

**WATER PERMIT NO. 6030-3**

Name of Applicant: CSS Farms

Address: 3334 9th Ave SW, Watertown SD

Phone: 886-2577

Amount of Water Claimed: 2.12 cfs (950 gpm)

Total Acres: 136

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Grant

Type of Waste Disposal System: NA

Location: 25 miles west of Milbank

PRIORITY

Date Received: 12-30-97

Fee: \$250.00

Corrected Application Received:

Period of Annual Use: May 1 - Sept 30

Remarks: Requesting more water than statutory limit allows

Diversion Point: NW 1/4 NE 1/4

Sec 17-T121N-R52W

Land to be Irrigated: NE 1/4

Sec 17-T121N-R52W

Depth of Well: 68 feet deep

Well Driller: LTP Enterprises

Remarks:

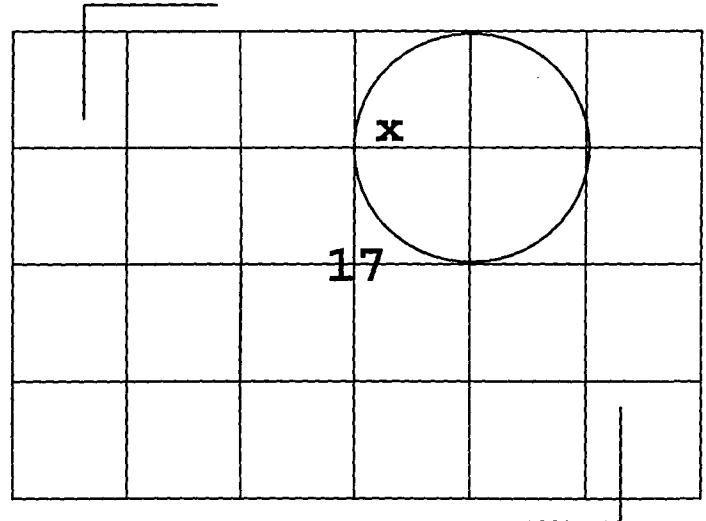
Type of Map: aerial

Prepared by: Cathy Daly, FSA

Reviewed and the Number Assigned on: 12-30-1997

By: Karen Schlaak

Notice of Hearing - date to intervene: \_\_\_\_\_



**SOUTH DAKOTA**  
**WATER PERMIT NO. 6030-3 FOR IRRIGATION**

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Date of first receipt of application December 30, 1997.

The Water Management Board approved Water Permit Application No. 6030-3 on February 25, 1998 for CSS Farms, 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. 6030-3 appropriates 2.12 cubic feet of water per second (950 gallons per minute) from one well (Big Sioux:North Aquifer) 68 feet deep located in the NW 1/4 NE 1/4 Section 17 to irrigate 136 acres located in the NE 1/4 Section 17; 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 - September 30.
3. The date from which applicant may claim right is December 30, 1997.
4. One-fifth of the construction is to be completed on or before August 25, 2000.
5. All construction is to be completed on or before February 25, 2003.
6. Water is to be put to beneficial use on or before February 25, 2007.
7. 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. 6030-3 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) from the producing formation to the surface pursuant to Section 74:02:04:28.
3. Pursuant to SDCL 46-5-6, Permit No. 6030-3 authorizes a maximum diversion rate of 2.12 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  
John Hatch, Chief Engineer  
Water Rights Program  
Department of Environment and Natural Resources

APR 23 1998

date



FORM 2: Application for irrigation in South Dakota  
(type or print)

|                                                                                                                    |                                                  |
|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| Mail to:<br>Water Rights Program<br>Joe Foss Building<br>523 E. Capitol<br>Pierre, SD 57501-3181<br>(605) 773-3352 | (office use only)                                |
|                                                                                                                    | No. <u>6030-3</u> Hydrologic Unit <u>1070202</u> |
|                                                                                                                    | Basin <u>Siouan 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 ☐ Owner ☒ Tenant/Lessee Phone 605/886-2577  
(check one)
- Mailing Address 3334 9th Ave SW, Watertown State SD  
(Street, RR, or Box) (Zip Code)
2. Amount of water claimed 2.12 \*CFS or 950 \*\*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 SW 1/4 NE 1/4 section 12-T104N-R53W)  
1 well in SW corner of NW 1/4 of ~~Section 17~~ NE 1/4 - 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 - Sep 30
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 |
|-------------------------|-------|------------------|-------|
| NE 1/4 NE 1/4 17-121-52 | 34    |                  |       |
| NW 1/4 "                | 34    |                  |       |
| SE 1/4 "                | 34    |                  |       |
| SW 1/4 "                | 34    |                  |       |

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

Center pivot irrigation on quarter section

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)

County of Codington ss

I, Milton G Carter, 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 G Carter

Subscribed and sworn to before me this 29th day of December 19 97

Lali D. Adams  
Notary Public

My Comm Expires: 4/30/98

# Supplemental Information

(type or print in ink)



## 1. Well Information - Proposed Construction

- a) Drill Hole Diameter 15" Depth 68 ✓
- b) Casing Type Steel Diameter 12" Thickness 3/8"
- c) Screen Type Stainless Steel Diameter 12" Thickness Wire Wrapped
- d) Gravel Pack None ✓ Length of Gravel Pack NA ✓
- e) Depth to Top of Water Bearing Material 29' ✓
- f) Depth to Water (ground surface to water level) 18' ✓
- g) Distance to nearest existing domestic well:
- On applicants property None On property owned by others Approximately 3000' ✓

