

WATER PERMIT NO. 5968-3

Name of Applicant: CSS Farms, Inc.

Address: 3334 9th Ave SW, Watertown SD

Phone: 605 886-2577

Amount of Water Claimed: 2.27 Total Acres: 136

Source of Water Supply: groundwater

Water to be used for: irrigation County: Grant

Type of Waste Disposal System: NA

Location: about 25 miles north of Watertown

PRIORITY Date Received: 10-28-96

Fee: \$250

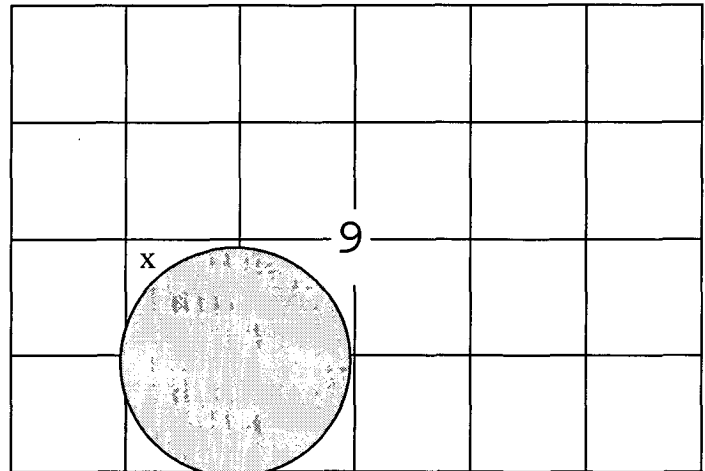
Corrected Application Received: 11-21-96

Period of Annual Use: May 1- October 31

Remarks: requesting more water than statutory limit

Diversion Point: NW 1/4 SW 1/4 Sec 9-T121N-
R52W

Land to be Irrigated: SW 1/4 Sec 9-T121N-R52W



Depth of Well: 59 feet deep

Well Driller: LTP, Enterprise, Inc.

Remarks:

Type of Map: aerial

Prepared by: W. Stanley Lamb, FSA

Reviewed and the Number Assigned on: 11-21-96

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)
	No. <u>5968-3</u> Hydrologic Unit <u>10170202</u>
	Basin <u>Sioux River</u>
	Newspaper <u>Grant Co. Review, Milbank, SD</u>

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(check one) (Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. acreage change, change diversion point(s), add diversion point(s), etc.) _____

1. Name of Applicant CSS Farms, Inc. ☐ Owner ☒ Tenant/Lessee Phone 605/886-2577
(check one)
- Mailing Address 3334 9th Ave SW, Watertown State SD 57201
(Street, RR, or Box) (Zip Code)
2. Amount of water claimed 2.27 *CFS or 1,020 **GPM ***AF Total Acreage 136
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout if applicable)
3. Source of water supply Well
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
1 well in NW 1/4 of SW 1/4 Section 9-T121N-R52W
County Grant
5. County or counties where water will be used Grant
6. Annual period during which water is to be used May 1 - Oct 31
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NW 1/4 of SW 1/4 9-121-52	34		
SW 1/4 of SW 1/4 9-121-52	34		
NE 1/4 of SW 1/4 9-121-52	34		
SE 1/4 of SW 1/4 9-121-52	34		

8. Give a description of the project. (Attach sheet if more space is needed)

Center pivot irrigation system

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

STATE OF SOUTH DAKOTA)

ss

County of Codington

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

Signed

Milton H. Carter

Subscribed and sworn to before me this

25th

day of

October

1996

Rahim D. Stapp
Notary Public

My Comm Expires - 4/30/98

**SOUTH DAKOTA
WATER PERMIT NO. 5968-3**

Date of first receipt of application October 28, 1996.

Date of return to applicant for corrections, amendments or changes October 30, 1996.

Date of receipt of corrected application November 21, 1996.

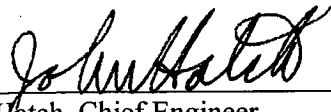
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5968-3 to CSS Farms, Inc., 3334 9th Ave SW, Watertown SD 57201 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5968-3 appropriates 2.27 cubic feet of water per second (cfs) from one well (Big Sioux:North Aquifer) 59 feet deep located in the NW 1/4 SW 1/4 Section 9 to irrigate 136 acres located in the SW 1/4 Section 9; all in T121N-R52W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 - October 31.
3. The date from which applicant may claim right is October 28, 1996.
4. The date of approval of Permit No. 5968-3 is January 27, 1997.
5. One-fifth of the construction is to be completed on or before July 27, 1999.
6. All construction is to be completed on or before January 27, 2002.
7. Water is to be put to beneficial use on or before January 27, 2006.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well 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 authorized by Permit No. 5968-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Pursuant to SDCL 46-5-6, Permit No. 5968-3 authorizes a maximum diversion rate of 2.27 cfs and 2 acre-feet of water per acre per year.
4. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

FEB 14 1997

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 15" Depth 59'
b) Casing Type Steel Diameter 12" Thickness 3/8"
c) Screen Type Stainless Steel Diameter 12" Thickness Wire Wrapped
d) Gravel Pack Thickness None Length of Gravel Pack NA
e) Depth to Top of Water Bearing Material 25'
f) Depth to Water (ground surface to water level) 9'
g) Distance to nearest existing domestic well:
On applicants property None On property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
b) System Capacity (gallons) _____ c) Year Constructed _____
d) Connected to the City of _____ Sanitary System.

3. Dugout Information

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

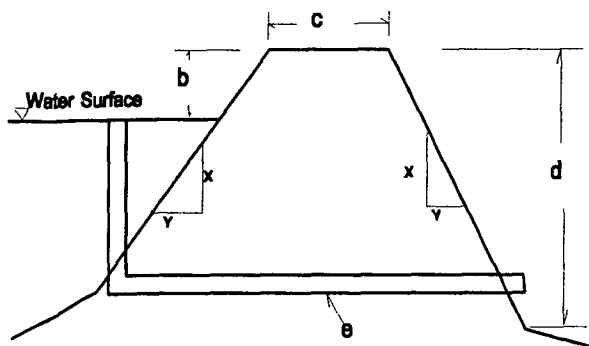


4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to 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 _____
h) Surface Area of Impoundment _____
i) Storage _____ Acre Feet
j) Drainage Area Above Dam _____ Acres





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 30, 1996

Milton G. Carter
CSS Farms, Inc.
3334 9th Ave SW
Watertown SD 57201

Dear Mr. Carter:

Thank you for submitting your *Application for a Permit to Appropriate Water for Irrigation*. On Item No. 2 of the application, you indicate the amount of water claimed to be 1200 gallons per minute or 2.67 cubic feet of water per second (cfs). Under State Statutes you are allowed 1 cfs (450 gpm) for each 70 acres irrigated. This would mean that you are allowed 1.94 cfs (875 gpm) for the 136 acres to be irrigated.

