

WATER PERMIT NO. 6146-3

Name of Applicant: South Dakota Soybean Processors

Address: Box 500, Volga SD 57071

Phone: 605 627-9240

Amount of Water Claimed: 65 gpm (0.144 cfs)

Total Acres: NA

Source of Water Supply: groundwater (drain field)

Water to be used for: industrial County: Brookings

Type of Waste Disposal System: NA

Location: east of Volga

PRIORITY Date Received: 6-8-1999

Fee: \$150.00

Corrected Application Received: 6-17-1999

Period of Annual Use: January 1 – December 31

Remarks: Reuses water from a dewatering station in cooling tower basin

Diversion Point: NW ¼ NW ¼ Sec 24-T110N-
R51W

Land to be Irrigated: NA

Depth of Well:

Well Driller:

Remarks:

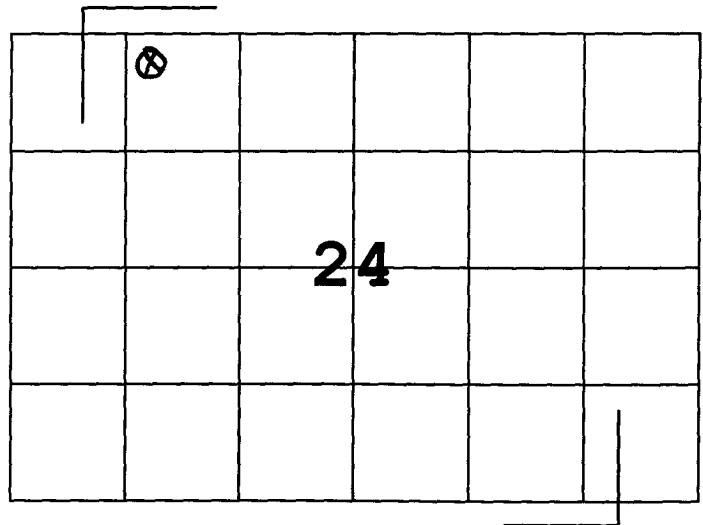
Type of Map: plat

Prepared by: Stevan Dewald, PE

Reviewed and the Number Assigned on: 6-17-1999

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



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

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6146-3</u>	(office use only) Hydrologic Unit <u>10170202</u>
	Basin <u>Sioux River</u>	
	Newspaper <u>Volga Tribune, Volga, SD</u>	



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

Check use(s) of water:

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

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

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

- Name of Applicant South Dakota Soybean Processors Phone 605-627-9240
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address ~~100 Caspian Avenue~~ P.O. Box 500, Volga State SD 57071
(Street, RR. or Box) (Zip Code)
- Amount of water claimed 0.144 *CFS or 65.0 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply 20' shallow drainage field around SDSB's truck dump pits
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) east of the city of Volga
in Section 24-T110N-R51W (NW1/4 NW1/4)
County Brookings
- County or counties where water will be used Brookings
- Annual period during which water is to be used 365 days per year Jan 1 - Dec 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

STATE OF SOUTH DAKOTA) SS
County of Brookings

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

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

Signed John Probst
Subscribed and sworn to before me this 27th day of May 19 99

Penny Cotton
Notary Public

My Commission Expires: 9-25-99

Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

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

2. 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

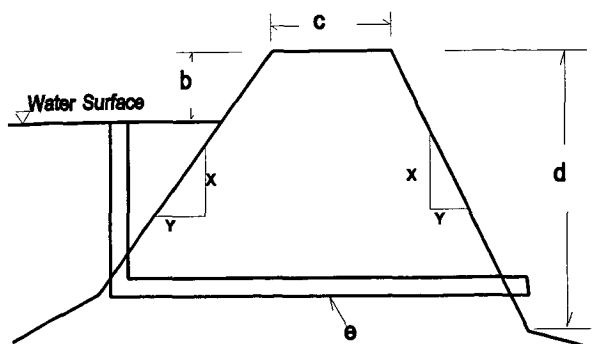
3. Dugout Information

- 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

**SOUTH DAKOTA
WATER PERMIT NO. 6146-3**

Date of first receipt of application June 8, 1999.

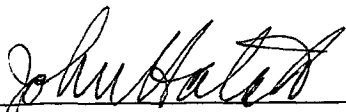
Date of return to applicant for corrections, amendments or changes June 8, 1999.