## 2. Wastewater Disposal System Information

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

## 3. Dugout Information

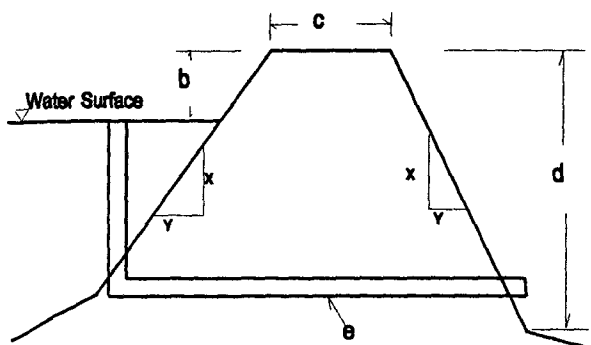
- a) Surface Dimensions \_\_\_\_\_ Depth \_\_\_\_\_
- b) Depth to water (ground surface to water level) \_\_\_\_\_

## 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



## DRILLERS LOG

Drilled for C.S.S. Farms By \_\_\_\_\_ Office \_\_\_\_\_  
Location of Test Hole approx 24 mi. N. of water town on old 81 (4554) W. on 146 St  
5 mi S. into field, 4 S. of Hy 12 (W of Summit) <sup>on 455 W. of 146 St</sup> Test Hole No. DA 1-97 Well No. DA 1-97  
Size of test hole 6 3/4 Date started 12-11-97 Date completed 12-11-97 Total Hours 5 1/2

## FORMATIONS DRILLED

**Signed**

## Driller

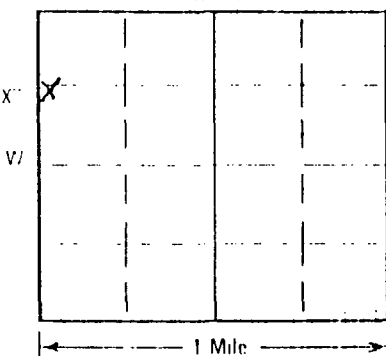
## SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

6030-3

Location SW 1/4 NW 1/4 Sec 17 Twp 121 Rg 52  
County GRANT

Please mark well location with an "X"



Well Completion Date

## 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 |
|-------------|----------|----------|----------|---------------|
| 49.56 LB/FT | 12 IN    | 12 FT    | 48 FT    | 17 1/2 IN     |
| _____ LB/FT | _____ IN | _____ FT | _____ FT | _____ IN      |
| _____ LB/FT | _____ IN | _____ FT | _____ FT | _____ IN      |

## GROUTING DATA

| Grout Type | No. of Sacks | Grout Weight  | From     | To       |
|------------|--------------|---------------|----------|----------|
| CEMENT     | 14           | 13 lb./gal    | 0 ft     | 20 ft    |
| _____      | _____        | _____ lb./gal | _____ ft | _____ ft |

Describe grouting procedure Pumped - Tremie pipe

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 12 IN Length 20 FEET

Material STAINLESS

Slot Size 0.45 Set From 48 Feet to 68 Feet

Other information STAINLESS PLATE Bottom

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

Laboratory sent to for water quality analysis

NO, Why Not? \_\_\_\_\_

Well Owner CBS FARMS

Business Name CBS FARMS

Address RR 3 Box 1388  
WATER TOWN, S.D. 57201

## WELL LOG:

| FORMATION          | DEPTH |    |
|--------------------|-------|----|
|                    | FROM  | TO |
| TOP SOIL           | 0     | 1  |
| SAND & GRAVEL      | 1     | 17 |
| CLAY LENSES GRAVEL | 17    | 29 |
| DIRTY SAND         | 29    | 52 |
| SAND               | 52    | 57 |
| GRAVEL             | 57    | 68 |
| SANDY CLAY         | 68    | 82 |
|                    |       |    |
|                    |       |    |

STATIC WATER LEVEL 7

If flowing: closed in pressure \_\_\_\_\_

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

23 ft After 10 Hrs. pumped 1001 GPM

\_\_\_\_\_ ft After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

If pump installed, pump rate 1000 GPM

## REMARKS

This well was drilled under license # 381

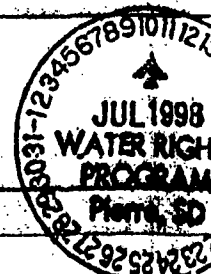
And this report is true and accurate.

Drilling firm LTP ENTERPRISES, INC.