Please let us know if you concur with this change on your application.

Sincerely,

Karin Schlaak

Karen Schlaak
Environmental Scientist
605 773-3352

CSS FARMS, INC.

"Committed To Quality And Service"

RR 3 - Box 138B
Watertown, South Dakota 57201-9348
Office (605) 886-2577

FAX (605) 886-2586
Potato Storage (605) 886-9749

November 18, 1996

John Hatch
Chief Engineer
Water Rights Division
Department of Environment and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501



Dear Mr. Hatch:

I am writing to amend my application for a permit to appropriate water for irrigation on the SW 1/4 of Section 9-121-52 in Blooming Valley Township in Grant County. I would like to amend the amount of water requested from 1200 gpm (in the original application) down to 1020 gpm (or 2.27 cfs) on 136 irrigated acres.

Our primary purpose for developing this land for irrigation is to grow irrigated Russet Burbank potatoes for the french fry plant in Clark, SD. The soil on this quarter is predominantly Renshaw soil. This soil is ideal for growing potatoes because it is fairly sandy. However, its water holding capacity is only 0.18 to 0.20 inches per inch, and it is underlain with gravel at a depth of 18 to 24 inches. Consequently, it is necessary to use fairly light irrigations (normally 0.5 to 0.6 inches per application) to maintain uniform soil moisture conditions (which is necessary to maintain the desired shape and quality in the Russet Burbank potato) and to avoid leaching nutrients (primarily nitrogen) below the rooting zone of the potato. Therefore, we think it is necessary to have at least 7.5 gpm per irrigated acres to do an adequate job of irrigating the crop and protecting the environment.

If you have any questions, do not hesitate to call.

Sincerely,

A handwritten signature in black ink that reads "Milton G. Carter".

Milton G. Carter
President

South Dakota Department of Environment and Natural Resources

Pierre, _____ October 28, 19 96

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

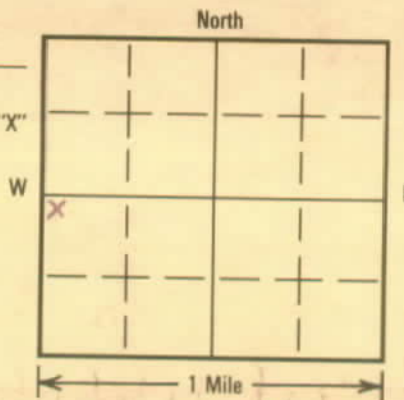
By John A. H. [Signature]
Chief Engineer

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SW 1/4 Sec 9 Twp 121 Rg 52County GRANT

Please mark well location with an "X"

Well Completion Date 2-24-97

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? _____ ft. from _____ (identify source).

PROPOSED USE:

☒ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

ROTARY

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>49.56</u> LB/FT	<u>12</u> IN	<u>7.2</u> FT	<u>38</u> FT	<u>14 3/4</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Pneumonic</u>	<u>20</u>	_____ lb./gal	<u>0</u> ft.	<u>20</u> ft.
_____	_____	_____ lb./gal	_____ ft.	_____ ft.

Describe grouting procedure Tremie pipeSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 12 IN Length 20 FEETMaterial STAINLESS STEELSlot Size 40 Set From 38 Feet to 58 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION:

Was well disinfected upon completion? ☒ YES, How: CHLORINE

NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: CSS FARMS D. F. I.

Business Name: _____

Address: R3 Box 1388
WATERTOWN, SD 57201

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
TOP SOIL	0	1
SAND & GRAVEL	1	25
SAND	25	33
SAND & LENSES CLAY	33	35
SAND & GRAVEL	35	59
SANDY CLAY	59	65

STATIC WATER LEVEL 6.4 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: SUB.☐ Bailed _____☐ Other _____

Pumping Level Below Land Surface

30.1 ft. After 3 Hrs. pumped 942 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 381

And this report is true and accurate.

