SD 57541 has filed an application for a water permit to appropriate 42 gallons per minute (gpm) [0.093 cubic feet of water per second] from two wells 88 feet deep (Unnamed Pleistocene Aquifer - 24 gpm) and 2060 feet deep (Inyan Kara Formation - 18 gpm) located in the NE 1/4 NE 1/4 Section 13-T114N-R78W for commercial use at a swine breeding/farrowing facility. Wastewater is to be stored in two existing lagoons (used 17 to 18 years) with a total capacity of 57.8 acre-feet.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5739-3 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.

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 April 19, 1993. 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.

The Board will consider this application at 10:00 a.m., May 5, 1993, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. 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. The May 5, 1993, 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 April 26, 1993.

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 Eric Gronlund by April 26, 1993, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

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, 46-2A-20, 46-2A-21; 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. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

AFFIDAVIT OF PUBLICATION

AFFIDAVIT OF PUBLICATION



STATE OF SOUTH DAKOTA
County of Sully)

Parker Knox of said County and State, being first duly sworn on his oath, says that THE ONIDA WATCHMAN is a weekly newspaper of general circulation, published in the English language in the city of Onida, in said County and State, by said Parker Knox, and has been admitted to the United States mail under the second class mailing privilege at all the times hereinafter mentioned, and that all of said times has had more than 200 bona fide paid subscribers; that I, the undersigned, am the publisher of said newspaper, in charge of the advertising department thereof and have personal knowledge of all the facts stated in the affidavit; and that the advertisement headed:

Notice of Hearing on
Application No. 5739-3
to Appropriate Water

a printed copy of which is hereto attached, was printed and published in said newspaper for 2 successive issues, the first publication being made on THURSDAY, the 1 day of April, 1993, and the last publication on THURSDAY, the 8 day of April, 1993, and that \$47.43, being the full amount of the fee for publication of the annexed notice inures solely to the benefit of the publisher of said newspaper; that no arrangement or understanding for a revision thereof has been made with any person, and that no part thereof has been agreed to be paid to any other person whomsoever.

(SEAL)

Subscribed and sworn to before me this

19 day of April, 1993

Parker Knox

My commission expires 12-11-97

Notary Public in and for Sully County, South Dakota

NOTICE OF HEARING
on Application No. 5739-3
to Appropriate Water

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**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: Jorgensen Pork, Inc.

ADDRESS: Ideal SD COUNTY: Sully

DATE: April 20, 1993 TELEPHONE:

RE: Publication Notice

COMMENTS:

On April 6, 1993 we received the First Transmittal Notice for Water Permit Application No. 5739-3. The statutes pertaining to groundwater were not listed in the Notice. I tried several times to contact the Onida Watchman to have the errors corrected on the second publication of the notice, but failed to reach anyone with the paper. The errors in the publication notice have been noted. The chief engineer does not believe the omission of the applicable provisions of SDCL 46-6 invalidates the public notice. The public received notice of the use of water, the point of diversion and the water sources.



Karen Schlaak
Natural Resources Analyst



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 20 1993

Greg Jorgensen
Jorgensen Pork, Inc.
HCR 57 Box 91
Ideal, SD 57541

Dear Mr. Jorgensen:

Enclosed is Water Permit No. 5739-3 authorizing construction of 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.

Very truly yours,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 2 1996

5879-3

Jorgensen Pork, Inc.
%Greg Jorgensen
HCR 57, Box 91
Ideal, SD 57541

Dear Mr. Jorgensen:

Enclosed are Water Permit No. 5879-3 and Water License No. 5879-3. These documents complete the process of obtaining a Water Right. Enclosed is Receipt No. 414592 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

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. 5879-3, 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.

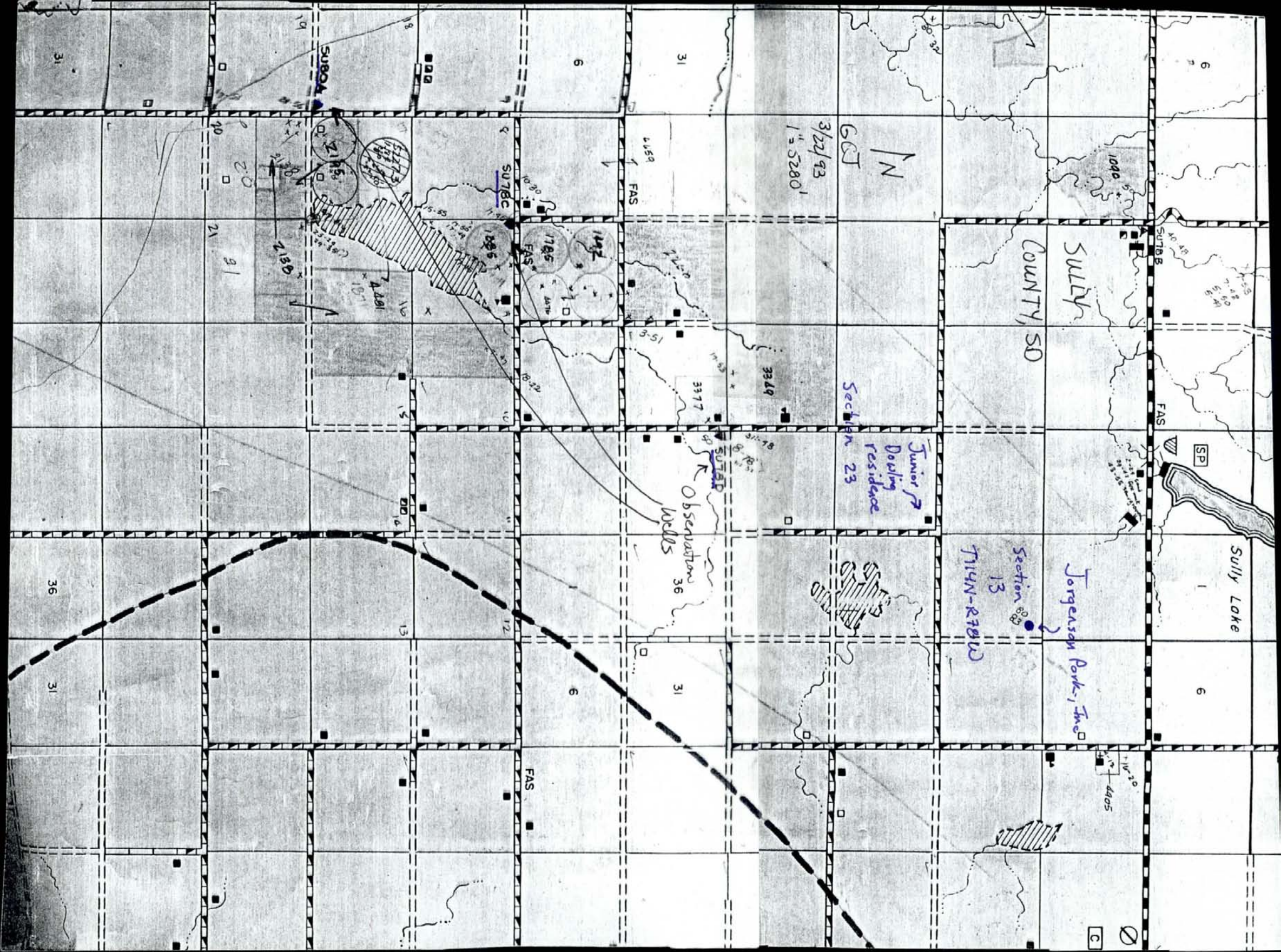
As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

ks
enclosures

NOTE: The applicable portions of Water Permit No. 5739-3 have been incorporated into this Water License No. 5879-3.



NOT TO SCALE



59.1
oddland

T-513

Alma Matzen

265.5

Bob J. Ewert

I certify that this is
where the wells are
located

Guy Loung
District Conservationist
SCS Sally County

1-11-93

2
13.1

2
156.0

13

T-515

Agnes Noste

152.0

114-78

E-10

Robert
Duncan
Jr.