Signature of License Representative

Signature of Well Owner or Equitable Property Holder

Date

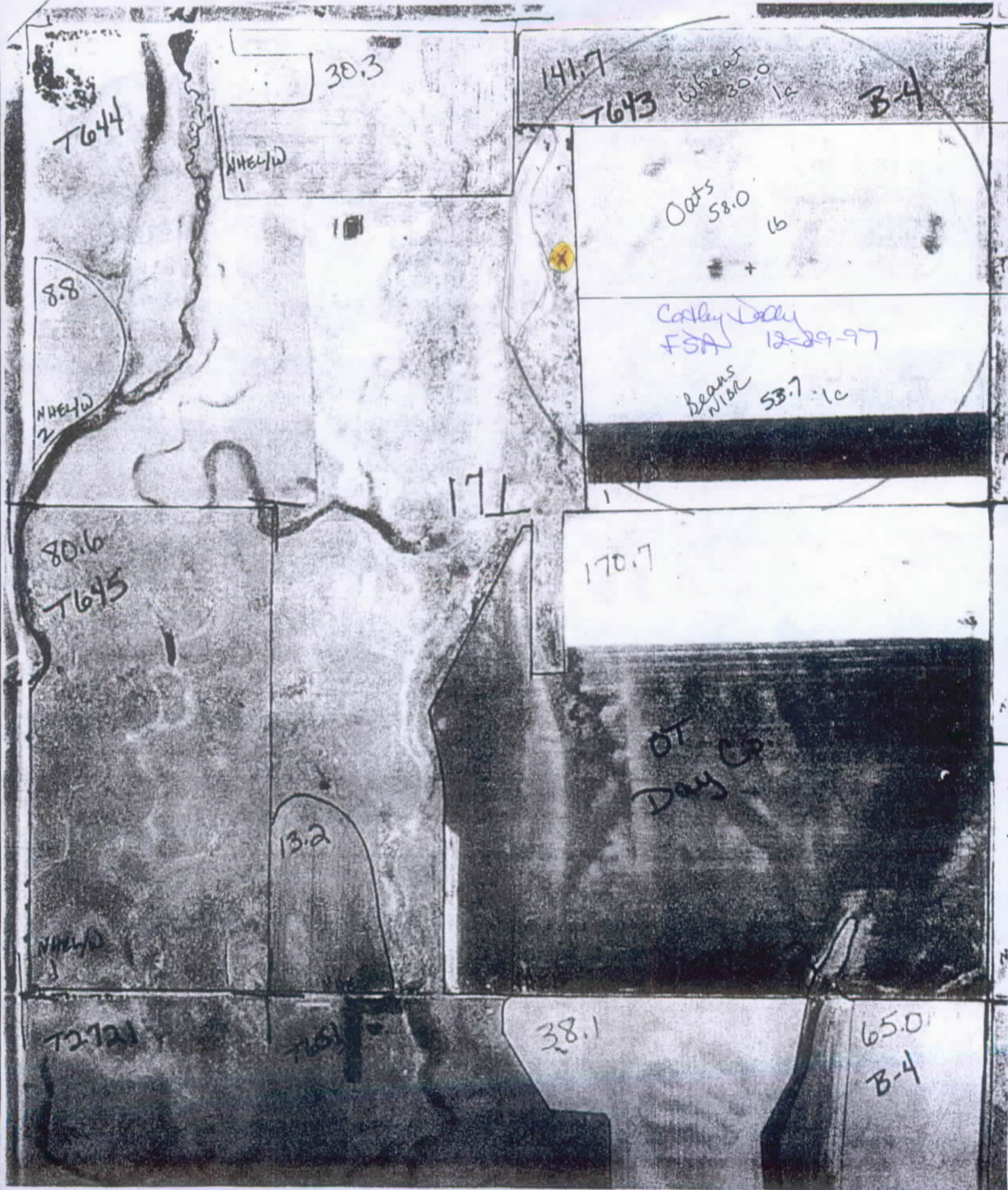


X = proposed well Location  
or Diversion point

1711

# NOT TO SCALE

CSS Farms, Inc.  
Watertown, SD



6030-3

# RECEIPT

## Water Rights Program

South Dakota Department of Environment and Natural Resources

415580

Pierre, December 30, 1997

RECEIVED OF CSS Farms, Inc., 3334 - 9th Ave. SW, Watertown, SD 57201  
the following amount in fees for services rendered as provided for by law:

|                                                                                                                                 |       |        |
|---------------------------------------------------------------------------------------------------------------------------------|-------|--------|
| Fee for Application for Permit No. <u>6030-3</u> to Appropriate Water, to construct<br>and to put water to beneficial use _____ | 250   | 00     |
| Fee for Application for Permit No. _____ to Appropriate Water, for Future<br>Use _____                                          |       |        |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                                          |       |        |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water<br>License No. _____                          |       |        |
| Fee for Filing Transfer Form _____                                                                                              |       |        |
| Fee for Filing Extension Request _____                                                                                          |       |        |
| Fee for _____                                                                                                                   |       |        |
| _____                                                                                                                           |       |        |
| _____                                                                                                                           |       |        |
| (Any Other Work Provided by Law)                                                                                                | Total | 250 00 |

By \_\_\_\_\_  
Chief Engineer

John Hatch

# 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

December 29, 1997

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 request an increase in the allowed diversion rate from 1.0 to 1.09 cfs per 70 irrigated acres. We would like to have a total of 950 gpm (2.12 cfs) on 136 irrigated acres in the NE 1/4 of Sec. 17-T121N-R52W.

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 7.0 gpm per irrigated acre to do an adequate job of irrigating the crop and protecting the environment.

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

Sincerely,

Milton G. Carter

REPORT ON WATER PERMIT APPLICATION NO. 6030-3  
for CSS Farms  
January 16, 1998

Application No. 6030-3 proposes to appropriate 2.12 cfs (950 gpm) from one well approximately 68 feet deep located in the NW 1/4 NE 1/4 of Section 17 to irrigate 136 acres located in the NE 1/4 of Section 17; all in T121N R52W in Grant County and within the former boundaries of the Sisseton Wahpeton Indian Reservation.