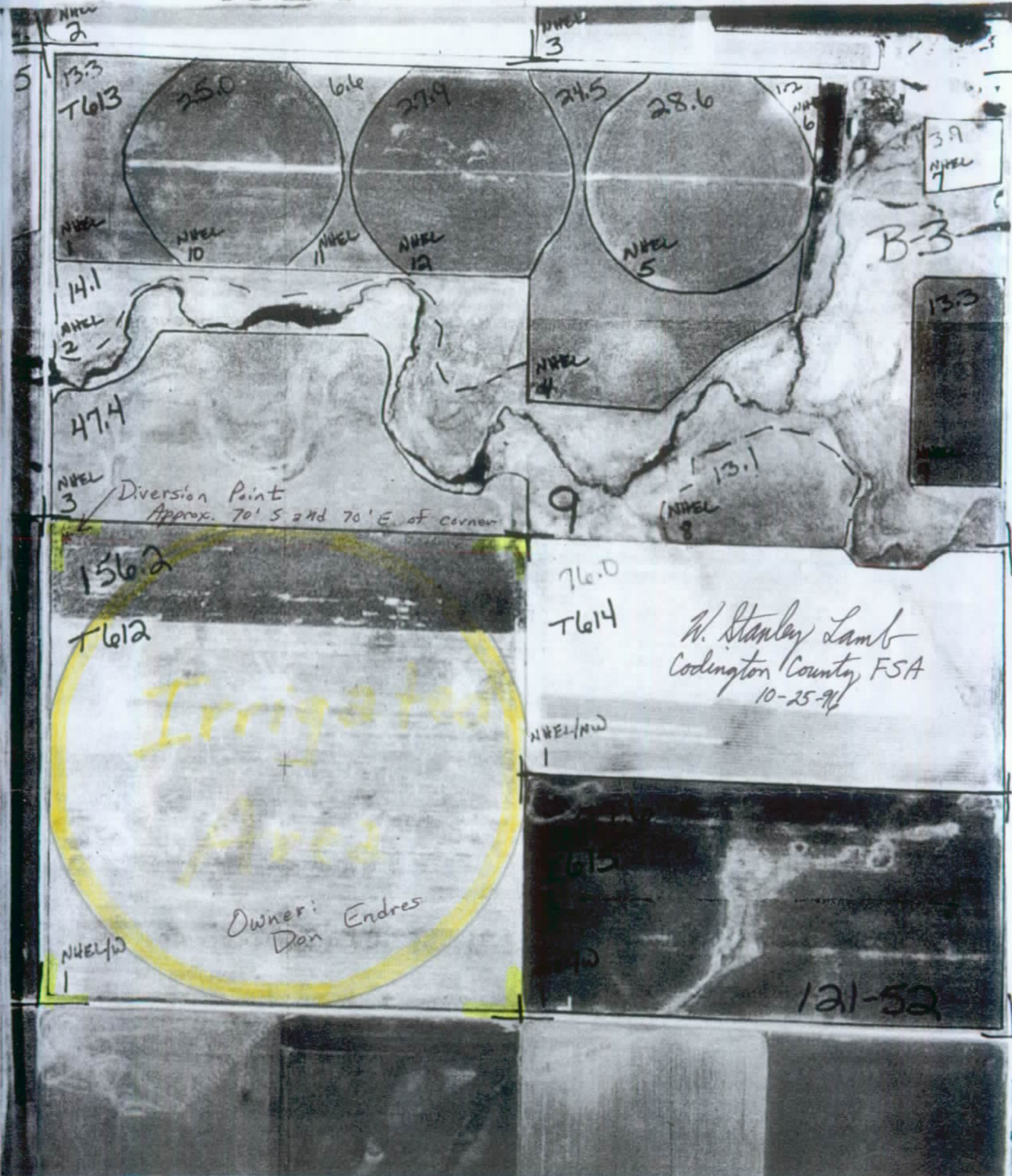
Drilling firm LTP ENTERPRISES, INC

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: 2-25-97

NOT TO SCALE



REPORT ON WATER PERMIT APPLICATION NO. 5968-3
for CSS Farms, Inc.
November 22, 1996

Application No. 5968-3 proposes to appropriate 2.27 cfs (1020 gpm) from one well approximately 59 feet deep located in the NW 1/4 SW 1/4 of Section 9 to irrigate 136 acres located in the SW 1/4 of Section 9, all in T121N-R52W in Grant County. This land is located within the former boundaries of the Sisseton Wahpeton Indian Reservation. This application proposes to use in excess of one cfs for each 70 acres pursuant to SDCL 46-5-6.

AQUIFER - BIG SIOUX NORTH (BS-N)

The Big Sioux aquifer consists of poorly to well sorted surficial outwash (sand and gravel) that ranges from medium sand to medium gravel in Codington and Grant Counties. The aquifer underlies 150 square miles and contains an estimated 350,000 acre feet of water in storage in Codington and Grant Counties (Hansen, 1990). The aquifer extends into Roberts County to the north and is hydraulically connected to the Big Sioux River. Recharge to the Big Sioux aquifer has been estimated to range from 4 to as much as 10 inches per year (Hansen, 1988). Ground water movement is from north to south in general with an east or west component in the vicinity of the Big Sioux River. This means that under most conditions ground water is moving toward the river which would behave as a discharge zone. The Big Sioux North aquifer is a management unit of the entire Big Sioux aquifer which is appropriate for the counties of Grant, Codington and a small part of Hamlin (Hedges, 1982).

Test hole information provided with the application indicates sand and gravel from 1 to 59 feet below land surface (with some clay in the 33 to 35 feet range). The static water level was 8.7 feet below land surface and the test well had a specific capacity of 43.3 gpm/ft of drawdown.

The Water Rights Program does monitor four observation wells completed into the Big Sioux North aquifer in this area. GT-77B is located about one half mile west of this application and GT-82A and GT-57A are located about three miles east of this application and RB-77S is located about 2.5 miles north of this application. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1996). Hydrographs for these wells are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is one existing Water Right No. 3044-3 and one existing Water Permit No. 5746-3 located within a one mile radius of this application. The diversion point authorized by Water Right No. 3044-3 are located about one half mile northeast of this application. All the wells obtain water from the Big Sioux aquifer. Interference is not expected to be a concern. Drawdown created by pumping should not extend very far from the individual production well.

CONCLUSIONS

1. Water is available from the Big Sioux North aquifer.
2. The aquifer is under water table conditions and drawdown created by pumping should not extend very far from the production well. Interference is not expected to be a concern.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. The applicant requests additional water diversion above the statutory limit of one cfs per 70 acres based upon soil conditions and to allow better management of cropping. The statutory limit of two acre feet per acre should remain on this application.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Hansen, D.S., 1990, Water Resources of Codington and Grant Counties, South Dakota, USGS WRI 89-4147, USGS, Huron, SD, 57350.

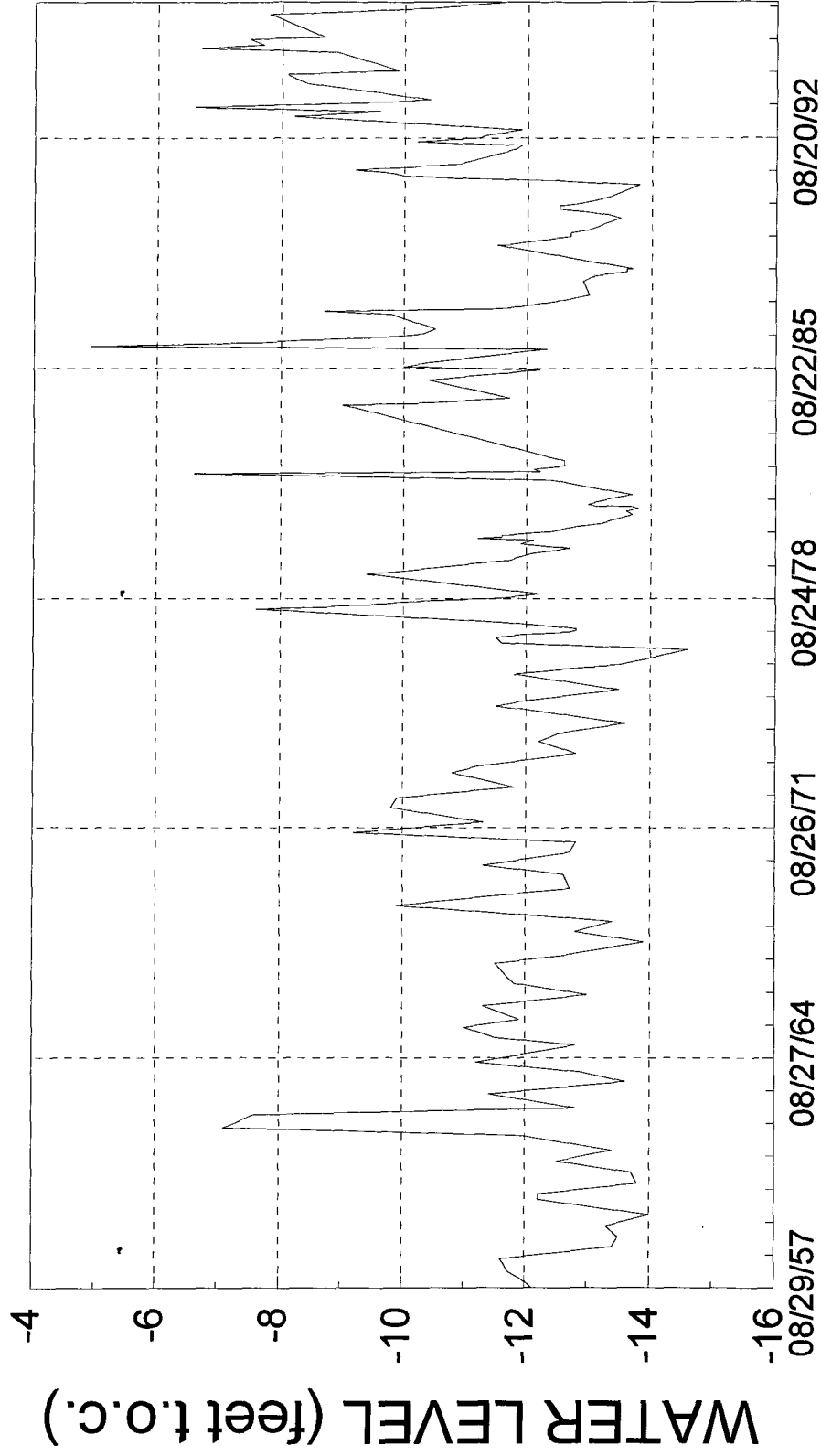
Hansen, D.S., 1988, Appraisal of the Water Resources of the Big Sioux Aquifer, Moody County, South Dakota, USGS WRI 87-4057.