Date of receipt of corrected application June 16, 1999.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6146-3 to the South Dakota Soybean Processors, PO Box 500, Volga SD 57071 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. 6146-3 appropriates 0.144 cubic feet of water per second (65 gallons per minute) from a 20 foot drain field system located in the NW ¼ NW ¼ Section 24-T110N-R51W. As part of a water conservation program, water from the dewatering station is being reused in the cooling tower basin process.
2. The water appropriated shall be used for the purpose of supplying water for industrial use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 6146-3 is July 26, 1999.
5. The date from which applicant may claim right is June 8, 1999.
6. One-fifth of the construction is to be completed on or before January 26, 2002.
7. All construction is to be completed on or before July 26, 2004.
8. Water is to be put to beneficial use on or before July 26, 2008.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

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

SEP 3 1999
date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DIVISION III

TEMPORARY PERMIT TO USE PUBLIC WATERS

FOR DEWATERING PURPOSES

This temporary permit to use public waters for dewatering purposes is issued to the South Dakota Soybean Processors, PO Box 5000, Volga SD 57071 authorizing withdrawal of 2,500,000 gallons of water at a rate of 220 gallons per minute from approximately 20 shallow wells at the location described as NW 1/4 Section 24-T110N-R51W.

The water withdrawn from the wells will be discharged to an unnamed tributary of the Big Sioux River. The discharge of water must comply with the general permit for temporary dewatering issued by this Department.

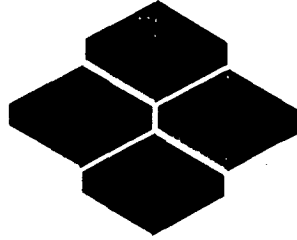
This temporary permit becomes effective September 28, 1995 and expires on December 31, 1995.

This permit does not provide necessary right-of-way. Such arrangements should be made with the proper land owner.

Issued: September 28, 1995

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

c: Jenny Hegg, Environmental Services
Tim Olson, Dept. of Game, Fish and Parks
Clif Allen, Lightowler Johnson Associates
PO Box 2464, Fargo ND, 58108



LIGHTOWLER JOHNSON ASSOCIATES
INCORPORATED
ARCHITECTS ENGINEERS



January 12, 1996

SD Dept. of Environment and Natural Resources
523 East Capital Avenue
Pierre, South Dakota 57501

Re: Appropriation Permits
South Dakota Soybean Processing Plant
Volga, South Dakota
LJA Project No. 9544

Dear Gentlemen:

On behalf of the owners, South Dakota Soybean Processors (SDSP), we wish to hereby request an extension to an existing appropriation permit to allow for continued construction site dewatering.

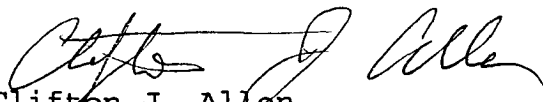
The following information is provided as per your request:

Existing Permit No.:	SDG 070063
Project Location:	NW 1/4 Sec-T110N-R51W
Existing condition:	Approximately 4 ft perched water table exists on an impermeable clay layer at a depth of 14 ft plus or minus.
Estimated volume:	Discharge rate is expected to continue at the current rate of 200 GPM $\pm$.
Schedule:	Began construction dewatering in October 1995 and continue intermittently for approximately 1 year.
Discharge Receiving:	Discharge water leads to an unnamed tributary of the Big Sioux River.

Please feel free to contact our office at any time if you have any questions or comments.

Sincerely,

LIGHTOWLER JOHNSON ASSOCIATES, INC.



Clifton J. Allen
Project Engineer

cc: L. Mahlum



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DIVISION III

**TEMPORARY PERMIT TO USE PUBLIC WATERS
FOR DEWATERING PURPOSES**

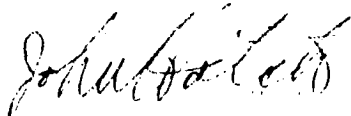
This temporary permit to use public waters for construction dewatering purposes is issued to the South Dakota Soybean Processors, of PO Box 500, Volga, SD 57071 authorizing withdrawal of 2,500,000 gallons of water at a maximum rate of 200 gallons per minute from groundwater (one 48" diameter manhole - 20' deep) at the location described as NW 1/4 NW 1/4 Section 24, T110N, R51W, Brookings County.

The groundwater withdrawn will be discharged to an unnamed tributary of the Big Sioux River. The discharge of water to the tributary must comply with the *General Permit for Temporary Dewatering (No. SDG 070063)* issued by this Department.

This temporary permit becomes effective January 24, 1996 and expires on December 31, 1996.