**AQUIFER - BIG SIOUX NORTH (BS-N)**

The Big Sioux North is surficial outwash (sand and gravel) which is under unconfined or water table conditions in this area. The Big Sioux 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 is hydraulically connected to the Big Sioux River and also extends into Roberts County to the north and into Day County to the west. Regionally ground water movement is from north to south with a local component toward the river. This means that under most conditions ground water is discharging to the river but the river can either be a discharge or recharge zone depending upon the availability of surface water (runoff) to the system. The Big Sioux North is a management unit designation which is nearly the same as the Big Sioux aquifer as described in the Hansen report.

Test well information supplied with the application indicates, sand and gravel from 1 to 16 feet, clay and gravel from 17 to 29 feet, dirty sand from 29 to 52 feet, sand from 52 to 59 feet and gravel from 57 to 68 feet all below land surface. The static water level was reported at 8 feet below land surface and this test well had a specific capacity of 54.5 gpm/ft of drawdown. Theoretically this well could produce the amount of water requested by this application.

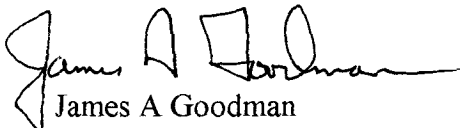
The Water Rights Program monitors an observation well, GT-77B, which is completed into the Big Sioux North aquifer and located within one-half mile of this application. Water levels for this well show good response to climatic conditions, that is, rising water levels during wet years(recharge) and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1998). A hydrograph of GT-77B is included with this report.

**REVIEW OF EXISTING WATER PERMITS/RIGHTS**

The nearest existing Water Permit is No. 5968-3 which is located just northeast of this application. The well for this application is approximately one mile southwest of the well for Water Permit No. 5968-3. Interference is not a concern. Drawdown will result from pumping but at the distance between wells this should not be significant.

## 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 be significant. Interference is not a concern because of the distance between diversion points.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. The applicant has requested a rate of diversion which exceeds the standard of 1 cfs per 70 acres. This request is based upon the type of soils and crops to be grown. This is a reasonable request.