Hedges, L.S., ETAL, 1982, Evaluation of Ground Water Resources Easter SD and Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD 57069.

Water Rights, 1996, Unpublished Observation Well Data for the Big Sioux Aquifer, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

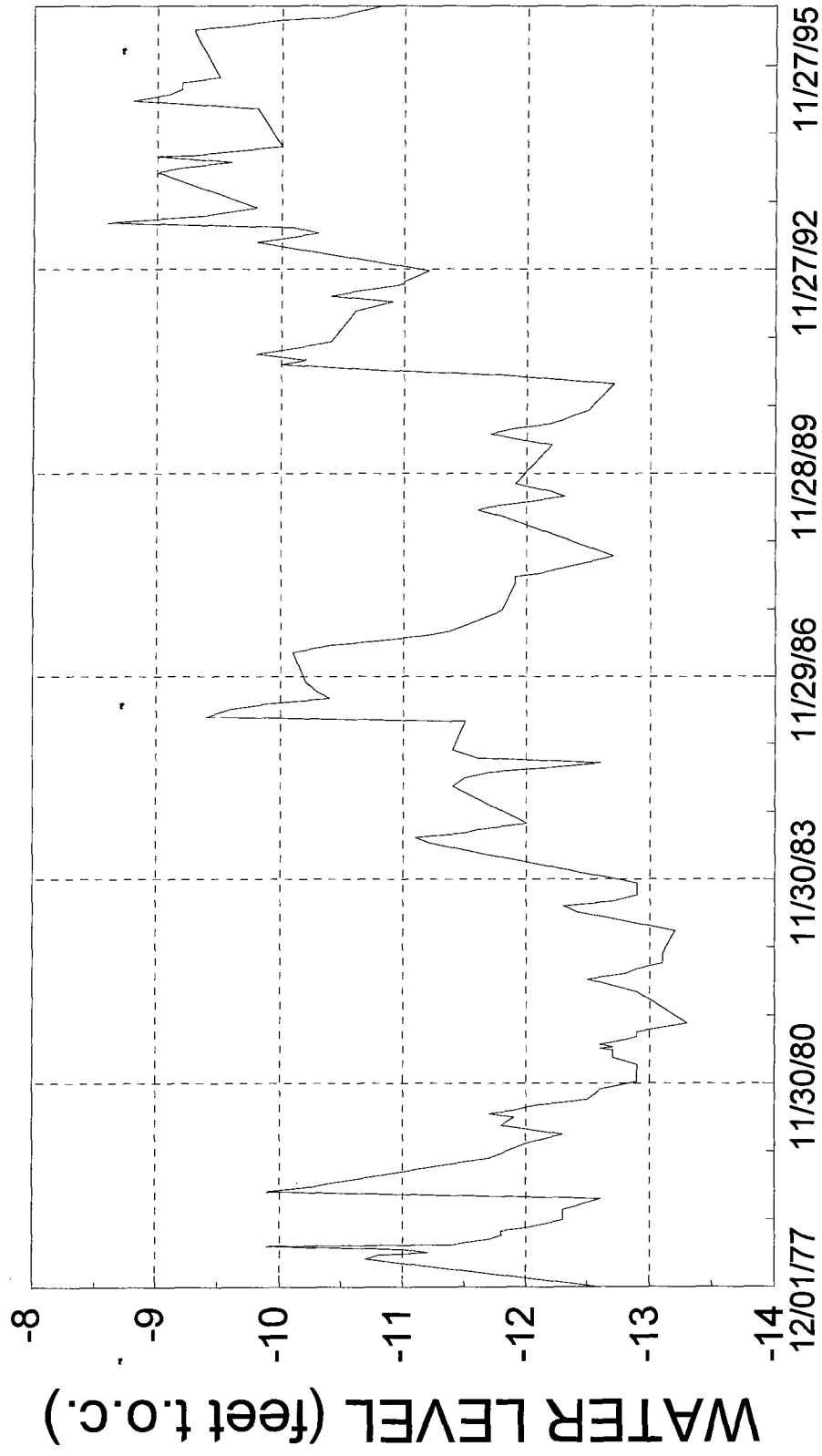
WATER RIGHTS OBSERVATION WELL

GT-57A



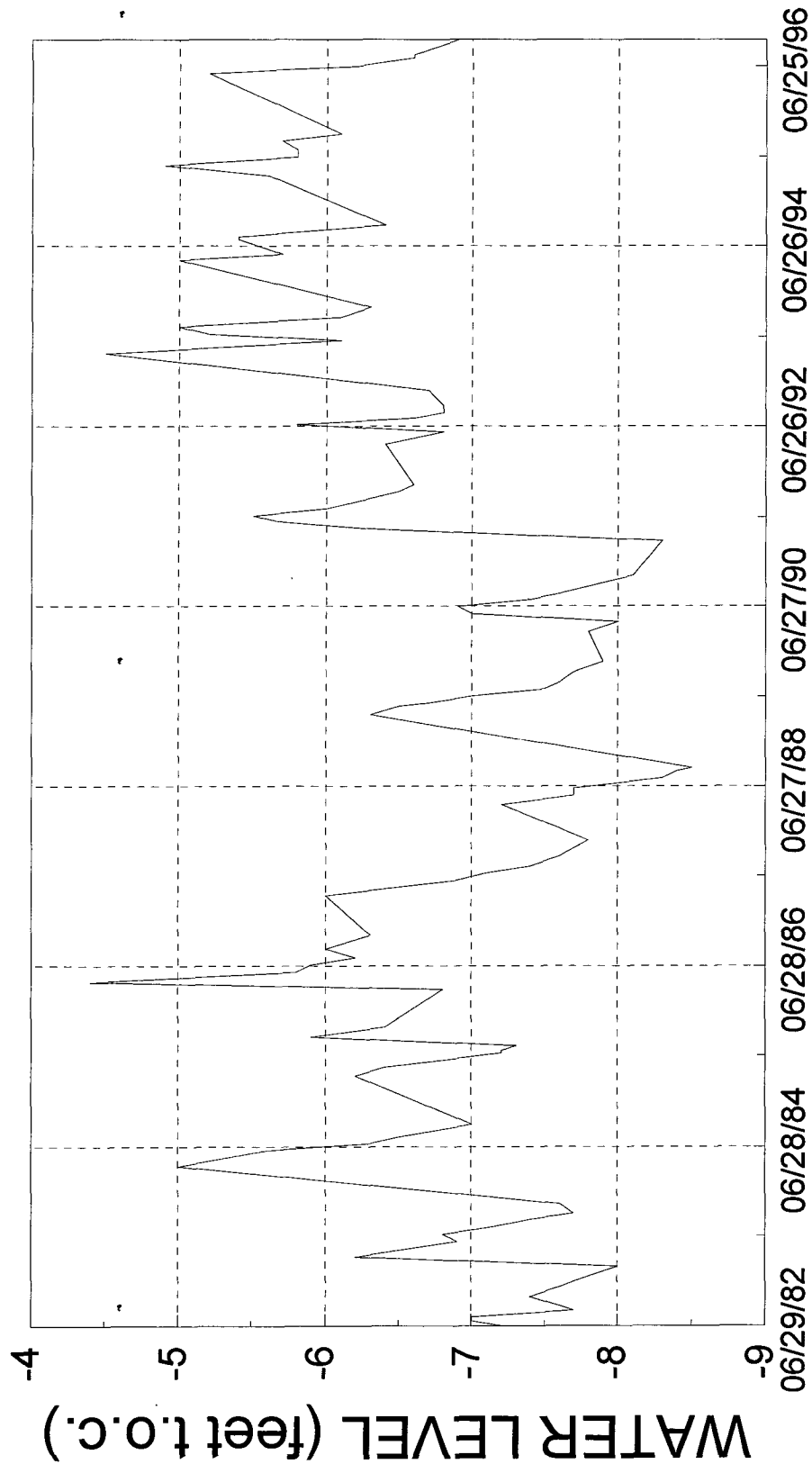
WATER RIGHTS OBSERVATION WELL

GT-77B



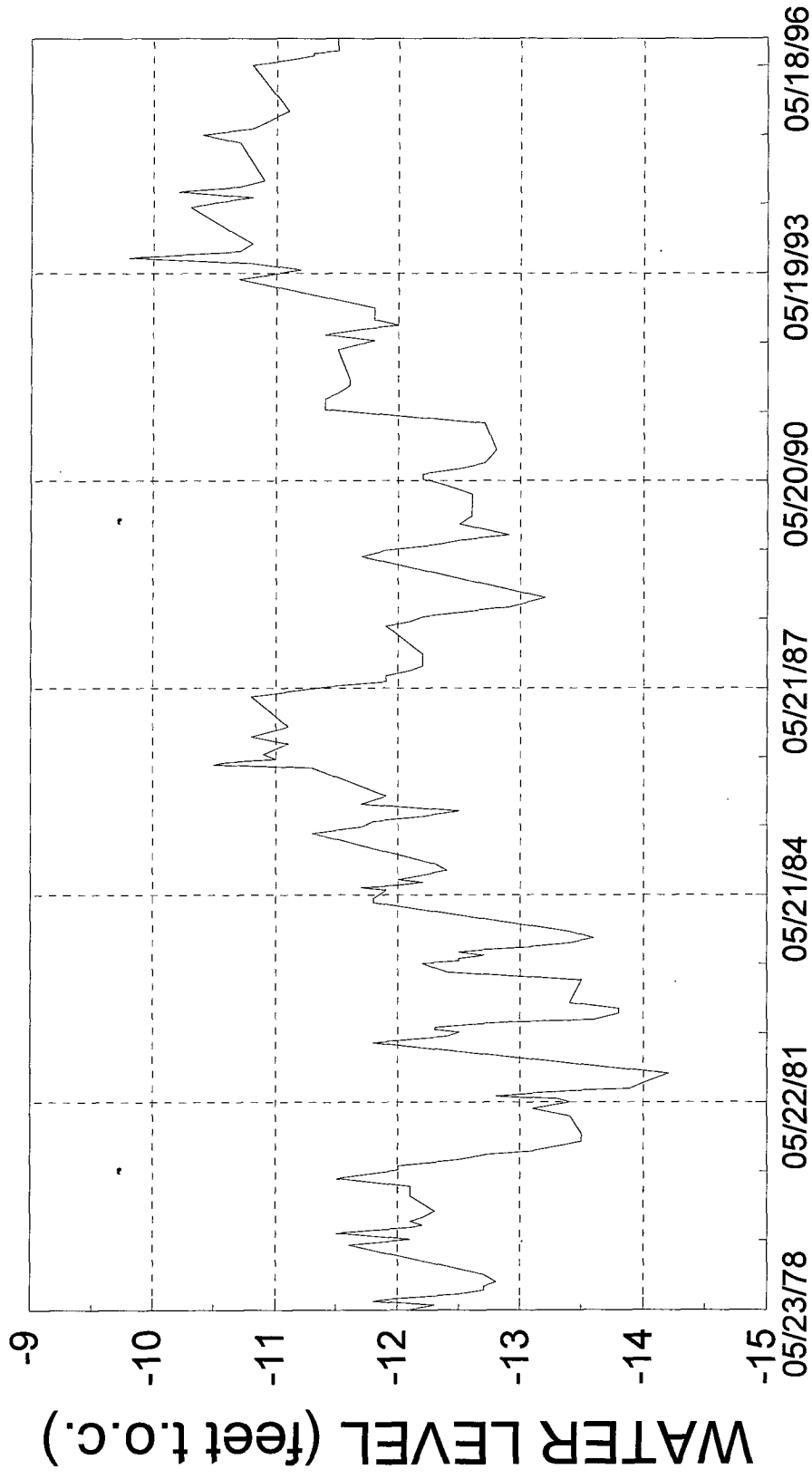
WATER RIGHTS OBSERVATION WELL

GT-82A



WATER RIGHTS OBSERVATION WELL

RB-77S



**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5968-3, CSS Farms, Inc.**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 5968-3, CSS Farms, Inc., c/o Milton G. Carter, 3334 9th Ave. SW, Watertown, SD 57201

The Chief Engineer is recommending APPROVAL of Application No. 5968-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The well 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 authorized by Permit No. 5968-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Pursuant to SDCL 46-5-6, Permit No. 5968-3 authorizes a maximum diversion rate of 2.27 cfs and 2 acre-feet of water per acre per year.
4. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.



JOHN HATCH, Chief Engineer
December 17, 1996



**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.**

December 18, 1996

CSS Farms, Inc.
%Milton G. Carter
3334 9th Ave. SW
Watertown, SD 57201

Dear Mr. Carter:

Water Permit Application No. 5968-3 for irrigation 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 Grant Co. Review printed at Milbank, SD (Ph # (605) 432-4516). 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

December 18, 1996

Grant Co. Review
Box 390
Milbank, SD 57252-0390

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5968-3 to be published twice. Please publish the first notice on January 8, 1997, 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 CSS Farms, Inc., %Milton G. Carter, 3334 9th Ave. SW, Watertown, SD 57201 (Ph # (605) 886-2577).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. 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
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Program
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 January 8, 1997, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5968-3 to Appropriate Water