This permit does not provide necessary right-of-way. Such arrangements should be made with the proper land owner.

Issued: January 24, 1996


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

c: Jenny Hegg, Environmental Services
Tim Olson, Dept. of Game, Fish and Parks
Clifton J Allen, Project Engineer, Lightowler Johnson Associates Inc.,
PO Box 2464, Fargo, ND 58108



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

May 24, 1999

Larry Mahlum, Plant Manager
SD Soybean Processors
PO Box 500
Volga SD 57071

Dear Mr. Mahlum:

I am writing regarding water right permitting requirements for dewatering purposes at SD Soybean Processors' facility at Volga. It was brought to my attention a dewatering system originally used during construction of the facility continues to be used. I understand the water diverted from this system is used in the facility's cooling towers prior to being discharged. A standard water right permit is required for this type of water use in South Dakota.

From September 28, 1995 through December 31, 1996, Lightowler Johnson Associates obtained temporary water permits on behalf of SD Soybean Processors to allow for site dewatering during construction of the facility. This dewatering system was comprised of a 48" manhole 20 feet deep with 900 linear feet of tile. I am enclosing a copy of the two temporary permits obtained during the construction phase. The last temporary water permit expired December 31, 1996.

SD Soybean Processors did obtain a standard water right permit (No. 5955-3) to appropriate 200 gallons per minute from a 235 feet deep well located into the Howard Aquifer, however, the dewatering system is not covered under the Permit No. 5955-3 because diversion is from a different water source.

If the facility plans to continue operation of the dewatering system, a permanent water right permit is necessary. Enclosed is an application form and an instruction sheet for filing for a water permit.

If you have any questions on water right permitting requirements, do not believe that this water use requires a water right permit or need assistance completing the application, please feel free to contact me. I look forward to your response by June 25, 1999.

Sincerely,

Eric Gronlund
Water Rights Program
(605) 773-3352

enclosures

May 27, 1999

APPLICATION FOR PERMIT TO APPROPRIATE WATER WITHIN THE STATE OF SOUTH DAKOTA

7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if additional space is needed).

On September 28, 1996 through December 31, 1996, South Dakota Soybean Processors, (SDSP) installed a drainage tile system to protect the Truck and Rail Receiving pits at the Volga, SD site. The installed drainage system was used to protect the underground-receiving tunnel from collapse due to external water pressure. Initially, SDSP discharged the water from the dewatering tile, through a lift station, to SDSP's storm water runoff ditch located on the South side of the plant. Since that time, however, SDSP has enacted a water conservation program that reuses the water from the dewatering station in the cooling tower basin of our process. This design has reduced the need for external water from the city of Volga for cooling tower make up water, thereby, reducing the cost of operation.





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

June 8, 1999

Larry Mahlum, Plant Manager
SD Soybean Processors
PO Box 500
Volga SD 57071



Dear Mr. Mahlum:

Thank you for submitting the *Application for a Permit to Appropriate Water* for industrial use.

The application filing fee will be \$150.00. In addition to the application filing fee, the Water Rights Program now collects the \$50 licensing fee at the time of filing. Please submit \$200.00 for the application filing fee and licensing of the water permit.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

6/10/1-131 = 200.⁰⁰

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NE 416146

Pierre, June 16, 1999

RECEIVED OF SD Soybean Processors, Inc., Box 500, Volga SD 57071
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>6146-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	150	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>6146-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	200 00

By John Hatcher
Chief Engineer

JOHN HATCHER

REPORT ON WATER PERMIT APPLICATION NO. 6146-3
for SD Soybean Processors
June 22, 1999

Application No. 6146-3 proposes to appropriate 0.144 cfs (65 gpm) from a 20 feet deep tile drain system located in the NW 1/4 NW 1/4 of Section 24, T110N-R51W in Brookings County. Water from the dewatering system is being used in the cooling tower basin process. The use of water is for industrial purposes.

AQUIFER - BIG SIOUX BROOKINGS (BS-B)

The Big Sioux Brookings is a surficial outwash (sand and gravel) which is under water table conditions in this area. The Big Sioux aquifer underlies 540 square miles and contains an estimated 2.0 million acre feet of water in storage in Brookings and Kingsbury Counties (Hamilton, 1989). The aquifer is hydraulically connected to the Big Sioux River and extends into Moody County to the south, into Hamlin County to the north and Kingsbury County to the west. In Brookings County, the Big Sioux Brookings aquifer underlies 74,500 acres and contains an estimated 245,850 acre feet of recoverable water in storage (Hedges, 1982). Ground water movement in the area of this application is from west to east toward the Big Sioux River.

The Water Rights Program does monitor seven observation wells in this area completed into the Big Sioux aquifer and located within a three-mile radius of this application. Observation well, BG-77M, is located one mile north and one mile west of this site. Water levels for this well show good response to climatic conditions, that is, rising water levels during wet years and gradually declining water levels during dry years. A hydrograph for this observation well is included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other nearby water permits/rights which obtain water from the Big Sioux aquifer. The nearest water permit for ground water from the Big Sioux aquifer is located about one-half mile southwest of this application. Interference is not a concern. This system has been in use with no apparent problems.

CONCLUSIONS

1. Water is available from the Big Sioux Brookings aquifer.
2. The aquifer is under water table conditions and drawdown created by pumping is not significant and does not extend very far from the production area.
3. This system was constructed for the purposes of dewatering the area around the truck and rail dump pits. Instead of discharging this water to the storm drain, the water is now used for cooling purposes prior to discharge.
4. This facility also obtains water from the City of Volga and discharges to the City wastewater system.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Hamilton, L.J., 1989, Water Resources of Brookings and Kingsbury Counties, South Dakota, WRI 88-4185, USGS, Huron, SD, 57350.

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

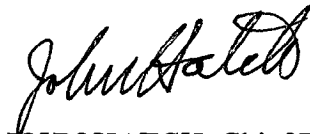
Water Rights, 1999, Unpublished Observation Well Data for Brookings County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6146-3, South Dakota Soybean Processors**

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. 6146-3, South Dakota Soybean Processors, P.O. Box 500, Volga SD 57071.

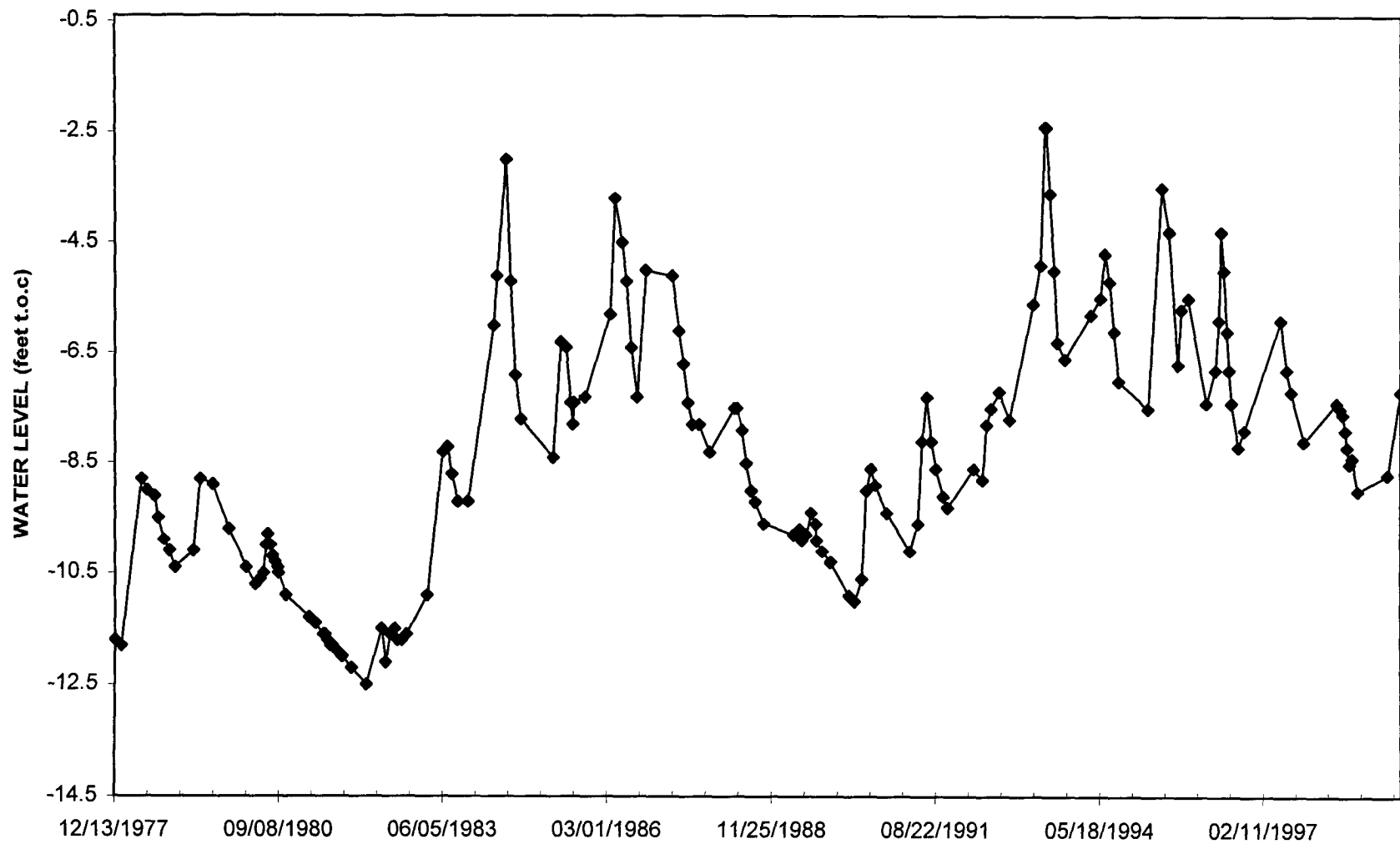
The Chief Engineer is recommending APPROVAL of Application No. 6146-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest.