James A Goodman  
Natural Resources Engineer

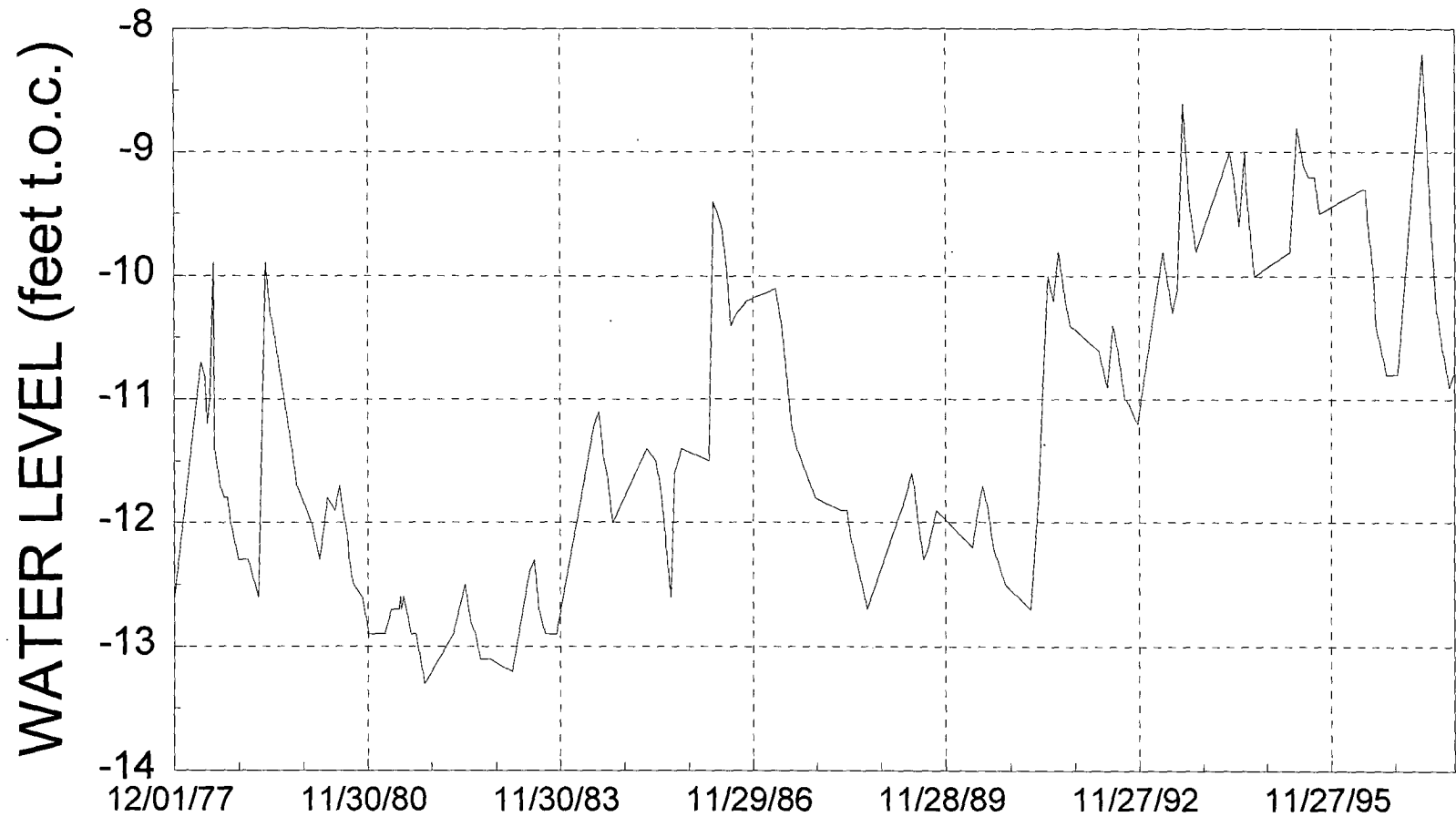
## BIBLIOGRAPHY

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

Water Rights, 1998, Unpublished Observation Well Records for Grant County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

# WATER RIGHTS OBSERVATION WELL

GT-77B



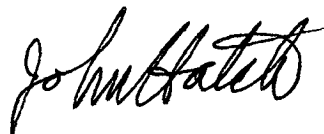
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 6030-3, CSS Farms, Inc.**

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. 6030-3, CSS Farms, Inc., c/o Milton Carter, 3334 9th Ave. SW, Watertown, SD 57201.

The Chief Engineer is recommending APPROVAL of Application No. 6030-3 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. 6030-3 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. 6030-3 authorizes a maximum diversion rate of 2.12 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  
January 20, 1998



**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.**

January 22, 1998

CSS Farms  
%Milton Carter  
3334 9<sup>th</sup> Ave. SW  
Watertown, SD 57201

Dear Mr. Carter:

Water Permit Application Nos. 6029-3 and 6030-3 for irrigation use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing for Application No. 6029-3 has been sent to the Publisher of the Sisseton Courier printed at Sisseton, SD (Ph # (605) 698-7642), and for Application No. 6030-3, the 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 applications are enclosed. Please review the notices prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspapers to authorize publication of your Notices of Hearing and to arrange for payment. Early contact with the papers can eliminate delays. The publishers have been instructed to publish your notices once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspapers have been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the applications.

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

January 22, 1998

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

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 6030-3 to be published twice. Please publish the first notice on January 28, 1998, 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, %Milton Carter, 3334 9<sup>th</sup> 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  
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 28, 1998, with the second publication 7 days later. The applicant is responsible for payment.

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NOTICE OF APPLICATION NO. 6030-3 to Appropriate Water

Notice is given that CSS Farms, c/o Milton Carter, 3334 9th Ave SW, Watertown SD 57201 has filed an application for a water permit to appropriate 2.12 cubic feet of water per second (950 gallons per minute) from one well (Big Sioux:North Aquifer) 68 feet deep located in the NW 1/4 NE 1/4 Section 17 to irrigate 136 acres located in the NE 1/4 Section 17; all in T121N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6030-3 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 Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 16, 1998. 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 Water Management Board will consider this application at 1:15 p.m. (cst), February 25, 1998, 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 February 25, 1998, 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 February 16, 1998.

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 February 16, 1998, at the above Water Rights Program 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. 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

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:

Jan. 28, 1998

Feb. 4, 1998

Cost of Printing 47.16

Clarence Justice  
(Signature)

Assoc. Editor  
(Title)

2-4-98  
(Date Signed)

## NOTICE OF APPLICATION NO. 6030-3 to Appropriate Water

Notice is given that CSS Farms, c/o Milton Carter, 3334 9th Ave SW, Watertown SD 57201 has filed an application for a water permit to appropriate 2.12 cubic feet of water per second (950 gallons per minute) from one well (Big Sioux North Aquifer) 68 feet deep located in the NW 1/4 NE 1/4 Section 17 to irrigate 136 acres located in the NE 1/4 Section 17; all in T121N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6030-3 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 Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by February 16, 1998. 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 Water Management Board will consider this application at 1:15 p.m. (cst), February 25, 1998, 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 February 25, 1998, 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 February 16, 1998.

Any hearing will be an adversary proceeding. Any person filing a peti-

tion 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 February 16, 1998, at the above Water Rights Program 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. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

NOTES

2017

Feb. 4

Notary Public, GRANT COUNTY, S. DAK.  
My Commission Expires OCT 27, 2003



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

APR 23 1998

CSS Farms  
%Milton Carter  
3334 9<sup>th</sup> Ave. SW  
Watertown, SD 57201

Dear Mr. Carter:

Enclosed are Water Permit Nos. 6029-3 and 6030-3 authorizing construction of your water diversion systems and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

Also enclosed are two Form 10's, 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 systems and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water Licenses may be issued, thus completing your acquisition of Water Rights.