Notice is given that CSS Farms, Inc, c/o Milton G Carter, 3334 9th Ave SW, Watertown SD 57201 has filed an application for a water permit to appropriate 2.27 cubic feet of water per second (cfs) from one well (Big Sioux:North Aquifer) 59 feet deep located in the NW 1/4 SW 1/4 Section 9 to irrigate 136 acres located in the SW 1/4 Section 9; all in T121N-R52W. This application proposes to use in excess of one cfs for each 70 acres pursuant to SDCL 46-5-6.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5968-3 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 or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by January 27, 1997.

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

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Grant) SS

I, Clarence Justice

certify that the attached printed Notice was taken

from the _____

Grant County Review

C

printed and published in Milbank

County of Grant and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

January 8, 1997

January 15, 1997

Cost of Printing \$27.68

54 lines @ .2848 - 15.38

80% of above - 2nd pub.

Clarence Justice
(Signature)

Foreman

(Title)

Jan. 17, 1997

(Date Signed)

NOTICE OF APPLICATION NO. 5968-3 to Appropriate Water

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Jan. 8

Jan. 15





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 14 1997

CSS Farms, Inc.
Milton G. Carter, President
3334 9th Ave. SW
Watertown, SD 57201

Dear Mr. Carter:

Enclosed is Water Permit No. 5968-3 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 Program
605 773-3352

enclosures

PLEASE NOTE: Certain changes may be made to your water permit usually without affecting the priority date. The location of a point of diversion may be changed or additional points of diversion may be approved if the water source remains unchanged; no additional water is appropriated; and, if irrigating, no additional land is irrigated. The change may be allowed without application or publication, if the Water Rights Program is contacted and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

A new water permit application is required to change water sources, increase the permitted diversion rate, or increase the irrigated acreage. If the application is approved, the water permit will receive a new priority date.



July 18, 2002

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Jim Carter
CSS Farms
3334 9th Ave SW
Watertown, SD 57201

Dear Mr. Carter:

This letter is in reference to a complaint we received concerning overspray on public right-of-ways by your centerpivot endguns. On July 1, 2002, Mark Rath from my office investigated the overspray complaint and observed one of your centerpivots overspraying an unimproved section line road between section 3 and 4 in T122N-R52W (Res) in Roberts County. He met with you concerning this matter on July 2, 2002. At that time you acknowledged the problem and indicated you would remedy the situation promptly.