T-516

Lyle W. Ebert

158.4

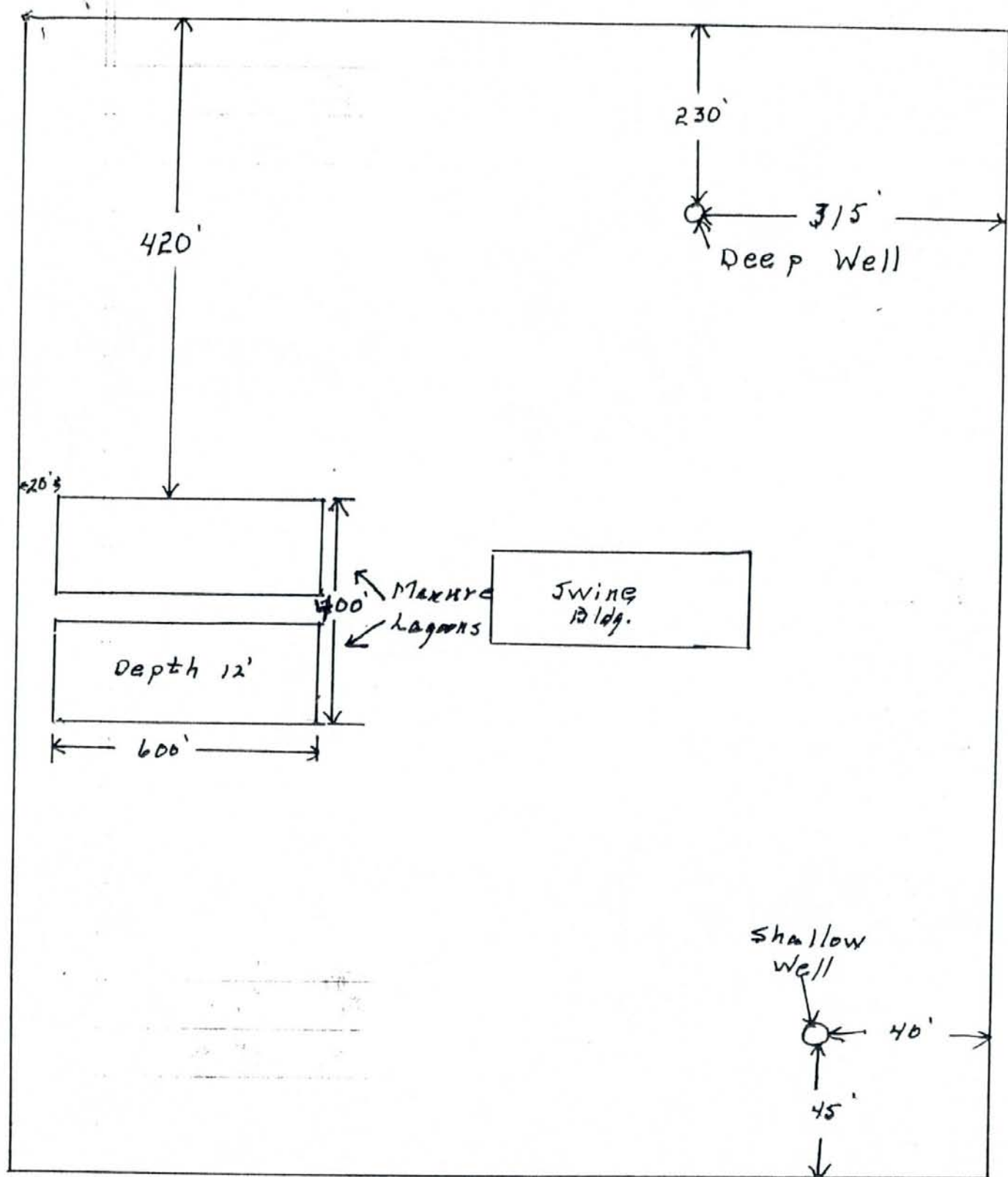
T-518

Lila Ludwig
Leah Gray
Melissa Lilly

151.1

App/ No. 5739-3

North



Property size 40 Acres square