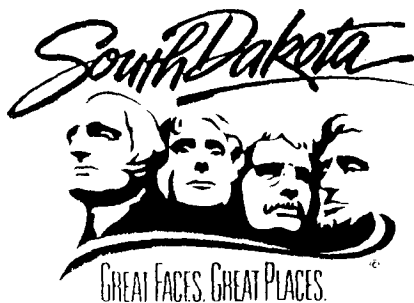
Very truly yours,

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

enclosures

**PLEASE NOTE:** Certain changes may be made to your water permits 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](http://www.state.sd.us/denr)

Jim Carter  
CSS Farms  
3334 9<sup>th</sup> 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

**Permit No. 6030-3**  
**Big Sioux River - Water District**

Contact Person & Address: **Jim and Ray Carter, 3334 9<sup>th</sup> 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 9<sup>th</sup> Ave SW, Watertown SD** holder of Permit No. **6030-3**, bearing the priority of **December 30, 1997** authorizing the diversion of **2.12** 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 NE corner of Sec 17 T121N-R52W (res): 1320 ft south and 2365 ft west** with a longitude of **-97.1945** and a latitude of **45.26475** as determined using **GPS**. The works are capable of diverting and conveying to the place of use **2.12** 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 17 T121N-R52W (res):**

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

comprising a total of **132** acres of land and the license should be issued for **2.12** 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: <b><u>LTP Enterprise Inc</u></b> | 2) No. of Wells <b><u>1</u></b>            |
| 3) Depth(s) <b><u>68</u></b> feet                       | 4) Well log is available <b><u>yes</u></b> |

**Casing:**

- |                                     |                                 |
|-------------------------------------|---------------------------------|
| 1) Diameter <b><u>12</u></b> inches | 2) Length <b><u>48</u></b> feet |
| 3) Type <b><u>steel</u></b>         |                                 |

**Screen:**

- |                                       |                                 |
|---------------------------------------|---------------------------------|
| 1) Type <b><u>stainless steel</u></b> | 2) Length <b><u>20</u></b> feet |
|---------------------------------------|---------------------------------|