I would like to remind you that you are not allowed to operate an irrigation system in violation of state water law, which includes allowing unauthorized overspraying to occur. I appreciate your efforts at correcting this problem, where they may exist, on any and all of your centerpivots.

If you have any questions, please contact Mark Rath of the Water Rights Program at phone (605) 773-3352.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 14, 2002

CSS Farms
Jim & Ray Carter
3334 9th Ave SW
Watertown SD 57201

Dear Sirs:

On July 3, 2002 the investigation of several of your water use systems, including the extent of application of water to beneficial use, as developed under the permits was completed by Mark Rath, a staff engineer with our program. The 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 each water license. The following permits located in Grant County were inspected.

5968-3 – SW ¼ Section 9-T121N-R52W
6004-3 - NW ¼, N ½ SW ¼ Section 33-T122N-R52W
6030-3 – NE ¼ Section 17-T121N-R52W
6098-3 - SE ¼ Section 8-T121N-R52W
6099-3 – NW ¼ Section 17-T121N-R52W

Upon receipt of the \$250.00 fee, we will complete processing your water licenses. The check or money order for the fee should be made payable to the "Water Rights Program".

A 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 permits, investigation of your water use systems or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak
Water Rights Program
(605) 773-3352

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date November 20, 2002

RECEIVED OF CSS Farms Inc., 3334 9th Avenue SW, Watertown SD 57201

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	50.00	
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>5268-3</u>		
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50.00	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50.00

No. 000000

By Darland Ebele

Chief Engineer gm

Permit No. 5968-3
Big Sioux River - Water District

Contact Person & Address: Jim and Ray Carter, 3334 9th Ave SW, Watertown SD

Report Of Examination Of Works

On, July 3, 2002, I made a thorough examination of the water use system constructed by CSS Farms of 3334 9th Ave SW, Watertown SD holder of Permit No. 5968-3, bearing the priority of October 28, 1996 authorizing the diversion of 2.27 cu. ft. per second of the waters of ground water (Big Sioux North) for irrigation purposes, in Grant County.