See report on application for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", written in a cursive style.

JOHN HATCH, Chief Engineer
June 29, 1999

**WATER RIGHTS' OBSERVATION WELL
BG-77M**





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

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

June 29, 1999

South Dakota Soybean Processors
Larry Mahlum, Plant Manager
P.O. Box 500
Volga, SD 57071

Dear Mr. Mahlum:

Water Permit Application No. 6146-3 for industrial 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 Volga Tribune printed at Volga, SD (Ph # (605) 627-9471). 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
www.state.sd.us/denr

June 29, 1999

Volga Tribune
Box 18
Volga, SD 57071-0018

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6146-3 to Appropriate Water to be published twice. Please publish the first notice on July 8, 1999, 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 South Dakota Soybean Processors, Larry Mahlum, Plant Manager, P.O. Box 500, Volga, SD 57071 (Ph # (605) 627-9240).

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

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

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CU T HERE-----

No. 6146-3

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

Date _____

We are in receipt of your letter of June 29, 1999, enclosing Notice of Hearing to Appropriate Water by Application No. 6146-3 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 July 8, 1999, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6146-3 to Appropriate Water

Notice is given that the South Dakota Soybean Processors, PO Box 500, Volga SD 57071 have filed an application for a water permit to appropriate 0.144 cubic feet of water per second (65 gallons per minute) from a 20 foot drain field system located in the NW ¼ NW ¼ Section 24-T110N-R51W. As part of a water conservation program, water from the dewatering station is being reused in the cooling tower basin process. This is an industrial use of water.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6146-3 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 26, 1999.

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.



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Brookings) SS

I, Phyllis K. Moir

certify that the attached printed Notice was taken

from the Volga Tribune

printed and published in Volga

County of Brookings and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

July 8, 1999

July 15, 1999

Cost of Printing 35.26

Phyllis K. Moir
 (Signature)

Editor / Bus. Mgr.
 (Title)

July 16, 1999
 (Date Signed)

Legal 1206 2xV, 7-8, 15
 NOTICE OF APPLICATION NO.
 6146-3 to

Appropriate Water

Notice is given that the South Dakota Soybean Processors, PO Box 500, Volga SD 57071 have filed an application for a water permit to appropriate 0.144 cubic feet of water per second (65 gallons per minute) from a 20 foot drain field system located in the NW 1/4 NW 1/4 Section 24-T110N-R51W. As part of a water conservation program, water from the dewatering station is being reused in the cooling tower basin process. This is an industrial use of water.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of application No. 6146-3 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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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 July 26, 1999.

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s/Nettie H. Meyers, Secretary
 Department of
 Environment and Natural
 Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

SEP 3 1999

South Dakota Soybean Processors
Larry Mahlum, Plant Manager
P.O. Box 500
Volga, SD 57071

Dear Mr. Mahlum:

Enclosed is Water Permit No. 6146-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Very truly yours,

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

enclosures

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

Date 9 September 1999

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: South Dakota Soybean Processors
(name)

100 Caspian Ave. P.O. Box 500
(address)

Volga, SD 57071
(city, state, zip)

605-627-6121
(phone)



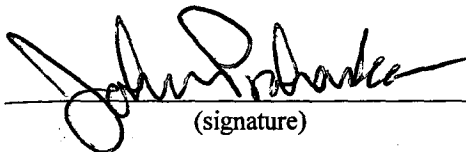
I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

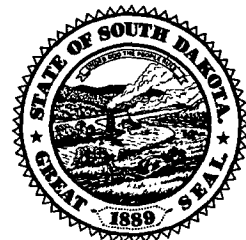
Water Permit No. 6146-3 states that the water use system is to be constructed by 26 July 2004, and water is to be put to beneficial use by 26 July 2008.
(date) (date)

The water use system was completed on 9 September 1999.
(date)

Applying the water to beneficial use was completed on 9 September 1999.
(date)

You may schedule an investigation so that the water license may be issued.


(signature)



Permit No. 6146-3
Big Sioux River - Water District

Contact Person & Address: **John Perhaska, 100 Caspian Ave, Volga SD**

Report Of Examination Of Works

On, **May 24, 2000**, I made a thorough examination of the water use system constructed by **South Dakota Soybean Processors of 100 Caspian Ave, Volga SD 57057** holder of Permit No. **6146-3**, bearing the priority of **June 8, 1999** authorizing the diversion of **0.144** cu. ft. per second of the waters of **ground water** for **industrial use** purposes, in **Brookings** County.

The system is in the following condition **good**. The point of diversion is located **From the NW corner of Section 24 T110N-R51W 650 ft S and 520 ft E** with a longitude of **-96.90498** and a latitude of **44.32458**. The works are capable of diverting and conveying to the place of use **0.144** cu. ft. per second of water which is to be used for **industrial purposes**. Water has been put to beneficial and the license should be issued for **0.144** 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) Exceptions to compliance are: **none**

Report On the Specifics of the System

Diversion Point Information:

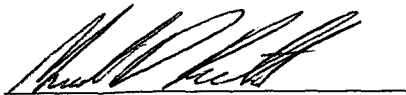
Water is pumped from a dewatering station and is being reused in the cooling tower process.

Pump\ Motor:

- 1) Pump Make **E-Bar**
- 2) Pump Model **80DLFU611**
- 3) Capacity **65** GPM

Distribution System:

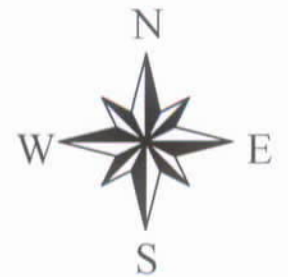
- 1) Water is piped to cooling tower



Mark D. Rath
Natural Resources Engineer
DENR, Water Rights Program

8-9-2000
Date

No. 6146-3



0.5 0 0.5 1 Miles

Mark D. Rath
Mark D. Rath
Natural Resources Engineer
SD Water Rights Program

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6146-3

(1) The South Dakota Soybean Processors, 100 Caspian Avenue, PO Box 500, Volga, SD 57071 made Application No. 6146-3, June 8, 1999 for a water permit to divert 0.144 cubic feet of water per second (65 gallons per minute) from ground water (20 foot drain field system), Brookings County, South Dakota for industrial purposes. Permit No. 6146-3, with a priority date of June 8, 1999 was approved July 26, 1999 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 26, 2004 and for the application to beneficial use of said water on or before July 26, 2008.

On September 13, 1999, the permit holder submitted a "Notice of Completion of Works and Application of Water to Beneficial Use". The "Notice" stated that the system was completed and water placed to beneficial use on September 9, 1999.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.144 cubic feet of water per second for beneficial use. The location of the diversion point is 650'S and 520'E of the NW corner of Section 24, T110N, R51W (NW ¼ NW ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use. Water is pumped from a dewatering station and reused in the cooling tower process.

(4) Pursuant to South Dakota Water Law 46-5-30.1 the South Dakota Soybean Processors, 100 Caspian Avenue, PO Box 500, Volga, SD 57071 the holder and/or owner of Water Right No. 6146-3 is issued a license to appropriate water, the right to use 0.144 cubic feet of water per second from ground water (drain field system) with a priority date of June 8, 1999 from the location specified in (2) of this license. The water is used for industrial purposes. This license is subject to any limitations or qualifications listed in Water Right No. 6146-3 and subject to South Dakota State Law.



Garland Erbele, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

AUG 25 2000

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

AUG 25 2000

6146-3

John Prohaska
SD Soybean Processors
PO Box 500
Volga, SD 57071-0500

Dear Mr. Prohaska:

Enclosed is Water License No. 6146-3 for the South Dakota Soybean Processors. Water License No. 6146-3 is the final document which completes the process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

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

gm

enclosure