3) Static water level 7 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

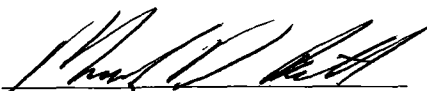
7) Injection pump type piston

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



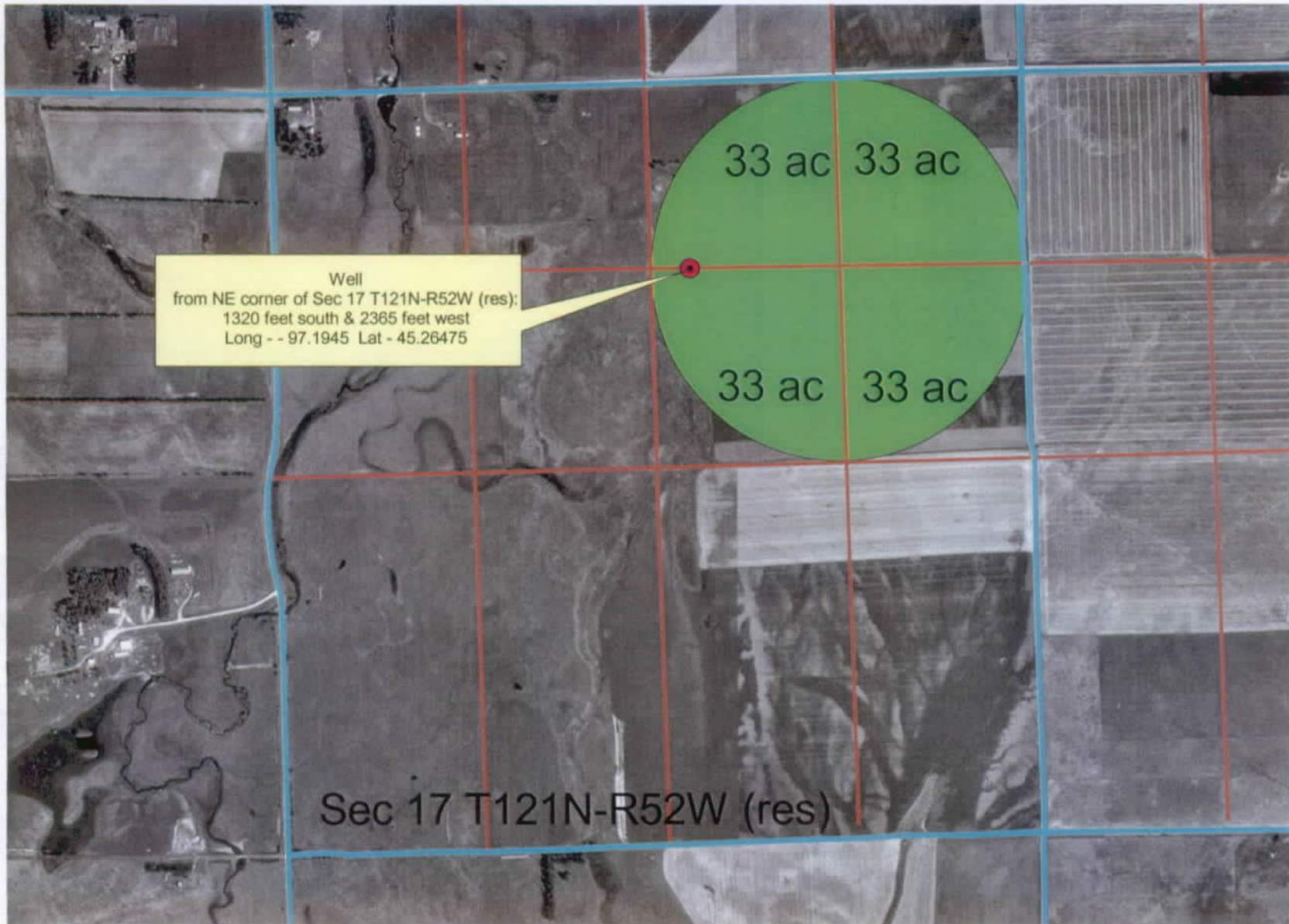
Mark D. Rath

Natural Resources Engineering Specialist  
DENR, Water Rights Program

11-8-07

Date

No. 6030-3



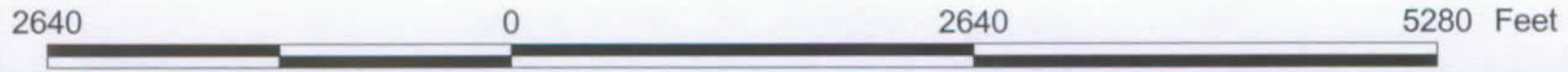
*South Dakota*



*Mark D. Rath*

Mark D. Rath  
Natural Resources Engineer  
SD DENR

*10-31-02*



# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date November 20, 2000

RECEIVED OF CSS Farms Inc., 3334 20th 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<br>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<br>Water License No. <u>6030-3</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.

334

By

Deborah E. Eble  
Chief Engineer



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

November 14, 2002

CSS Farms  
Jim & Ray Carter  
3334 9<sup>th</sup> 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,

A handwritten signature in cursive script that reads "Karen Schlaak".

Karen Schlaak  
Water Rights Program  
(605) 773-3352



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

**MAR 11 2003**

6030-3

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

Dear Mr. Carter:

Enclosed is Water License No. 6030-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 000364 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. 6030-3, 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

# STATE OF SOUTH DAKOTA

## WATER LICENSE NO. 6030-3

(1) CSS Farms Inc., 3334 9<sup>th</sup> Ave SW, Watertown SD 57201 made Application No. 6030-3, December 30, 1997 for a water permit to divert 2.12 cubic feet of water per second from groundwater (one well), Grant County, South Dakota for irrigation purposes. Permit No. 6030-3, with a priority date of December 30, 1997 was approved February 25, 1998 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before February 25, 2003 and for the application to beneficial use of water on or before February 25, 2007.

(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. 6030-3 is issued a license, bearing a priority date of December 30, 2002 to appropriate 2.12 cubic feet of water per second from groundwater (one well) to irrigate 132 acres.

The diversion point is located: 1,320 feet south and 2,365 feet west of the northeast corner of Section 17-T121N-R52W (W ½ NE ¼). The acres authorized for irrigation are as follows:

|                                        |           |          |
|----------------------------------------|-----------|----------|
| <b>Section 17-T121N-R52W<br/>(RES)</b> | NW ¼ NE ¼ | 33 acres |
|                                        | NE ¼ NE ¼ | 33 acres |
|                                        | SE ¼ NE ¼ | 33 acres |
|                                        | SW ¼ NE ¼ | 33 acres |
| <b>Total 132 acres</b>                 |           |          |

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6030-3 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. 6030-3 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. 6030-3 authorizes a maximum diversion rate of 2.12 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



| 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



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

July 17, 2007

Jim Endres  
Endres Family Trust  
17212 460<sup>th</sup> Ave  
Watertown SD 57201

RE: Water Right Nos. 5377-3, 5378-3, 5723-3, 5724-3, 6029-3, 6030-3 and 6099-3

Dear Mr. Endres:

I am writing in follow-up to our phone conversation regarding ownership of the above water rights.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership changes. Please review the forms and complete as needed. Upon completion, please sign and return them to our office with a required filing fee of \$2.50 each (**total of \$17.50**). The check or money order for the fee can be made payable to the Water Rights Program.

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

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

September 12, 2007

Jim Endres  
Endres Family Trust  
17212 460<sup>th</sup> Ave  
Watertown SD 57201

RE: Water Right Nos. 5377-3, 5378-3, 5723-3, 5724-3, 6029-3, 6030-3 and 6099-3

Dear Mr. Endres:

I am contacting you in regard to ownership of land described in Water Right Nos. 5377-3, 5378-3, 5723-3, 5724-3, 6029-3, 6030-3 and 6099-3. These are water rights that describe irrigation of land formerly owned by CSS Company.

On July 17<sup>th</sup> I sent transfer forms to you for filing ownership changes and to date I have not received anything back from you. In the event you do not have the original forms, I am including another partially completed set for you to use. Please review the forms and complete as needed. Upon completion, please sign and return them to our office with a required filing fee of \$2.50 each (**total of \$17.50**). The check or money order for the fee can be made payable to the Water Rights Program.

If the water rights should no longer be transferred, please get in touch with me.

Sincerely,

Genny McMath  
Environmental Scientist  
Water Rights Program  
(605) 773-5455  
email: [genny.mcmath@state.sd.us](mailto:genny.mcmath@state.sd.us)

enclosures

6030-3



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

July 11, 2008

Jim Endres  
Endres Family Trust  
17212 460<sup>th</sup> Ave  
Watertown SD 57201

RE: Water Right Nos. 5377-3, 5378-3, 5723-3, 5724-3, 6029-3, 6030-3 and 6099-3

Dear Mr. Endres:

I am contacting you in regard to ownership of land described in Water Right Nos. 5377-3, 5378-3, 5723-3, 5724-3, 6029-3, 6030-3 and 6099-3. These are water rights that describe irrigation of land formerly owned by CSS Company.

On July 17 and September 12, 2007, I sent transfer forms to you for filing ownership changes and to date have not received anything back from you. Under South Dakota Water Law, Notice of any sale, grant, lease or conveyance of a permit or license to appropriate water shall be filed with the Chief Engineer within ninety days. If you no longer own the land and I should be contacting someone else, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath  
Environmental Scientist  
Water Rights Program  
(605) 773-5455  
email: [genny.mcmath@state.sd.us](mailto:genny.mcmath@state.sd.us)

enclosures

c: Greg Endres, 2011 S Serenity Dr, Watertown SD 57201



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

July 15, 2008

Jim Endres  
Endres Family Trust  
17212 460<sup>th</sup> Ave  
Watertown SD 57201

RE: Water Right Nos. 5377-3, 5378-3, 5723-3, 5724-3, 6029-3, 6030-3 and 6099-3

Dear Mr. Endres:

Thank you for calling and discussing the ownership changes needed for Water Right Nos. 5377-3, 5378-3, 5723-3, 5724-3, 6029-3, 6030-3 and 6099-3. I have enclosed copies for your review.

Enclosed are partially completed forms for filing ownership changes with each water right. Please complete and sign each form. Upon completion, return them to our office with a required filing fee of \$2.50 each (**total of \$17.50**). The check or money order for the fee can be made payable to the Water Rights Program.

The copies of the water rights are yours to keep. The only items we need back are the signed transfer forms and the filing fee. If I can answer any questions for you, please contact me.

Sincerely,

Genny McMath  
Environmental Scientist  
Water Rights Program  
(605) 773-5455  
email: [genny.mcmath@state.sd.us](mailto:genny.mcmath@state.sd.us)

enclosures

# NOTICE OF TRANSFER OF OWNERSHIP

JUL 30 2008

WATER RIGHTS  
PROGRAM

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

No. 6030-3

Date: 7/21/08

I/We request that Water Right No. 6030-3

formerly owned by: CSS Farms

be transferred to: (name & address)

Family Trust  
Endus Stock & Grain by Jim Endus  
17212 460<sup>th</sup> ave, Watertown, S.D. 57201

Telephone No. 605-886-7342

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

132 acres - NE 1/4 Section 17, T121N, R52W (RES)

I/We understand that the validity of Water Right No. 6030-3 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 Jim Endus, the new owner, certify that the above information is true and correct.

Family Trust  
Endus Stock & Grain by Jim Endus  
(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

Date 8/28, 20 08

RECEIVED OF Endres Family Trust J Enders 17212 460th Ave Watertown SD 57200

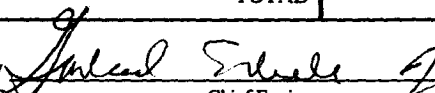
The following amount in fees for services rendered as provided for by law:

|                                                                                                                |       |    |
|----------------------------------------------------------------------------------------------------------------|-------|----|
| 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>6030-3 6030</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 |    |
|                                                                                                                | 2     | 50 |

No.

03757

By

  
Chief Engineer



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

July 15, 2008

Jim Endres  
Endres Family Trust  
17212 460<sup>th</sup> Ave  
Watertown SD 57201

RE: Water Right Nos. 5377-3, 5378-3, 5723-3, 5724-3, 6029-3, 6030-3 and 6099-3

Dear Mr. Endres:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on the above listed water rights. The ownership changes have been completed. The water rights once listed in the name of Milton G Carter or CSS Farms are now listed in the name of "Endres Family Trust".

Enclosed are Receipt Nos. 03732 through 03738 in the amounts of \$2.50 each which you paid for filing the ownership changes. You may keep these for your records.

We have Gene Endres listed as operator of the systems described in each one of the water rights. The annual irrigation questionnaires will continue to be directed to Gene's attention until you notify us otherwise. If I can answer any questions for you, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath  
Environmental Scientist  
Water Rights Program  
(605) 773-5455  
email: [genny.mcmath@state.sd.us](mailto:genny.mcmath@state.sd.us)

enclosures

c: Gene Endres

**McMath, Genny**

---

**From:** DANRnoreply@caspio.com  
**Sent:** Thursday, December 2, 2021 8:22 PM  
**To:** Duvall, Ron; McMath, Genny  
**Subject:** [EXT] 6030-3 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  | CRN, 132 | ,      | ,      | ,      |
| July  | CRN, 132 | ,      | ,      | ,      |
| Aug   | CRN, 132 | ,      | ,      | ,      |
| Sep   | CRN, 132 | ,      | ,      | ,      |
| Oct   | ,        | ,      | ,      | ,      |
| Nov   | ,        | ,      | ,      | ,      |

**Comments:****Additional Info:**

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

6030-3



**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](mailto:Genny.mcmath@state.sd.us)

enclosures

6030-3

**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>6030-3</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 Engineerthe

PAID

JUN 2 2022

Ck# 1561

Rec't#

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

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

JUN 02 2022

OFFICE OF  
WATER

No. 6030-3

Date:

I/We request that Water Right No. 6030-3

formerly owned by: Endres Family Trust

be transferred to: (name & address)

Telephone No.

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

132 acres – NE ¼ Section 17, T121N, R52W (R)

I/We understand that the validity of Water Right No. 6030-3 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.



6030-3

**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](mailto:Genny.mcmath@state.sd.us)

enclosures