The system is in the following condition good. The point of diversion is located from the SW corner of Sec 9 T121N-R52W (res): 20 ft east and 1310 ft north with a longitude of -97.18500 and a latitude of 45.275767 as determined using GPS. The works are capable of diverting and conveying to the place of use 2.11 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

All land is located in Sec 9 T121N-R52W (res)

NW ¼ SW ¼ - 33 ac NE ¼ SW ¼ - 33 ac SE ¼ SW ¼ - 33 ac SW ¼ SW ¼ - 33 ac

comprising a total of 132 acres of land and the license should be issued for 2.11 cfs.

Review of 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 yes.
- 4) Exceptions to compliance are: none

Report On the Specifics of the System

Diversion Point Information:

Well Information:

- 1) Well Drilling Firm: LTP Enterprise Inc
- 2) No. of Wells 1
- 3) Depth(s) 58 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 12 inches
- 2) Length 38 feet
- 3) Type steel

Screen:

- 1) Type stainless steel
- 2) Length 20 feet

3) Static water level 6 feet

Pump:

1) Make submersible

2) Model ?

3) Size ?

4) Capacity 950 GPM

Motor:

1) Make submersible

2) Model No. ?

3) Horsepower rating ? hp

DISTRIBUTION LINES OR CANALS:

1) Type PVC

SYSTEM TYPE:

Center pivot:

1) Make Valley

2) Overall length 1280 feet

3) Number of towers 7

4) End gun yes

5) High or low pressure Low

6) Capacity 950 GPM

CHEMIGATION EQUIPMENT:

1) Does chemigate yes

2) Main line check valve yes

3) Inspection port/air relief yes

4) Low pressure drain yes

5) Discharge is 20' from source yes

6) Interlock type electric

7) Injection pump type piston

8) Injection check valve yes

9) Injection line check valve or positive displacement pump yes

10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules yes

11) **Comments :** none



Mark D. Rath
Natural Resources Engineering Specialist
DENR, Water Rights Program

11-8-02

Date



South Dakota



2640 0 2640 Feet

2640

0

2640

Mark D. Rath
Natural Resources Engineer
SD DENR
11-1-12

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5968-3

(1) CSS Farms Inc., 3334 9th Ave SW, Watertown SD 57201 made Application No. 5968-3, October 28, 1996 for a water permit to divert 2.27 cubic feet of water per second from groundwater (one well), Grant County, South Dakota for irrigation purposes. Permit No. 5968-3, with a priority date of October 28, 1996 was approved January 27, 1997 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before January 27, 2002 and for the application to beneficial use of water on or before January 27, 2006.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 5968-3 is issued a license, bearing a priority date of October 28, 1996 to appropriate 2.11 cubic feet of water per second from groundwater (one well) to irrigate 132 acres.

The diversion point is located: 20 feet east and 1,310 feet north of the southwest corner of Section 9-T121N-R52W (NW ¼ SW ¼). The acres authorized for irrigation are as follows:

Section 9-T121N-R52W (RES)	NW ¼ SW ¼	33 acres
	NE ¼ SW ¼	33 acres
	SE ¼ SW ¼	33 acres
	SW ¼ SW ¼	33 acres
Total 132 acres		

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 5968-3 including the following qualifications:

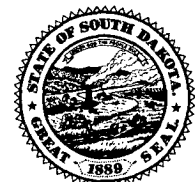
- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 5968-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
- Pursuant to SDCL 46-5-6, Permit No. 5968-3 authorizes a maximum diversion rate of 2.11 cfs and 2 acre-feet of water per acre per year.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Garland Erbele

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

MAR 11 2003

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 11 2003

5968-3

CSS Farms Inc
% Jim and Ray Carter
3334 9th Ave SW
Watertown SD 57201

Dear Mr. Carter:

Enclosed is Water License No. 5968-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 000362 in the amount of \$50.00 which you paid for the investigation 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. 5968-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

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

enclosures

5968-3



January 30, 2007

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Don Endres
919 Christine Ave
Brookings SD 57006

RE: Water Right Nos. 2120-3, 4588-3A, 5379-3, 5968-3 and 6004-3

Dear Mr. Endres:

On December 12th, I forwarded transfer forms to you for filing an ownership change with Water Right Nos. 2120-3, 4588-3A and 5379-3. To date, we have not yet received them from you. Recently, James Carter notified us that Water Right Nos. 5968-3 and 6004-3 should also be listed in your name.

I am sending along additional copies of the transfer forms for Nos. 2120-3, 4588-3A & 5379-3 in the event you no longer have the original set. Also enclosed are partially completed transfer forms for the remaining two water rights along with copies of the respective water rights.

Please review the forms and make any necessary corrections. Upon completion, please sign and return them to our office with a required filing fee of \$2.50 each (total of \$12.50). The check or money order for the fee can be made payable to the Water Rights Program.

You may keep the enclosed copies of the water rights. If I can answer any questions for you regarding the water rights or completion of the transfer forms, please contact me.

Sincerely,

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

enclosures

CSS FARMS, Inc.					
Farm Land with Water Permit #'s					
In CSS Farms, Milt Carter or Other Name					
Please Transfer all Water Permits to Land Owners					
Updated:1-16-07					
		Permitted	Irrig.		
CSS FARMS, Inc.		Irrig.	Permit	Current	
Field Name	Irrigated Land Legals	Acres	#	Owner	Operator
Codington County:					
Drake	Sec 10 T119N R51W	132	3672-3	Coast Properties Investors LLC	Greg Endres
McElhaney-East	Sec 16 T118N R52W	220	5166-3	John Norgaard etl	Terry Endres
Regnier	Sec 21 T118N R52W	165	5379-3	Don Endres	Terry Endres
Toft-North & South	Sec 16 T118N R52W	190	2120-3	Don Endres	Terry Endres
Grant County:					
Allison	Sec 20 T120N R51W	130	5338A-3	Milton Allison	Greg Endres
Berger- South	Sec 16 T121N R52W	132	6099-3	Endres Family Trust	Greg Endres
Ollman	Sec 17 T121N R52W	132	6030-3	Endres Family Trust	Greg Endres
Kneeland	Sec 9 T121N R52W	132	5968-3	Don Endres	Greg Endres
Loken-East	Sec 10 T120N 52W	70	5378-3	Endres Family Trust	Terry Endres
Loken-West	Sec 9 T120N 52W	174	5377-3	Endres Family Trust	Terry Endres
Meyer-East & South	Sec 28 & 33 T120N R51W	400	3782-3	Robert L. Carr	Greg Endres
Meyer-Middle	Sec 28 T120N R51W	168	5586-3	Robert L. Carr	Greg Endres
Meyer-North & West	Sec 21 & 28 T120N R51W	302	5173-3	Robert L. Carr	Greg Endres
Roberts County:					
Jake 1	Sec 34 T123N R52W	156	4604-3	Endres Family Trust	Greg Endres
Jake 2, 5 & 6	Sec 3 & 4 T122N R52W	393	4041-3	Endres Family Trust	Greg Endres
Jake 3	Sec 3 T122N R52W	132	5724-3	Endres Family Trust	Greg Endres
Jake 4	Sec 10 T122N R52W	132	5723-3	Endres Family Trust	Greg Endres
Richardson	Sec 3 T122N R52W	136	6029-3	Endres Family Trust	Greg Endres
Utne	Sec 33 T121N R52W	136	6004-3	Don Endres	Greg Endres
Total Permitted Acres:		3432.0			
Note: Endres Family Trust--Jim Endres is the contact person					
Coast Properties Investors LLC--Dr. L.A. Sigdestad is the contact person					
Milton Allison	1434 Linden Dr.	Ames, IA 50010-5532			515-232-3389
Robert Carr	506 Washington Ave	Marshall, MN 56258-7661			507-532-2291
Don Endres	108 Half Moon Rd	Brookings, SD 57006-3906			605-690-1385
Jim Endres	17212 460th Ave	Watertown, SD 57201			605-881-0424
Terry Endres	17214 460th Ave	Watertown, SD 57201			605-881-0423
Greg Endres	2011 South Serenity Dr.	Watertown, SD 57201			605-880-1711
John Nordgaard	542 Terrace Dr.	Grand Forks, ND 58201-7661			701-739-3819
Dr. L. A. Sigdestad	2605 S Waterman Ave	San Bernardino, CA 92408			909-709-6200

RECEIVED

JAN 19 2007

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

FEB 05 2007

WATER RIGHTS
PROGRAM

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

No. 5968-3

Date: 2-1-07

I/We request that Water Right No. 5968-3

formerly owned by: CSS Farms Inc

be transferred to: (name & address) Don Endres, 919 Christine Ave, Brookings SD 57006

Telephone No. _____

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

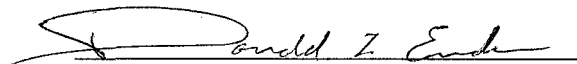
132 acres – SW ¼ Section 9, T121N, R52W (reservation)

I/We understand that the validity of Water Right No. 5968-3 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 DONALD L. ENDRES, the new owner, certify that the above information is true and correct.


(Signed by new owner)

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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

RECEIVED OF Donald Endres, 919 Christine Ave, Brookings SD 57006 Date Feb 5, 2007

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>Water Right No. 5968-3</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. _____	2.50	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No.

02925

By

Garland Erbele

Chief Engineer

(RS)



5968-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 6, 2007

Don Endres
919 Christine Ave
Brookings SD 57006

RE: Water Right Nos. 2120-3, 4588-3A, 5379-3, 5968-3 and 6004-3

Dear Mr. Endres:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" forms and filing fees for changing ownership on Water Right Nos. 2120-3, 4588-3A, 5379-3, 5968-3 and 6004-3. The ownership changes have been completed. The water rights listed above are now all listed in your name.

Enclosed are your Receipt Nos. 02924, 02925, 02926, 02927 and 02928. The receipts are for the filing fees you paid for each transfer. You may keep these for your records.

If you have any questions, please contact me.

Sincerely,

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

enclosures

McMath, Genny

From: DANRnoreply@caspio.com
Sent: Thursday, December 2, 2021 8:18 PM
To: Duvall, Ron; McMath, Genny
Subject: [EXT] 5968-3 IQ Reported Use in 2021, Yes, 132.00 acres irrigated

Permit Holder:

GREG ENDRES, OPERATOR
2011 S SERENITY DR
WATERTOWN SD 57201

gregendres@msn.com

If water used, reported in following months:

Month	Crop 1	Crop 2	Crop 3	Crop 4
Mar	,	,	,	,
Apr	,	,	,	,
May	,	,	,	,
June	BNS, 132	,	,	,
July	BNS, 132	,	,	,
Aug	BNS, 132	,	,	,
Sep	BNS, 132	,	,	,
Oct	,	,	,	,
Nov	,	,	,	,

Comments:**Additional Info:**

Change ownership to: David Dingsor 5809 South Copperhead Drive Sioux Falls, SD. 57108

5968-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

April 12, 2022

5968-3
6030-3
6099-3

David Dingsor
5809 S Copperhead Dr
Sioux Falls SD 57108

Dear Mr. Dingsor:

I am writing regarding Water Right Nos. 5968-3, 6030-3 and 6099-3. We were notified by Greg Endres that you have purchased the land described in these water rights.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing the ownership changes. Please review and complete as needed. Upon completion, please sign and return the forms to our office with a required filing fee of \$50 each (total of \$100). The check or money order for the fee can be made payable to the Water Rights Program.

I have included copies of the water rights and respective maps for each one. You may keep these for your records. If you have any questions concerning the water rights or completion of the transfer forms, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures

5968-3

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Agriculture and Natural Resources

Date June 2, 2022RECEIVED OF David/Angela Dingsor 5809 S Copperhead Dr., Sioux Falls SD 57108

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>5968-3</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law) TOTAL	<u>\$50.00</u>

By Eric Gronlund
Chief Engineerme

PAID

JUN 2 2022

Ck# 1561

Rec't# _____

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

JUN 02 2022

OFFICE OF
WATER

No. 5968-3

Date: _____

I/We request that Water Right No. 5968-3

formerly owned by: Don Endres

be transferred to: (name & address) _____

Telephone No. _____

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

132 acres – SW ¼ Section 9, T121N, R52W (R)

I/We understand that the validity of Water Right No. 5968-3 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 Fifty Dollars (\$50.00) 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 David Dingsor, the new owner, certify that the above information is true and correct.

David Dingsor
(Signed by new owner)

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.

5968-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

June 3, 2022

5968-3
6030-3
6099-3

David Dingsor
5809 S Copperhead Dr
Sioux Falls SD 57108

Dear Mr. Dingsor:

I am writing to acknowledge receipt of the transfer forms and filing fees you paid for filing ownership changes on Water Right Nos. 5968-3, 6030-3 and 6099-3.

The ownership changes have been completed. The water rights formerly held by Don Endres or Endres Family Trust are now listed in your name.

Enclosed for your records are receipts for the filing fees you paid. If I can answer any questions, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures