

WATER PERMIT NO. 6298-3

Name of Applicant: Coyote Ridge Cooperative

Address: 37731 SE Hwy 44, Geddes SD 57342

Phone: 605 243-2282

Amount of Water Claimed: 35 gpm (0.078 cfs)

Total Acres: NA

Source of Water Supply: groundwater (two wells)

Water to be used for: commercial use

County: Charles Mix

Type of Waste Disposal System:

Location: 8 miles northwest of Geddes

PRIORITY Date Received: 2-7-02

Fee: \$50

Corrected Application Received: 2-8-02

Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: NE ¼ NE ¼ Sec 7-T98N-R67W

Land to be Irrigated: NA

Depth of Well: 950 feet deep

Well Driller: :

Remarks:

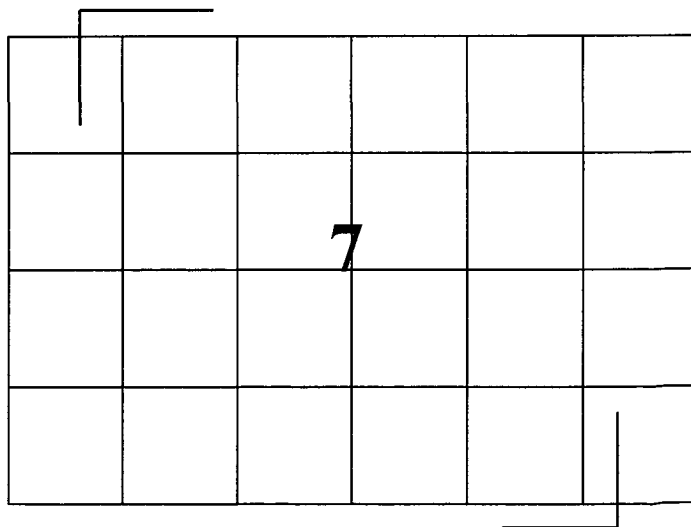
Type of Map: plat

Prepared by: Mark E Johnson, RLS

Reviewed and the Number Assigned on: 2-8-02

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 6298-3**

Date of first receipt of application February 7, 2002.

The Water Management Board approved Water Permit No. 6298-3 on July 10, 2002 for Coyote Ridge Cooperative, Steven VanderPol, President, 37731 SE Hwy 44, Geddes SD 57342 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. 6298-3 appropriates 0.10 cubic feet of water per second (45 gallons per minute) from two wells (Dakota Formation) approximately 950 feet deep located in the NE ¼ NE ¼ Section 7-T98N-R67W.
2. The water appropriated shall be used for the purpose of commercial use in a swine operation 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 from which applicant may claim right is February 7, 2002.
5. One-fifth of the construction is to be completed on or before January 10, 2005.
6. All construction is to be completed on or before July 10, 2007.
7. Water is to be put to beneficial use on or before July 10, 2011.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells authorized by Permit No. 6298-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump 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. Permit No. 6298-3 will be subject to compliance with requirements of the Department's General Water Pollution Control Permit for concentrated animal feeding operations.
4. Permit No. 6298-3 is subject to compliance with all existing and applicable Water Management Board Rules including but not limited to:
 - a. Chapter 74:54:01 Ground Water Quality Standards,
 - b. Chapter 74:54:02 Ground Water Discharge Permit,
 - c. Chapter 74:51:01 Surface Water Quality Standards,
 - d. Chapter 74:51:02 Uses Assigned to Lakes,
 - e. Chapter 74:51:03 Uses Assigned to Streams, and
 - f. Chapter 74:52:01 through 74:52:11 Surface Water Discharge Provisions.

WATER MANAGEMENT BOARD

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

SEP 17 2002
date



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

Mail to: Water Rights Program Joc Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6298-3</u>	(office use only) Hydrologic Unit <u>10140101</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>Charles Mix Co. News, Geddes</u>	

RECEIVED

FEB - 8 2002

WATER RIGHTS
PROGRAM

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 Coyote Ridge Cooperative (President-Steve VanderPol) Phone (605) 243-2282
(check one) ☒ Owner ☐ Tenant/lessee Cell 530-1456
Mailing Address 37731 SE Hwy 44, Geddes State SD 57342
(Street, RR. or Box) (Zip Code)
- Amount of water claimed 0.10 *CFS or 45 **GPM 35 ***AF
(*Cubio Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Dakota Aquifer
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
2 wells, NE 1/4 NE 1/4, of Section 7, T98N, R67W (second well for backup purposes).
County Charles Mix
- County or counties where water will be used CHARLES MIX
- Annual period during which water is to be used Year Round with peak from June to September Jan 1-Dec 31
- Give a description of the project.

This project consists of a new 3,500 head sow/breeding operation to be located in the NE 1/4, NE 1/4, Section 7, T98N,R67W-Charles Mix County. Plans and specifications for coverage under the South Dakota General Water Pollution Control Permit for Concentrated Animal Feeding Operations have been submitted to SD-DENR.

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

STATE OF SOUTH DAKOTA) SS

County of Douglas)

I, Steve VanderPol, 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 Steve VanderPol

Subscribed and sworn to before me this 1st day of February 20 02

Patricia Ann VanderPol
Notary Public

3-29-05

Supplemental Information

(Complete applicable portions only)

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8 inch Depth ~ 950 feet
- b) Casing Type Plastic Diameter 5 inch Thickness _____
- c) Screen Type 0.025 stainless Diameter 5 inch Thickness _____
- d) Gravel Pack YES Length of Gravel Pack 30 feet
- e) Depth to Top of Water Bearing Material ~900 feet
- f) Depth to Water (ground surface to water level) ~100 feet
- g) Distance to nearest existing domestic well: 604 feet +/- (This well is to be plugged)
- On applicants property X On property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) Two earthen containment basins
- b) System Capacity (gallons) See AWMS Permit Year Constructed NEW CONSTRUCTION
- c) Connected to the City of NA Sanitary System

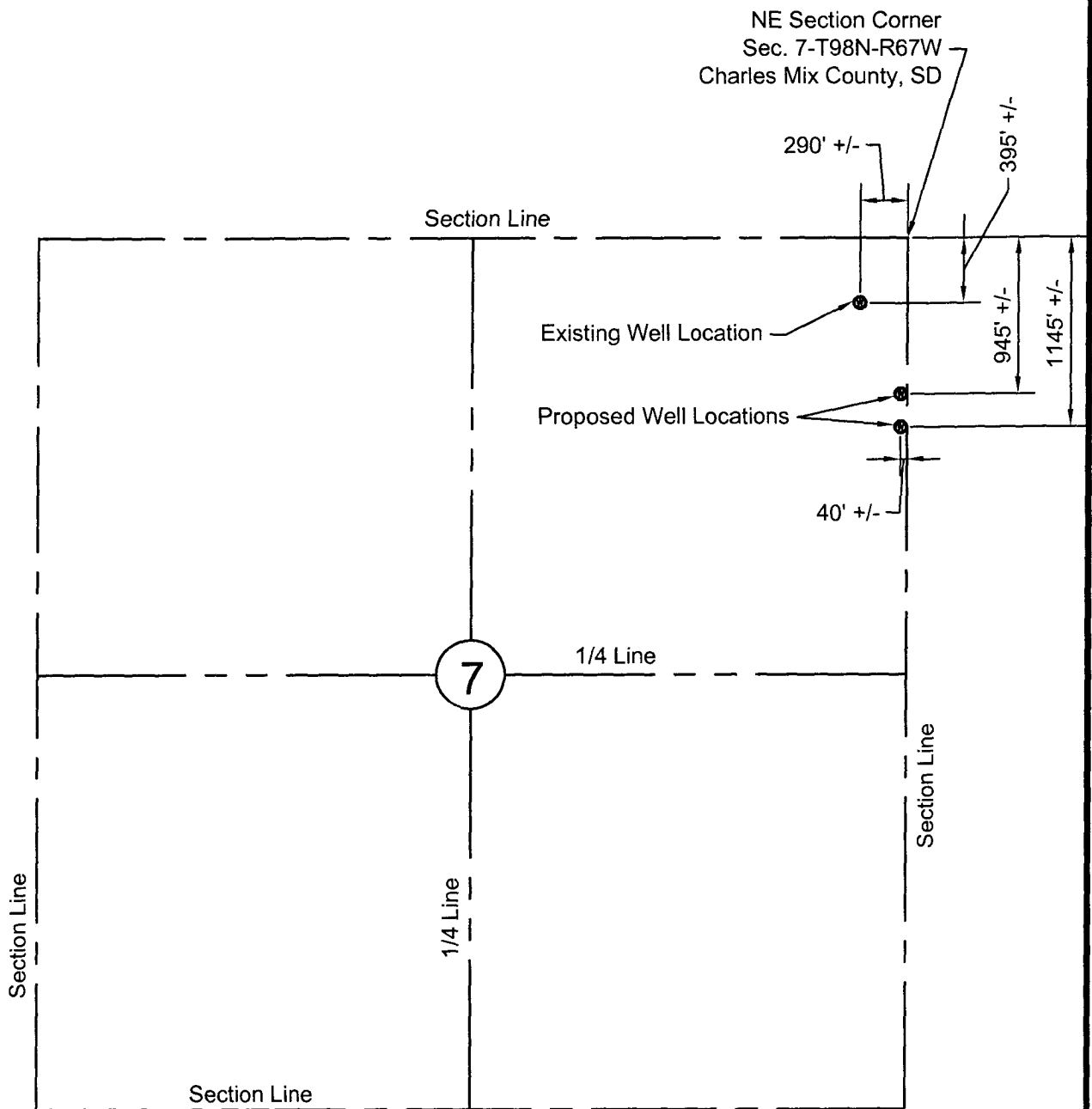
3. Dugout Information

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

4. Water Storage Dams – Not Applicable

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.

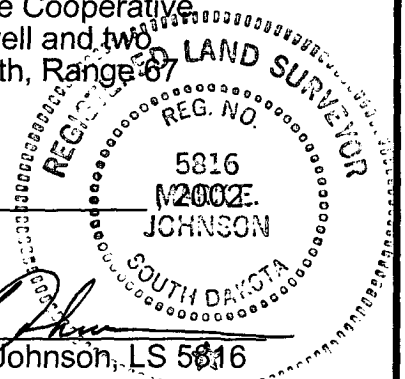
- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:
- _____
- _____
- b) Freeboard _____
- c) Crest Width _____
- d) Height _____
- e) Primary Outlet Capacity _____ If pipe, diameter _____
- f) Secondary Spillway Capacity _____ Spillway Width _____
- g) X & Y Slope _____ Upstream _____ Downstream _____
- h) Surface Area of Impoundment _____
- i) Acre Feet Storage _____
- j) Drainage Area above Dam _____ Acres



I, Mark E. Johnson, a Registered Land Surveyor in the State of South Dakota, do hereby certify that at the request of Coyote Ridge Cooperative, did prepare this map depicting the location of one existing well and two proposed wells in the NE 1/4 of Section 7, Township 98 North, Range 67 West of the 5th P.M., Charles Mix County, South Dakota.

Dated this 30TH day of JANUARY

Mark E. Johnson
Mark E. Johnson, LS 5816

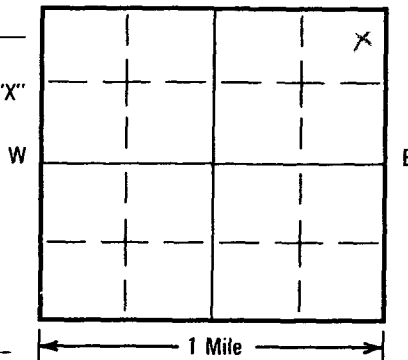


SOUTH DAKOTA WATER WELL COMPLETION REPORT

6298-3
07-92

Location NE 1/4 NE 1/4 Sec 7 Twp 9N Rg 67W
County Chadron

Please mark well location with an "X"



Well Completion Date

5-10-02

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 500 ft. from Lagoon (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>5DR17 LB/FT</u>	<u>5 IN</u>	<u>0 FT</u>	<u>320 FT</u>	<u>8 3/4 IN</u>
<u>8 1/2 LB/FT</u>	<u>3 IN</u>	<u>320 FT</u>	<u>955 FT</u>	<u>7 1/8 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Portland</u>	<u>36</u>	<u>13.4 lb./gal</u>	<u>0 ft</u>	<u>120 ft</u>
<u>Portland</u>	<u>65</u>	<u>9.3 lb./gal</u>	<u>120 ft</u>	<u>850 ft</u>

Describe grouting procedure pressure then tremie

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 3 IN Length 40 FEET
Material SS

Slot Size .025 Set From 900 Feet to 920 Feet

Other information 930 - 950
tracked w/ silica to 850

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: Chlorine

☐ NO, Why Not? _____

Laboratory sent to for water quality analysis

State

Well Owner: _____

Business Name: Coyote Ridge

Address: 37791 50 Hwy 44
Geddes, SD 57342

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Clay</u>	<u>0</u>	<u>48</u>
<u>Drill</u>	<u>48</u>	<u>296</u>
<u>Nebuvra</u>	<u>296</u>	<u>503</u>
<u>Carlie</u>	<u>503</u>	<u>665</u>
<u>Greenhorn</u>	<u>665</u>	<u>697</u>
<u>Grawers</u>	<u>697</u>	<u>868</u>
<u>Talcote</u>	<u>868</u>	<u>955</u>

STATIC WATER LEVEL

70

Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped

Describe: Drugged

☐ Bailed

by air

☐ Other _____

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

OCT 23 2002

WATER RIGHTS PROGRAM

This well was drilled under license # 213

And this report is true and accurate.

Drilling firm Hartman Drilling Inc

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

10-25-02

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

417080

Pierre, February 7, 20 02

RECEIVED OF Coyote Ridge, 38009 369th Ave., Platte, SD 57369
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. 4292-3 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. _____

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

150 00

By Darland Ebel
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 2002

Coyote Ridge Cooperative
Steve VanderPol, President
37731 SE Hwy 44
Geddes SD 57342

Dear Mr. VanderPol:

Thank you for submitting the *Application for a Permit to Appropriate Water* for commercial use in a sow/breeding operation. In order to complete the application the following is required.

We have received the \$150 application filing fee. In addition to the application filing fee, the Water Rights Program now collects the \$50 licensing fee at the time of filing. Please submit \$50 for the licensing of the water permit.

The map indicates one existing well. If available, please submit the well log signed by a South Dakota licensed well driller for this well. I have reviewed our files and cannot find a copy of the well log.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

Water Rights Program - File Documentation

NAME: John Childs

ADDRESS:

DATE: 2-8-02 **COUNTY:** **TELEPHONE:** XX

RE: Pending application for Coyote Ridge Cooperative

COMMENTS:

John Childs dropped off an amended application for Coyote Ridge Cooperative. The amended application reduced the amount of water requested from 75 gpm to 35 gpm.

This reduction will change the amount of the application filing fee; therefore, \$50 will need to be refunded at the time the application is approved.

Mr. Childs further stated in reference to the map, the existing well location is a well that has been plugged and the proposed well locations are for the two wells requested on this application. He indicated that they will be submitting the plugging report for this well.

February 11, 2002

Got ahold of Steve VanderPol. Mr. VanderPol stated he concurred with the change of the amount of water requested. He said that 75 gpm was a typographical error. It should be 35 gpm. I told him after the permit was approved we would refund the \$50 of the application filing fee.


Karen Schlaak
Environmental Scientist

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Application No. 6298-3, Coyote Ridge Cooperative

ADDRESS: COUNTY: Charles Mix

DATE: February 13, 2002 TELEPHONE: 530-1456 (cell)

RE: call from Steve Vander Pol on diversion rate

COMMENTS:

I returned Mr. Vander Pol's telephone call. He stated that after talking it over with his partners, they would like to amend the amount of water requested on their application. Originally, the application requested 35 gpm but that in order to run more efficiently they would like to have a peak diversion rate of 45 gpm. He did not believe they would exceed the volume quantity of reasonable domestic use at any time and they could operate at peak diversion rate of 25 gpm but that the system of water the hogs would not be very efficient. He asked that I amend the application to be a peak diversion rate of 45 gpm to reflect the peak diversion rate they desire.

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

NAME:



REPORT ON WATER PERMIT APPLICATION NO. 6298-3
For Coyote Ridge Cooperative
March 7, 2002

Application No. 6298-3 proposes to appropriate 0.10 cfs (45 gpm) from two wells approximately 950 feet deep located in the NE ¼ NE ¼ of section 7, T98N R67W in Charles Mix County. The water is for commercial use in a swine operation.

AQUIFER – DAKOTA FORMATION (DKOT)

The Dakota Formation is an interbedded white to tan sandstone and dark colored shale. The sandstone can be loose to well-cemented, very fine to coarse grained quartz sand with calcium carbonate cement (Kume, 1977). The aquifer is under confined or artesian conditions at this site. The aquifer underlies 1,134 square miles and contains an estimated 14.15 million acre-feet of water in storage in Charles Mix County (Hedges, 1982). The aquifer extends into Douglas and Hutchinson Counties to the east, Aurora and Brule Counties to the north and Lyman and Gregory Counties to the west. Schoon's definition of the Dakota Formation is as follows: "The Dakota Formation has been defined as the first relatively continuous sandstone below the Greenhorn Limestone and extends downward to the top of the Skull Creek shale in western and central South Dakota. Where the Skull Creek is absent the Dakota overlies Precambrian rocks and, to a minor extent, rocks of the Inyan Kara Group. In no case is the term Dakota Formation intended to include any part of the Inyan Kara Group or older sandstone (Schoon, 1971).

No test well log was filed with the application. There is sufficient information from the Charles Mix County study, the Schoon Report on the Hydrology of the Dakota Formation and the domestic well files in the Water Rights Program office. A log for a domestic well located about two miles south of this application indicates the top of the Dakota Formation at about 860 feet and continued to a depth of 1060 feet below land surface. The water level was reported to be about 160 feet below land surface. The thickness of the Dakota Formation in this area could approach 450 feet (Schoon, 1971).

The Water Rights Program monitors the Dakota Formation in Gregory, Brule and Aurora Counties. The nearest of these observation wells is AU-89A, which is located about 25 miles northeast of this application. Water levels for this well are declining at a rate of about 1/3 foot per year (Water Rights, 2002). A hydrograph of this observation well is included with this report. The issue of declining water levels for the Dakota Formation is nothing new. There have been numerous reports and studies that have documented these phenomena. The main reason for these declines has probably been the large number of wells completed into the Dakota that have been allowed to flow uncontrolled and to waste. This is especially true in the lowland areas along the Missouri and James Rivers.

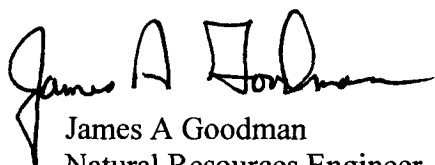
REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing water permit for Dakota Formation water is 6158-3 that is located about 6 miles north of this application. Interference is not a concern. The diversion rate

for this application is relatively small and pumping at this rate should not cause significant drawdown nor adversely affect domestic wells in the area.

CONCLUSIONS

1. Water is available from the Dakota Formation.
2. The aquifer is under artesian conditions. Pumping will create drawdown but at the requested diversion rate drawdown should not be significant. Interference is not a concern.
3. The wells authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. Plans and specifications for coverage under the South Dakota General Water Pollution Control Permit for Concentrated Animal Feeding Operations have been submitted and approved by SD DENR, Surface Water Quality Program.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

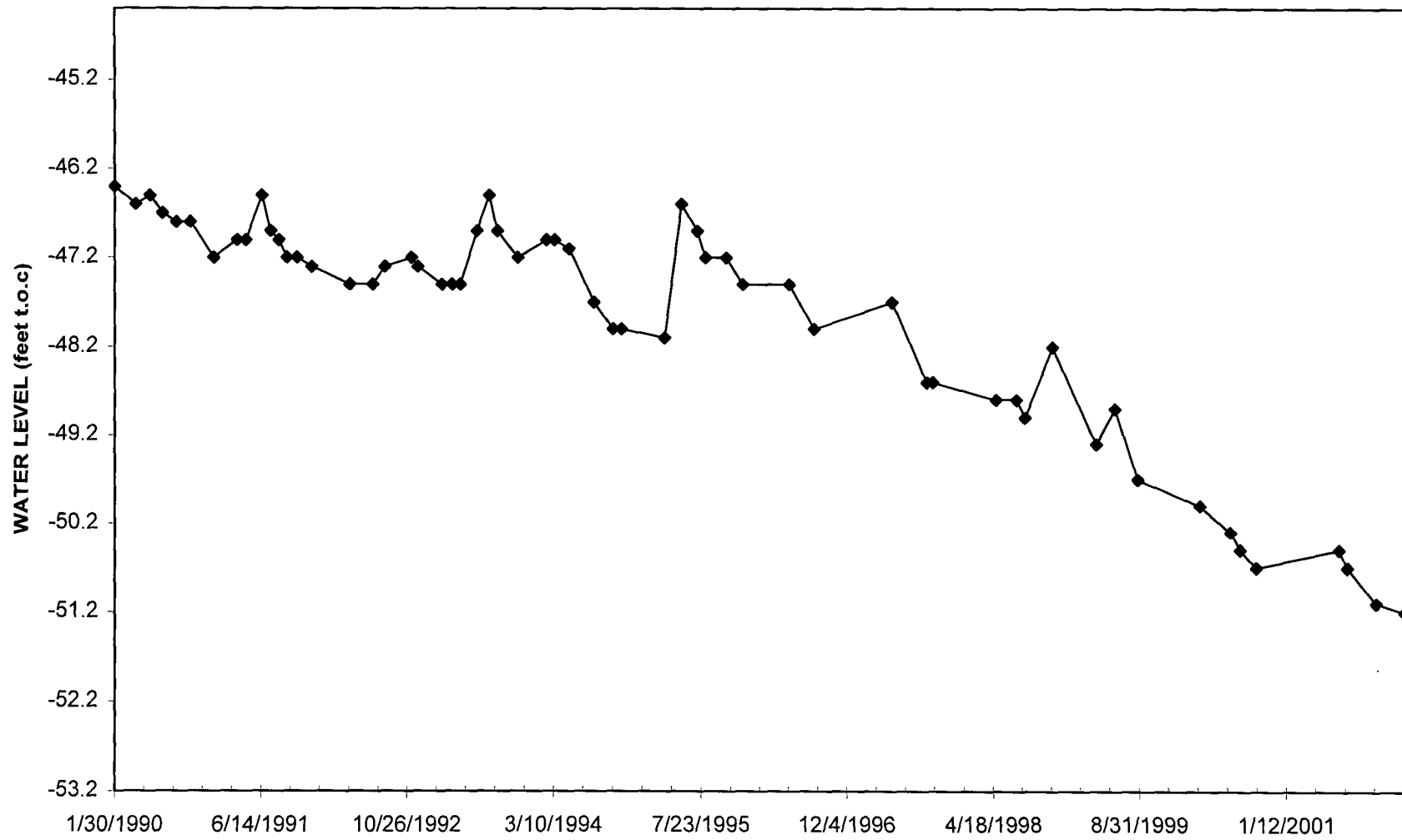
Hedges, L.S., et al, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Kume, J., 1977, Geology and Water Resources of Charles Mix and Douglas Counties, South Dakota, Bulletin 22, SD DENR, SDGS, Vermillion, SD, 57069.

Schoon, R.A., 1971, Geology and Hydrology of the Dakota Formation in South Dakota, Report of Investigations No. 104, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2002, Unpublished Observation Well Data for the Dakota Formation, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL
AU-89A**





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6298-3, Coyote Ridge Cooperative**

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. 6298-3, Coyote Ridge Cooperative, c/o Steve VanderPol, 37731 SE Highway 44, Geddes SD 57342.

The Chief Engineer is recommending APPROVAL of Application No. 6298-3 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 with the following qualifications:

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells authorized by Permit No. 6298-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump 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. Permit No. 6298-3 will be subject to compliance with requirements of the Department's General Water Pollution Control Permit for concentrated animal feeding operations.
4. Permit No. 6298-3 is subject to compliance with all existing and applicable Water Management Board Rules including but not limited to:
 - a) Chapter 74:54:01 Ground Water Quality Standards,
 - b) Chapter 74:54:02 Ground Water Discharge Permit,
 - c) Chapter 74:51:01 Surface Water Quality Standards,
 - d) Chapter 74:51:02 Uses Assigned to Lakes,
 - e) Chapter 74:51:03 Uses Assigned to Streams, and
 - f) Chapter 74:52:01 through 74:52:11 Surface Water Discharge Provisions.

See report on application for additional information.

Garland Erbele, Chief Engineer
March 20, 2002

Coyote Ridge

2/13/02

→ list of people who sent letters or
signed the petition in opposition

Sent individual letters to:

- John Stokly - Mayor of Platte
- Platte City Council members
- Tim Whalen - lawyer for a
group opposing Coyote Ridge

≈ 34%

Field1	Field2	Field3	Field4
Marlys	Jongejeugd	301 Dakota Ave	Platte, SD 57369
Dera	Sly	101 Vermont Ave PO B	Platte, SD 57369
Dean	Hunt	36256 SD Hwy 44	Platte, SD 57369
Gail	Schulte	28004 372 Ave	Geddes, SD 57369
Mark	Erickson	Box 294	Platte, SD 57369
Doreen	Moser	Box 294	Platte, SD 57369
C. Dale	Sybesma	37239 274 St	Platte, SD 57369
Jean	Sybesma	37239 274 St	Platte, SD 57369
LeeAnn	DeHann	914 Delaware	Platte, SD 57369
Dorothy	Hoversten	27882 369 Ave	Platte, SD 57369
Luann	Boyden	36664 275 St.	Platte, SD 57369
Cheri	Antonsen	27694 372	Platte, SD 57369
Ina	Dufrain	Box 611	Platte, SD 57369
Joan	Hoversten	27310 369 Ave	Platte, SD 57369
Dwayne	Cooley	26727 356 Ave	Platte, SD 57369
Marcus	King	RR 1 Box 965	Platte, SD 57369
Dianne	King	RR. 1 Box 965	Platte, SD 57369
Julie	Eilert	38034 266 St	Stickney, SD 57375
Duane	Strand	201 E. 10	Platte, SD 57369
Richard	Strouse	620 E. 3rd	Platte, SD 57369
Linda	Taylor	PO Box 666	Platte, SD 57369
Vernon	Burnham	27629 375	Platte, SD 57369
Bernard	Hoversten	27882 369 Ave	Platte, SD 57369
Nancy	Nelson	Box 488	Platte, SD 57369
Ken	Kuiper	Box 105	Platte, SD 57369
Don	Mathey	413 Wisconsin Box 576	Platte, SD 57369
Janice	Porter	110 Indiana Ave	Platte, SD 57369
Mary Ann	Lucas	27967 367 Ave	Platte, SD 57369
Floyd	Pesicka	408 E. 2nd St	Platte, SD 57369
Francis	Hoversten	27310 369	Platte, SD 57369
Lindsey	Mossey	PO Box 1066	Platte, SD 57369
Summer	Breukelman		White Lake, SD 57383
Travis	Dyk	Box 884	Platte, SD 57369
Ross	VanZee	Box 138	Platte, SD 57369
Josh	Veurink	Box 944	Platte, SD 57369
Scott	Crosby	Box 741	Platte, SD 57369
David	Mason	SD Hwy 44	Platte, SD 57369
George	Hallman	Box 05	Platte, SD 57369
Julie	Spinnk	Box 444	Platte, SD 57369
Rich	Sternberg	RR Box 10	Platte, SD 57369
George	Kott	Box 112	Platte, SD 57369
W.	Wendt	Box 182	Platte, SD 57369
Dale	Franssens	28173 363 Ave	Platte, SD 57369
Varee	Vanderheiden	Box 904	Platte, SD 57369
Daniel	Cool	36374 281 St.	Platte, SD 57369
Mildred	Murtha	719 Ohio Ave #2	Platte, SD 57369
Erica	Tegethoff		Platte, SD 57369

Field1	Field2	Field3	Field4
June, James & Ji	Rommen		
Joyce	Polly	Box 472	Platte, SD 57369
Eugene	Vanderheiden	36397 SD Hwy 44	Platte, SD 57369
Clarence	Boltjes	Box 722	Platte, SD 57369
Delbert	Haushild	Box 33	Platte, SD 57369
IlaVae	Antonsen	Box 398	Platte, SD 57369
Lynn	Standy	Box 49	Platte, SD 57369
Anne	Vanderheiden		Platte, SD 57369
James	Rommen	37094 281 St	Geddes, SD 57342
Betty	Cool	507 E. Third	Platte, SD 57369
Evelyn	Cahill	S. Main	Platte, SD 57369
Janet	DeJong	Box 624	Platte, SD 57369
Reta	Cole	27637 365 Ave	Platte, SD 57369
Delilah	Beltman	23750 366 Ave	Platte, SD 57369
Jody	Ringling	28135 367 Ave	Platte, SD 57369
Yvonne	Bentz	PO Box 873	Platte, SD 57369
Darrel	Hildebraid	PO Box 44	Platte, SD 57369
Robert	Maresh	PO Box 637	Platte, SD 57369
Frances	VanZee	Box 131	Platte, SD 57369
Orin	Van Zee	Box 131	Platte, SD 57369
Barbara	Schoenrock		Platte, SD 57369
Ivan	Schoenrock		Platte, SD 57369
Paul	Samuelson	Box 972	Platte, SD 57369
Marsha	VandenBos	421 E. 5th St	Platte, SD 57369
Phyllis	Dimick	301 Ohio Ave	Platte, SD 57369
Audrey	Walker	27721 363 Ave	Platte, SD 57369
Judy	Parker	37191 284 St	Geddes, SD 57342
Ray	Ringling	28522 SD Hwy 50	Geddes, SD 57342
Harold	Jaegor	208 Michigan	Geddes, SD 57342
Dan	Merkwan	PO Box 50	Geddes, SD 57342
R.	Dufek	Box 97	Geddes, SD 57342
Maureen	Dufek	Box 97	Geddes, SD 57342
Floyd	Rokusek		Geddes, SD 57342
Susan	Schulte	Box 18	Geddes, SD 57342
G.J.	Steffens	701 Main	Geddes, SD 57342
Claire	Bartekoske		Geddes, SD 57342
Lillian	Biehl	Box 233	Geddes, SD 57342
Delmer	VanderBos	27734 368 Ave	Platte, SD 57369
Lawrence	Jaeger	37421 277 St	Platte, SD 57369
Jess	Sondgeroth	PO Box 421	Platte, SD 57369
Colleen	Jaeger	37461 277 St	Platte, SD 57369
Brenda	Hermanek	38350 285 St.	Lake Andes, SD 57356
Harlan	Hysell	Box 164	Geddes, SD 57342
Jennifer	Estrada	209 Wisconsin	Geddes, SD 57342
Joseph	Merkwan	410 W. 3rd St	Geddes, SD 57342
Leo	Wepking	Virginia St.	Geddes, SD 57342
Gale	Pederson	28333 372 Ave	Geddes, SD 57342

Field1	Field2	Field3	Field4
Loren	Pederson	28333 372 Ave	Geddes, SD 57342
Shirley	Pederson	28333 372 Ave	Geddes, SD 57342
Carol	Simon	37210 289 St	Geddes, SD 57342
Sylvester	Patocka	Box 337	Lake Andes, SD 57356
Frank	Dufek		Geddes, SD 57342
Richard	Dufek	510 First St	Geddes, SD 57342
David	Carda		Geddes, SD 57342
Darrell	Pepper	37654 285 St.	Geddes, SD 57342
Claire	Bartekoske		Geddes, SD 57342
Lillian	Biehl	Box 233	Geddes, SD 57342
Delmer	VanderBos	27734 368 Ave	Platte, SD 57369
Lawrence	Jaeger	37421 277 St	Platte, SD 57369
Jess	Sondgeroth	PO Box 421	Platte, SD 57369
Colleen	Jaeger	37461 277 St.	Platte, SD 57369
Brenda	Hermanek	38350 285 St	Lake Andes, SD 57356
Harlan	Hysell	Box 164	Geddes, SD 57342
Jennifer	Estcada	209 Wisconsin	Geddes, SD 57342
Joseph	Merkwan	410 W. 3rd St	Geddes, SD 57342
Leo	Wepking	Virginia St	Geddes, SD 57342
Gale	Pederson	28333 372 Ave	Geddes, SD 57342
Loren	Pederson	28333 372 Ave	Geddes, SD 57342
Shirley	Pederson	28333 372 Ave	Geddes, SD 57342
Carol	Simon	37210 289 St	Geddes, SD 57342
Sylvester	Potocka	Box 337	Lake Andes, SD 57356
Frank	Doeck		Geddes, SD 57342
Richard	Dufer	510 First St.	Geddes, SD 57342
David	Carda		Geddes, SD 57342
Darrell	Pepper	37654 285 St	Geddes, SD 57342
Darwin	Jedea	Box 64	Geddes, SD 57342
Millie	Niehus		Geddes, SD 57342
Rose	Dufek	111 S.Wisconsin	Geddes, SD 57369
Joseph	Jaeger	404 W.	Geddes, SD 57342
Ryan	Dufek	PO Box 97	Geddes, SD 57342
Lucille	Dufek	510 First St	Geddes, SD 57342
Arliss	Srstka	519 S. Main Ave	Geddes, SD 57342
Robert	Srstka	519 S. Main	Geddes, SD 57342
George	Schroeder	4th & Wisconsin	Geddes, SD 57342
Clifford	Hoffman	306 Minn. Ave	Geddes, SD 57342
Patrice	Mushitz	28729 370 Ave	Geddes, SD 57342
Bonita	Vosek	407 Minnesota Ave	Geddes, SD 57342
Glenn	Dyk	37006 281 St	Geddes, SD 57342
Marcella	Dyk	37006 281 St	Geddes, SD 57342
Sharon	Holter	36193 282 St	Platte, SD 57369
Cynthia	Mushitz	37024 289 St	Geddes, SD 57342
Darla	Johnson	27841 366 Ave	Platte, SD 57369
Gary	Holter	36272 281	Platte, SD 57369
Dave	Kok	Box 235	Platte, SD 57369

Field1	Field2	Field3	Field4
Gordon	Hubers	1021 Delaware	Platte, SD 57369
Lyle & Everine	Schipper	920 Indiana	Platte, SD 57369
Duane & Tamera	Meyerink	37159 280 St	Geddes, SD 57369
Adela	Turnbull	501 E. North St	Platte, SD 57369
Dorothy	Hoversten	27882 369 Ave	Platte, SD 57369
Ruth	Keegle	36836 281 St	Platte, SD 57369
Eugene	Keegle	321 W. 7th	Platte, SD 57369
Tim	Whalen	PO Box 127	Lake Andes, SD 57356
Patricia	Nachtigal	36728 278 St	Platte SD 57369-6303
City of Platte	Mayor John F. Stekly	500 S. Main St	Platte, SD 57369-0236
Marcus & Jeanne	King	PO BOX 965	Platte, SD 57369
Gerard	Meyerink	37116 279 St	Geddes, SD 57342
Steele & Steele		PO Box 577	Plankinton, SD 57368-0577
Juelle	Wendt	Box 182	Platte, SD 57369-0182
Bernadine	Antonsen	900 S. Indiana Ave PO	Platte, SD 57369-0395
John F.	Stekly	500 S. Main St	Platte, SD 57369-0236
Virginia	Woehl	108 Dakota	Platte, SD 57369
Juelle	Wendt	409 North E.	Platte, SD 57369
Ellen	Samuelson	821 Ohio Ave	Platte, SD 57369
Don	Weires	321 W. 5th St	Platte, SD 57369
Larry	Woehl	108 Dakota Ave	Platte, SD 57369
David	Carter	021 Ohio Ave	Platte, SD 57369
Ruth	Keegel	36836 281	Platte, SD 57369
Eugene	Keegel	321 W. 7th	Platte, SD 57369
Mark	Kubal	SD Hwy 1084	Platte, SD 57369
James	Petrik	28209 371 Ave	Geddes, SD 57342
Dwight	DeJong	Box 756	Platte, SD 57369
Glenda	Veurink	27167 375 Ave	Platte, SD 57369
Rick	Gustad	PO Box 33	Platte, SD 57369
Ruby	Hoffman	912 Ohio Ave	Platte, SD 57369
Melvin	Hoffman	912 Ohio Ave	Platte, SD 57369
Kari	Olson	812 Ohio Ave	Platte, SD 57369
Lisa	Evans	200 E. 7th St	Platte, SD 57369
John	Evans	200 E. 7th St	Platte, SD 57369
Gene	VanZee	601 Illinois	Platte, SD 57369
Tonia	Pranger	2 Dakota Ave	Platte, SD 57369
Pam	Veurink	520 E. 10 St	Platte, SD 57369
Audra	Dimick	610 E. 10 St	Platte, SD 57369
Keith	Van Zee	611 Penn.	Platte, SD 57369
Carol	Kaemingk	421 E. 10	Platte, SD 57369
Richard	Hoppe	921 Illinois	Platte, SD 57369
Kathy	Hegge	901 Illinois	Platte, SD 57369
Don	Severson	901 Ohio Ave	Platte, SD 57369
Evelyn	Severson	901 Ohio Ave	Platte, SD 57369
Tonya	Weg	1000 Ohio Ave	Platte, SD 57369
Clarence	Hunsucker	800 Illinois Ave	Platte, SD 57369
Marilyn	Van Driesen	810 Illinois Ave	Platte, SD 57369

Field1	Field2	Field3	Field4
Clarence	Sybesma	811 Illinois Ave	Platte, SD 57369
Terry	Boysen	421 E. 9th	Platte, SD 57369
Donna	Boysen	421 E. 9th St	Platte, SD 57369
Janel	DuFrain	618 Penn	Platte, SD 57369
Dan	DuFrain	618 Penn	Platte, SD 57369
Henrietta	VanEssen	Box 225 910 Iowa St	Platte, SD 57369
Dawn	Staubl	904 Vermont Ave	Platte, SD 57369
Faye	Blunck	521 E. 2nd	Platte, SD 57369
Karen	Burket	200 Illinois	Platte, SD 57369
Lewis	Vanderborm	321 E. Second	Platte, SD 57369
Lisa	Norfolk	112 Illinois Ave	Platte, SD 57369
Dennis	Iedema	Box 453	Platte, SD 57369
Ted	Drake	600 Illinois	Platte, SD 57369
Michelle	Hubers	508 Huron	Platte, SD 57369
Paul	Meyerink	501 Ohio Ave	Platte, SD 57369
Karla	Kaemingle	212 e. 5th St	Platte, SD 57369
Kalissa	Hunt	Box 676	Platte, SD 57369
Ken	Dyk	36398 279 St	Platte, SD 57369
Jill	Dyk	28697 370 Ave	Geddes, SD 57342
Gertrude	Vandervey	110 Ohio	Platte, SD 57369
John	Stekly	1000 Ohio	Platte, SD 57369
Barb	Buitenbos	27531 364 Ave	Platte, SD 57369
Shelly	Keegel	121 E. North St	Platte, SD 57369
Pat	Nord	101 E. 3rd	Platte, SD 57369
Roger	Eastman	Box 966	Platte, SD 57369
Jeanne	Taylor	27735 370 Ave	Platte, SD 57369
Christy	Finney	36649 271 St	Platte, SD 57369
Marie	Anderson	Box 612	Platte, SD 57369
Swaanie	Gruen	Box 983	Platte, SD 57369
Scott	Westehuis	Box 301	Platte, SD 57369
Teresa	Nelson	37051 279	Geddes, SD 57342
Lillian	Gukeisen	721 Indiana	Platte, SD 57369
Nada	Peck	321 W 5th	Platte, SD 57369
Larry	Roetman	PO Box 962	Platte, SD 57369
Ron	Sternberg	208 Nebraska	Platte, SD 57369
James	Peck	6th St	Platte, SD 57369
Myrna	Strouse	620 E. 3rd St	Platte, SD 57369
Mary	Scholl	010 Iowa Ave	Platte, SD 57369
Dennis	Severson	109 Ohio	Platte, SD 57369
Gary	Iedema	101 E. North St	Platte, SD 57369
Paul	Baas	920 Penn	Platte, SD 57369
Tom	Jaeger	001 E. North St	Platte, SD 57369
Donna	Visscher	820 Main	Platte, SD 57369
Verna	Sprik	Box 461	Platte, SD 57369
Dave	Meyerink	821 E. 7th	Platte, SD 57369
		612 E. 3rd St	Platte, SD 57369
Nancy	VanZee	500 E. 10th St	Platte, SD 57369

Field1	Field2	Field3	Field4
Ken	VanZee	500 E. 10th St	Platte, SD 57369
Jill	Callan		Platte, SD 57369
Leonard	Pazour	PO Box 81	Platte, SD 57369
Ilene	Beck	PO Box 452	Platte, SD 57369
Kathy	Standy	Box 964	Platte, SD 57369
Patsy	Crosby	Box 741	Platte, SD 57369
Virginia	Woehl	108 Dakota	Platte, SD 57369
Larry	Woehl	108 Dakota	Platte, SD 57369
Jane	Alberda	1 Dakota Ave	Platte, SD 57369
Cindy	Pranger	Box 621	Platte, SD 57369
Martha	Patzlaff	27707 373 Ave	Platte, SD 57369
Nancy	Miller	PO Box 174	Platte, SD 57369
Shirlee	Rougemont	Box 314	Platte, SD 57369
Elaine	Dyk	36398 279 St	Platte, SD 57369
Carol	Hoffer	902 Delaware Ave	Platte, SD 57369
Bob	Antonsen	27796 367 Ave	Platte, SD 57369
Jeana	Frandsen	36652 275 St	Platte, SD 57369
Rhonda	Frandsen	36652 275 St	Platte, SD 57369
Ruth	Gruenig	Box 243	Platte, SD 57369
Ken	Lieuwen	Box 545	Platte, SD 57369
John	Buitenbos	Box 325	Platte, SD 57369
Kim	Lieuwen	Box 545	Platte, SD 57369
LeAnn	VandenBos	Box 387	Platte, SD 57369
Dave	Roysley	28137 381 Ave	Geddes, SD 57342
Gloria	Kok	Rt 2	Platte, SD 57369
Judy	Veurink	Rt 2	Platte, SD 57369
Tim	Pranger	2 Dakota Ave	Platte, SD 57369
Joseph	Turnis	400 Memorial Dr	Platte, SD 57369
Mary	Turnis	400 Memorial Dr	Platte, SD 57369
Steve	Randall	402 Memorial Dr	Platte, SD 57369
Karen	Randall	402 Memorial Dr	Platte, SD 57369
R.H.	Kenobbie	Memorial Dr	Platte, SD 57369
Donna	Kenobbie	Memorial Dr	Platte, SD 57369
Ken	Lucas	801 Illinois Dr	Platte, SD 57369
Mark	Miller	402 Montana	Platte, SD 57369
Linda	Berens	812 Indiana	Platte, SD 57369
Anita	Schoenfelder	212 Dakota Ave	Platte, SD 57369
Thomas	Bischke	421 4th St. W	Platte, SD 57369
Robert	Reiser	410 E. 7th St	Platte, SD 57369
Marlys Dee	Roth	420 E. 7th St	Platte, SD 57369
Arden	Harvison	421 E. 7th St	Platte, SD 57369
Vicki	King	513 E. 7 St	Platte, SD 57369
Pat	Sluiter	520 E. 7th St	Platte, SD 57369
Jowell	Gerlach	502 Memorial	Platte, SD 57369
Patti	Gerlach	502 Memorial	Platte, SD 57369
Larry	Jongejeugd	301 Dakota Ave	Platte, SD 57369
Janel	DuFrain	618 Penn	Platte, SD 57369

Field1	Field2	Field3	Field4
Lori	Lucas	801 Illinois Ave	Platte, SD 57369
Arnold	Hanten	27918 368	Platte, SD 57369
Jake	Backes	504 North St	Platte, SD 57369
Leo	Nelson	Box 264	Platte, SD 57369
Roger	Eastman	807 Main	Platte, SD 57369
Leslie	Harding	Box 457	Platte, SD 57369
Tom	Boltjes	121 W. 7th	Platte, SD 57369
Sherry	Timmerman	37217 281 St.	Geddes, SD 57342
Brenda	Kuiper	Box 862	Platte, SD 57369
Don	Teeslink	601 Wisconsin	Platte, SD 57369
Vicki	Sly	3666 275 St	Platte, SD 57369
Valerie	Hildebrand	Box 44	Platte, SD 57369
Rose	Weebly	Box 563	Platte, SD 57369
Mike	Anderson	Box 71	Platte, SD 57369
Marilyn	Gray	27720 363	Platte, SD 57369
Sandra	VanDrusen	27020 372	Platte, SD 57369
Mary	VanOuerder	37002 277 St	Platte, SD 57369
Sheryl	Wesseling	116 Ohio	Platte, SD 57369
Joan	Hoversten	27310 369	Platte, SD 57369
Jeana	Frandsen	36652 275	Platte, SD 57369
Shaun	Namanny	Box 993	Platte, SD 57369
Tammy	Meyerink	37159 280 St	Geddes, SD 57342
Sharon	Kuiper	Box 105	Platte, SD 57369
Karen	Delroet	Box 644	Platte, SD 57369
Colleen	Mosterd	36769 281 St	Platte, SD 57369
Bernie	Hoversten	27882 369 Ave	Platte, SD 57369
Lee	Johnson	Box 3542 609 Iowa	Platte, SD 57369
Ross	Ringling	27442 SD Hwy 45	Platte, SD 57369
Tami	Boltjes	Box 102	Platte, SD 57369
Mike	Munger	Box 371	Platte, SD 57369
Todd	Stanforth	1001 Main	Platte, SD 57369
Jarrold	Lang	27460 SD Hwy 45	Platte, SD 57369
Mary Ann	Lucas	27967 367 Ave	Platte, SD 57369
Bob	Cwach	30712 Hoffman Lane	Platte, SD 57369
Ben	Tegetoff	221 E. 7th	Platte, SD 57369
Sandy	Nelson	28220 Cedar Creek	Platte, SD 57369
Arlo	Nelson	28220 Cedar Creek	Platte, SD 57369
Evelyn	Tucker	Box 338	Platte, SD 57369
Susan	Nelson	36853 278	Platte, SD 57369
Suzanne K.	Plooster	112 Dakota Ave	Platte, SD 57369
Carey	Bok	36993 284 St.	Geddes, SD 57342
Sarah	Hammer	36993 284 St.	Geddes, SD 57342
Terry	Antonsen	37252 279 St	Geddes, SD 57342
Larry	Tucker	Box 338	Platte, SD 57369
Myrna	Overweg	501 E 9th	Platte, SD 57369
Jerry	Overweg	501 E. 9th	Platte, SD 57369
Eldon	Qualm	27612 357 Ave	Platte, SD 57369

Field1	Field2	Field3	Field4
Wayne	Lundberg	27755 371 Ave	Platte, SD 57369
Steve	Foxley	Box 864	Platte, SD 57369
Jeff	Feiok	27147 365	Platte, SD 57369
Dennis	Vanderheiden	37002 277	Platte, SD 57369
Robert	Boltjes	27895 363 Ave	Platte, SD 57369
Bill	Samuelson	36235 275 St	Platte, SD 57369
Patricia	Nachtigal	36728 278	Platte, SD 57369
Arthur	Warejcka	28046 271 Ave	Geddes, SD 57342
Unknown		PO Box 1074	Platte, SD 57369
Adela	Turnbull	501 E. North St.	Platte, SD 57369
Yvonne	Holter	413 E. North St.	Platte, SD 57369
Jackie	McCullough	421 E. North St.	Platte, SD 57369
Ronald	McCullough	421 E. North St	Platte, SD 57369
Paul	Turnbull	501 E. North St.	Platte, SD 57369
Joan	Beck	203 Indiana	Platte, SD 57369



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 21, 2002

Charles Mix County Commission
c/o Norman Cihak, Auditor
Charles Mix County
PO Box 490
Lake Andes SD 57356

SUBJECT: Water Permit Application No. 6298-3, Coyote Ridge Cooperative

Dear Mr. Cihak:

A water right permit application has been filed by Coyote Ridge Cooperative. The application proposes to appropriate 0.10 cubic feet of water per second (45 gpm) from two wells (Dakota Formation) for commercial use in a swine operation approximately 5 miles southeast of Platte.

Enclosed is a copy of the notice of hearing scheduling a May 1, 2002 hearing on the application before the Water Management Board. This notice is scheduled to be published March 28 and April 4, 2002 in the Platte Enterprise and Charles Mix Co. News. Any person interested in supporting or opposing the application and participating in the hearing must file a petition to intervene by April 22, 2002 as set forth in the notice.

I am providing you notice of the application because of the interest this facility has generated in Charles Mix County and ask that you make the County Commissioners aware of the application. If they would like a copy of the staff report prepared on the application, please feel free to contact me.

Sincerely,


Eric Gronlund
Water Rights Program
(605) 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 21, 2002

Tim Whalen, Attorney
PO Box 127
Lake Andes SD 57356

SUBJECT: Water Permit Application No. 6298-3, Coyote Ridge Cooperative

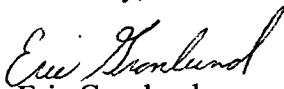
Dear Mr. Whalen:

A water right permit application has been filed by Coyote Ridge Cooperative. The application proposes to appropriate 0.10 cubic feet of water per second (45 gpm) from two wells (Dakota Formation) for commercial use in a swine operation approximately 5 miles southeast of Platte.

Enclosed is a copy of the notice of hearing scheduling a May 1, 2002 hearing on the application before the Water Management Board. This notice is scheduled to be published March 28 and April 4, 2002 in the Platte Enterprise and Charles Mix Co. News. Any person interested in supporting or opposing the application and participating in the hearing must file a petition to intervene by April 22, 2002 as set forth in the notice.

I am providing you notice of the application because it is my understanding that you have expressed an interest in this facility on behalf of clients. If you would like a copy of the staff report prepared on the application, please feel free to contact me.

Sincerely,


Eric Gronlund
Water Rights Program
(605) 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 21, 2002

John Stekly, Mayor
City of Platte
PO Box 236
Platte SD 57369-0236

SUBJECT: Water Permit Application No. 6298-3, Coyote Ridge Cooperative

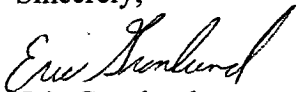
Dear Mayor Stekly:

A water right permit application has been filed by Coyote Ridge Cooperative. The application proposes to appropriate 0.10 cubic feet of water per second (45 gpm) from two wells (Dakota Formation) for commercial use in a swine operation approximately 5 miles southeast of Platte.

Enclosed is a copy of the notice of hearing scheduling a May 1, 2002 hearing on the application before the Water Management Board. This notice is scheduled to be published March 28 and April 4, 2002 in the Platte Enterprise and Charles Mix Co. News. Any person interested in supporting or opposing the application and participating in the hearing must file a petition to intervene by April 22, 2002 as set forth in the notice.

I am providing you notice of the application because of the interest this facility has generated in your area. If you would like a copy of the staff report prepared on the application, please feel free to contact me.

Sincerely,


Eric Gronlund
Water Rights Program
(605) 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 21, 2002

Dan Merkwan, Mayor
City of Geddes
PO Box 19
Geddes SD 57342-0019

SUBJECT: Water Permit Application No. 6298-3, Coyote Ridge Cooperative

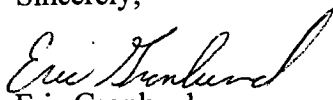
Dear Mayor Merkwan:

A water right permit application has been filed by Coyote Ridge Cooperative. The application proposes to appropriate 0.10 cubic feet of water per second (45 gpm) from two wells (Dakota Formation) for commercial use in a swine operation approximately 8 miles northwest of Geddes.

Enclosed is a copy of the notice of hearing scheduling a May 1, 2002 hearing on the application before the Water Management Board. This notice is scheduled to be published March 28 and April 4, 2002 in the Platte Enterprise and Charles Mix Co. News. Any person interested in supporting or opposing the application and participating in the hearing must file a petition to intervene by April 22, 2002 as set forth in the notice.

I am providing you notice of the application because of the interest this facility has generated in your area. If you would like a copy of the staff report prepared on the application, please feel free to contact me.

Sincerely,


Eric Gronlund
Water Rights Program
(605) 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

March 21, 2002

Coyote Ridge Cooperative
% Steve VanderPol
37731 SE Hwy 44
Geddes, SD 57342

Dear Mr. VanderPol:

Water Permit Application No. 6298-3 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Charles Mix Co. News printed at Geddes, SD (Ph # 605-337-2571). You will need to contact the newspaper and authorize publication of this notice. 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. Upon receiving authorization, 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 also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

I also want to make you aware that we will publish the notice in the Platte Enterprise at the expense of the Water Right Program.

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 57501-3182
www.state.sd.us/denr

March 21, 2002

Charles Mix Co. News
PO Box 257
Geddes, SD 57342-0257

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6298-3 to Appropriate Water to be published twice. Please publish the first notice on March 28, 2002 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 Coyote Ridge Cooperative, % Steve VanderPol, 37731 SE Hwy 44, Geddes (Ph # 605-243-2282).

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
Natural Resources Engineer
605 773-3352

enclosures

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

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

No. 6298-3

Date _____

We are in receipt of your letter of March 21, 2002 enclosing Notice of Hearing to Appropriate Water by Application No. 6298-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 21, 2002

Platte Enterprise
PO Box 546
Platte, SD 57369-0546

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6298-3 to Appropriate Water to be published twice. Please publish the first notice on March 28, 2002 with the second publication 7 days later.

Please BILL the Water Right Program, 523 E. Capitol, Pierre, SD 57501 for the cost of publication.

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 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
Natural Resources Engineer
605 773-3352

enclosures

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

No. 6298-3

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

Date _____

We are in receipt of your letter of March 21, 2002 enclosing Notice of Hearing to Appropriate Water by Application No. 6298-3 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 March 28, 2002 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6298-3 to Appropriate Water

Notice is given that Coyote Ridge Cooperative, Steve VanderPol, 37731 SE Hwy 44, Geddes SD 57342 has filed an application for a water permit to appropriate 0.10 cubic feet of water per second (45 gallons per minute) from two wells (Dakota Formation) approximately 950 feet deep located in the NE ¼ NE ¼ Section 7-T98N-R67W. The water is for commercial use in a swine operation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6298-3 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 April 22, 2002. 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 9:30 A.M. CDT, May 1, 2002 in the Floyd Matthew Training Center, Foss Building, 523 E. Capitol Ave., Pierre, SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The May 1, 2002 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by April 22, 2002.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by April 22, 2002, 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 Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
County of Charles Mix)

I, Harold J. Jaeger

certify that the attached printed Notice was
taken

from the Charles Mix County News

printed and published in Charles Mix

County of Geddes and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

March 28-2002

April 4-2002

Cost of Printing \$52.16

Harold Jaeger
(Signature)

Publisher - Owner
(Title)

4-3-2002
(Date Signed)

RECEIVED

APR - 4 2002

WATER RIGHTS
PROGRAM

Public Notice NOTICE OF APPLICATION NO. 6298-3 TO APPROPRIATE WATER

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Pub. 3-28 and 4-4

THE PLATTE ENTERPRISE
Platte, South Dakota 57369
Affidavit of Publication

STATE OF SOUTH DAKOTA)
)ss.
COUNTY OF CHARLES MIX)

Sharon Huizenga, being duly sworn, deposes and says: That she is a resident of Charles Mix County, and State of South Dakota; that The Platte Enterprise is a weekly newspaper of general circulation, printed and published in the City of Platte, in said County and State, published once a week, printed in the English language, and has a bona fide circulation of 200 copies weekly, has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication of the annexed notice, and said newspaper is printed either in whole or in part in the office maintained at the above place of publication, that the said newspaper has been published as aforesaid continuously for more than one year last preceding the publication of said noticed, and is a legal newspaper.

That the affiant is the publisher of said newspaper, in charge of the advertising department thereof and has personal knowledge of all the facts stated in this affidavit; and that the notice and advertisement headed

Notice of Application No. 6298-3 To Appropriate Water a printed copy of which is hereunto attached, was printed and published in The Platte Enterprise for 2 issues, the first publication being made on Thursday, the 28th day of March A.D., 20 02 and the succeeding publications were made severally on

Thursday, the _____ day of _____ A.D., 20 _____
Thursday, the _____ day of _____ A.D., 20 _____
Thursday, the _____ day of _____ A.D., 20 _____
Thursday, the _____ day of _____ A.D., 20 _____
Thursday, the _____ day of _____ A.D., 20 _____
Thursday, the _____ day of _____ A.D., 20 _____

and the last publication being made on Thursday, 4th day of April A.D. 20 02

That the publication fee for publishing said notice is the sum of \$ _____.

Subscribed and sworn to before me this 4 day of April A.D. 20 02
Sharon Huizenga
Notary Public in and for Charles Mix County, S.D.
My commission expires 8-12, A.D. 20 05

As required by Chapter 455, 2049 Session Laws of the State of South Dakota

NOTICE OF APPLICATION
NO. 6298-3 TO
APPROPRIATE WATER

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Steven M. Pimer, Secretary,
Department of Environment and
Natural Resources.

(March 28, April 4)

PAYMENT REQUEST FORM

PAYEE: The Platte Enterprise
Box 546 - 511 Main St
Platte SD 57369

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

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Notice of Application No. 6298-3 To Appropriate Water
Coyote Ridge Cooperative

AMOUNT: \$53.41

FUNDING SOURCE:

GENERAL: X

FEDERAL:

COMMENTS:

AUTHORIZATION: _____

Richard E. Ebel

4/8/02

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federal assisted programs.

WHALEN LAW OFFICE, P.C.

P.O. BOX 127

LAKE ANDES, SD 57356-0127

Fax (605)487-7091

Timothy R. Whalen

Telephone (605)487-7645

April 19, 2002

RECEIVED

APR 22 2002

**WATER RIGHTS
PROGRAM**

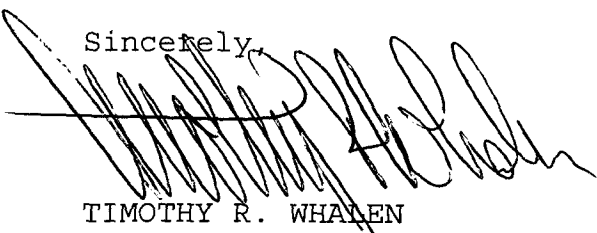
Chief Engineer, Water Rights Program
Foss Building
523 E. Capitol
Pierre, SD 57501

RE: Application for Water Permit

Dear Madam/Sir:

Enclosed herewith please find the original Petition to Intervene and Motion for Continuance in the above matter. Please file same.

Sincerely,



TIMOTHY R. WHALEN

Encl.

Cc: Clients

IN THE MATTER OF THE APPLICATION)
TO APPROPRIATE WATER,) PETITION TO INTERVENE
COYOTE RIDGE COOPERATIVE, INC.)

Comes now Glenn and Marcella Dyk, Eugene and Ruth Keegel, Arnold Hanten, and Bernard and Dorothy Hoversten, and other residents of Platte, Charles Mix County, South Dakota, who reside near or within the surrounding area of the hog confinement facility being constructed by Coyote Ridge Cooperative, Inc., southeast of the City of Platte, South Dakota, by and through their counsel, Timothy R. Whalen of Whalen Law Office, P.C., and hereby petition to intervene in the above proceedings so as to make known their opposition to the issuance of a water permit for the aforesaid applicant and the hog confinement facility being constructed by said applicant. In support of this petition the petitioners' state as follows:

1. That the petitioners are interested in the application by virtue of the fact that they reside near or in the surrounding area of the Coyote Ridge Cooperative, Inc. (CRC) hog confinement facility. More particularly, Glenn and Marcella Dyk own and reside on property located within one mile of the CRC facility; Eugene and Ruth Keegel own and reside on real property which is located one-half a mile southwest and one mile south from the CRC facility; Arnold Hanten owns and resides on real property which is located three fourths of a mile northwest of the CRC facility; and Bernard and Dorothy Hoversten own and reside on real property which is located one and one fourth of a mile north

of the CRC facility. All other petitioners own and/or reside on property in the surrounding area of the CRC facility.

2. That the CRC hog confinement facility is located four miles south and approximately two miles east of the City of Platte, South Dakota. Further, certain parcels of land upon which CRC plans to dispose of hog waste is located within one mile of the City of Platte and within the drainage catchment area for the City of Platte.

3. That the CRC hog confinement unit will house 100 gilts, 2,868 gestating sows, 504 sows with litters, and 30 boars for a total of 3,502 head of swine or 1,644 animal units. The construction of the CRC facility was commenced without first securing the appropriate water permit from this agency, but after having been advised that such water permit was an integral part of the granting of the General Water Pollution Control Permit for Concentrated Swine Feeding Operations. A copy of the aforesaid permit is attached hereto as Exhibit A and fully incorporated herein by this reference thereto.

4. That during the course of the operation of the aforesaid hog confinement unit swine waste will be generated and said waste will be collected within the hog confinement unit and distributed through distribution lines to an open air sewage lagoon located on the CRC property. This sewage lagoon is located within the drainage water shed for the lands surrounding the hog confinement unit which lands support local and migratory waterfowl and other

wildlife. Further, the wetlands commonly known as Bovee Lake is located approximately one to one and one half miles to the northeast of the hog confinement unit and Bovee Lake is fed by the drainage water shed where the sewage lagoon is located. Moreover, other wetlands which support migrating and local waterfowl are located on properties adjacent to the CRC hog confinement facility and its sewage lagoon.

5. That the petitioners verily believe that the sewage lagoon to be constructed by CRC is insufficient and will cause contamination to Bovee Lake or other wetlands located within the surrounding area of the CRC hog confinement unit and thereby endanger the waterfowl and wildlife that utilize said wetlands. Further, the movants verily believe that the sewage lagoon will not be properly sealed nor secure so as to prohibit sewage from leaking into the ground water or surface water in the surrounding area of the CRC hog confinement unit and such leakage may cause contamination of the very water supplies that the CRC is seeking to appropriate.

6. That in order to operate the hog confinement unit CRC will require a substantial amount of potable water for nourishment of the swine as well as clean up of the facility.

7. That swine waste is a hazardous substance under the laws of the State of South Dakota and its disposal is regulated by said laws and an unpermitted disposal of said substance into the environment constitutes a release of hazardous substances which

must be cured and remedied in accordance with the environmental laws of the State of South Dakota and the United States.

8. That in the event of a release of swine waste product from the sewage lagoon due to an overflow or breach of the sewage lagoon dikes, the curative action required is to flush the affected area with substantial amounts of water. The amount of water sought to be appropriated by CRC may not be sufficient to flush and cure any release of waste into the environment.

9. That Articles XVII §§ 21 and 22 of the South Dakota Constitution (Amendment E) prohibit a corporation or syndicate from owning or having an interest in real property within the State of South Dakota. The Plaintiffs verily believe that CRC is violating the provisions of Amendment E and as such its ownership and operation of the confinement unit is improper, unlawful, wrongful and illegal.

10. That the proposed operation of the confinement unit will violate the provisions of South Dakota law with regard to air pollution, water pollution, disposition and control of hazardous substances and rodent and insect infestations and as such the operation of the hog confinement unit is improper, unlawful, wrongful and illegal and granting the water permit sought by CRC will further such illegal activity. Further, the granting of the water permit sought by CRC would not be a beneficial use of water nor would it be in the best interests of the public.

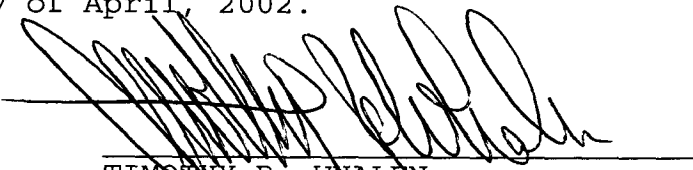
11. That in light of the above and foregoing, the Chief

Engineer's recommendation for approval of the application is not proper and is illegal as the CRC facility poses a public health hazard and, therefore, it is not in the public interest to grant the permit.

12. That in light of the above and foregoing, CRC should be denied the appropriation of water it seeks in the application before this agency.

WHEREFORE, the petitioners prays that this Petition to Intervene be granted and that petitioners be allowed to appear and provide testimony and evidence at the hearing to be held on the application to appropriate water by Coyote Ridge Cooperative, Inc.

Dated this 19th day of April, 2002.



TIMOTHY R. WHALEN
WHALEN LAW OFFICE, P.C.
P.O. Box 127
Lake Andes, SD 57356
Telephone: 605-487-7645
Attorney for Intervener

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he served a true and correct copy of the Petition to Intervene on the attorney for the applicant and the applicant at their addresses as follows:

John R. Steele
P.O. Box 577
Plankinton, SD 57368

Coyote Ridge Cooperative, Inc.
Steve VanderPol

37731 SE Hwy 44
Geddes, SD 57342

and filed the original Petition to Intervene on the following:

Chief Engineer, Water Rights Program
Foss Building
523 E. Capitol
Pierre, SD 57501

by depositing the copies and the original in the United States
first class mail, postage prepaid, on the 19th day of April,
2002, at Lake Andes, South Dakota.



TIMOTHY R. WHALEN
Whalen Law Office, P.C.
P.O. Box 127
Lake Andes, SD 57356
Telephone: 605487-7645
Attorney for Intervener



November 1, 2001

Steve VanderPol
Coyote Ridge Cooperative
37731 SD Hwy 44
Geddes, SD 57342-5000

RE: Coyote Ridge Cooperative Manure Management System
Swine General Permit Application Review

Dear Mr. VanderPol:

The Department of Environment and Natural Resources has received four copies of your application for coverage under the General Water Pollution Control Permit for Concentrated Swine Feeding Operations. The manure management system will be located in the Northeast ¼ of Section 7, Township 98 North, Range 67 West in Charles Mix County, South Dakota.

Your manure management system is for a housed lot feeding a maximum of 100 gilts, 2,868 gestating sows, 504 sows with litters, and 30 boars for a total of 3,502-head (1,644 animal units) of production swine. Your system consists of shallow pull-plug pits beneath each of the four buildings, piping, diversion dikes or channels, two holding ponds, and no acres of drainage area. The designed capacity of the holding ponds is 862 days of liquid storage.

We have reviewed and hereby conditionally approve the plans and specifications for your project. This approval expires on November 1, 2003, unless construction of the manure management system has been started by that date. Requirements that you must implement are listed on the attached pages. Failure to implement the requirements on the following pages prior to operation of the manure management system will invalidate this approval.

Two copies of the approved plans and specifications are being retained for our files. If any deviations are required from the approved plans, then those changes and all change orders must be submitted for approval prior to construction. A complete set of as-built plans will be required if several major deviations result.

Upon completion of construction, the enclosed Notice of Completion must be returned to the department. You cannot populate the buildings or use the manure management system until the department issues final permit coverage and a Certificate of Compliance. Continued compliance is dependent upon you performing proper operation and maintenance activities. You will be liable for any noncompliance with applicable South Dakota environmental laws or regulations.

Exhibit A

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

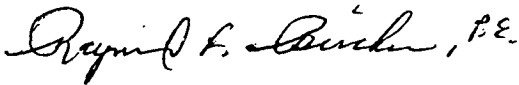
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

Steve VanderPol
November 1, 2001
Page 2

Our review is primarily to assure that the system meets the requirements of the general permit and does not cover items such as, quality of material, structural soundness, electrical, and mechanical design features. Approval of the plans and specifications does not in any way release the producer from the responsibility that the project will be an operable facility when construction is completed.

If you have any questions regarding the content of this letter, please feel free to contact Jason Roggow, Surface Water Quality at 605-773-3351 or John Foster, Ground Water Quality at 605-773-3296. Thank you for your cooperation.

Sincerely,



Raymond F. Birchem, PE
Staff Engineer
Department of Environment and Natural Resources
Phone: (605) 773-3754

cc: Todd Van Maanen, PE, EA, Yankton, SD
Charles Mix County Commissioners

REQUIREMENTS

The following requirements must be implemented before we will issue a Certificate of Compliance and coverage under the swine general permit. Failure to implement these requirements will invalidate this approval.

Plans and Specifications

The plans and specifications review is to determine whether seepage, storage, and other design requirements will be met.

1. Maximum Operating Level Marker

The permanent marker detail plan sheet indicates that two markers will be installed. One marker will be installed at elevation 998.0 feet and one at elevation 999.0 feet. Your engineer's design computations indicate liquid storage in your pond can occur up to a pond elevation of 999.0 feet. The cleanout nearest your pond has an invert elevation of 998.0 feet. Storage of liquid in the pond above elevation 998.0 feet may cause surcharging of the pipelines, which in turn could cause solids to settle out in the pipelines. Solids in the pipelines can plug the pipelines, which could lead to a non-compliance discharge.

You must submit the appropriate information to indicate that surcharging will not occur. If you choose to keep the invert elevation of the nearest cleanout at 998.0, you will need to resubmit the design computations using elevation 998.0 as the maximum storage level. You will need to resubmit the permanent marker detail sheet with the marker at elevation 999.0 removed. In addition, the bottom of the weir openings in the manhole in Pond 1 is currently set at elevation 998.0. The bottom of these openings will need to be lowered below the maximum storage elevation to allow liquid from Pond 1 to flow into Pond 2 before the level of Pond 1 reaches the maximum operating level. Operating your pond above the maximum operating level (except in the event of a documented 25-year, 24-hour storm event) is a violation of the general permit.

2. Plan Sheet # 1

Plan Sheet 1 shows a permanent marker and a splash pad in Pond 1. A permanent marker and splash pad are required in each pond. Please resubmit Plan Sheet 1 to show that a permanent marker and a splash pad will also be installed in Pond 2.

3. Manhole Leakage Protection

The manhole detail plan sheet does not show leakage protection for the manhole. Your engineer has indicated the manhole base will be poured in place and the first circular section of the manhole will be inserted into the base immediately after the concrete is poured. The department requires a monolithic base or waterstop in a manhole. The use of a monolithic base implies that the lower ring or barrel section and base will be poured at the same time. Please resubmit the manhole detail sheet showing leakage protection for the manhole.

REQUIREMENTS CONTINUED

The manhole plan sheet also shows the bottom of the pond floors at an elevation inconsistent with the pond floor elevation identified in your pond design computation and other plan sheets. Please correct the pond floor elevation on the manhole detail sheet when you include the manhole leakage protection information.

4. Recommendations

Concrete reinforcement is not shown in the floors of the shallow pits. An 18-inch compacted clay liner will be installed beneath each of the pits. This liner meets the seepage requirements of the permit. However, the department recommends some type of reinforcement be installed in the pit floors to strengthen and reduce the potential for cracking in the floors.

You may want to consider installing a concrete collar or some other type of seepage protection around the cross-pipe between the two ponds near the manhole. This seepage protection will prevent seepage along the pipe and may prevent the costly repairs of reconstructing the berm between the ponds if a seepage problem occurs.

General Permit

You will be required to operate your feeding operation and manure management system in accordance with the requirements in the swine general permit.

1. Other Permits That May or Will be Required

Water Right Permit - DENR has reviewed and approved your plans and specifications. This approval does not in any way guarantee that you will be able to obtain a water right permit. You may find that the amount of water required to adequately supply your facility exceeds reasonable domestic use and you may need to apply for a water permit. You should consider the risk associated with constructing your facility knowing that a water permit may or may not be issued if you apply for a permit. If you apply for a water permit but one is not issued, you must operate below the reasonable domestic use rate of 25,920 gallons per day with a peak combined pump capacity not to exceed 25 gallons per minute.

You must submit information regarding the source(s) of all water to be used in the operation of your manure management system. You must include the average and maximum daily volumes of water to be used from each source. The water volumes must include all water usage such as water for consumption, washing, misters, milk cooling, etc. Depending on your water usage, you may need to obtain a water right permit. Information concerning this permit can be obtained by calling Eric Gronlund at 605-773-3352. If this information is not provided, the department will not issue final permit coverage. **Please contact Eric so he can assist you in determining if you need to obtain a water right permit.**

Storm Water Permit - Since the construction of your project disturbs five or more acres in total land area, a general storm water construction permit is required. This permit must be obtained 15 days prior to starting construction. As part of the requirement for obtaining coverage under this permit you must develop and implement a pollution prevention plan. Information concerning this permit and the pollution prevention plan can be obtained by calling Stacy Reed at 1-800-737-8676. **A copy of this**

REQUIREMENTS CONTINUED

plan must be kept on site during construction for review by DENR inspectors. We understand that you are already clearing the site and making it ready for construction of the facility. If this is the case, you should have already obtained this permit and developed your pollution prevention plan.

2. Nutrient Management Plan

You do not own the fields in your nutrient management plan (NMP). Manure application agreements must be submitted for any NMP fields you do not own. Lease agreements were submitted for your NMP fields, however new agreements must be submitted because the signatory page and the pages identifying the land application areas do not appear to be the same document. Each agreement must clearly identify the field number, legal description, and available acres for each field covered. The agreements must be signed by the appropriate land owner and authorize Coyote Ridge to apply manure. Please submit original lease agreements for each field. I have enclosed an example of a manure application agreement for you to use.

The soil maps of your application fields indicate slopes of 6-9% are present in Field 15. Specific attention should be used when applying to this field to ensure that runoff does not occur. All other soil maps show that your fields have slopes less than 6%. You also need to ensure that runoff does not occur when applying manure to those fields.

The department received several comments from the public regarding potential impacts to wetlands. Before you land apply, we will meet with you and your engineer to ensure there are adequate setbacks on your land application sites. We will need to evaluate each field during the construction inspection. For example, in *Field 9*, our information shows that wetlands cover a large amount of this field and that information is confirmed by the aerial photo submitted with your application. Yet, in your NMP, you list Field 9 having 144.9 acres available for manure application. All of these discrepancies for each field must be corrected and suitable separation distances established before the department will issue final permit coverage.

The department also received a comment that Section 29, Township 99 North, Range 67 West is in a catchment area of a Platte drainage project. We will evaluate the fields in Section 29 during the construction inspection. You may be required to remove the fields in Section 29 from your NMP.

3. Training and Education

As part of obtaining coverage under the general permit, producers are required to participate in an approved environmental training program. Verification that you have attended an approved training program must be submitted to the department before a Certificate of Compliance and coverage under the general permit can be issued. Currently, the department has approved the Environmental Training Program developed by the SDSU Ag Engineering Department. For more information on this training program, contact Chuck Ullery at 605-688-5141.

4. Notification

You or your engineer must notify the department of the proposed construction schedule for your project to allow our personnel the opportunity for construction inspections. Please fill out the enclosed postcard and return it to us prior to beginning construction of the manure management

REQUIREMENTS CONTINUED

system. If any of the dates change from the ones submitted on the postcard, please notify us at 605-773-3351 and ask for Jason Roggow.

This approval does not alter your responsibility to comply with all other applicable state laws, including the provisions of Article XVII, Sections 21 and 22 of the South Dakota Constitution and South Dakota Codified Law 37-11-1 (Amendment E). You are also responsible for contacting your local planning and zoning office to determine if there are any local ordinances or requirements with which you need to comply. If a stream, lake, or wetland will be dredged or filled during the construction of the feeding operation, then you need to contact the United States Corps of Engineers at 605-224-8531 prior to construction of the manure management system.

The Notice of Completion form must be completed by your engineer and returned to the department when construction of the manure management system is complete. The department cannot issue you a Certificate of Compliance and coverage under the general permit until we receive a Notice of Completion. **You are not allowed to populate the buildings or use the manure management system until you are issued a Certificate of Compliance and coverage under the general permit.**

5. Ground Water Monitoring

Based on the system design, soil boring logs, and other published reports and information, this system does not appear to overlie a shallow aquifer and should not impact ground water. Therefore, a Ground Water Discharge Permit will not be required. Should the design or operation of the facility change appreciably, new hydrogeological information become available, or any contamination problems be reported, the department reserves the right to reassess the need for possible remediation, monitoring of ground water, or a Ground Water Discharge Permit. For additional information concerning ground water monitoring, please contact John Foster, Ground Water Quality Program at 605-773-3296.

6. Annual Soil Testing

Fields 17, 18, and 19 appear to overlie a shallow aquifer. **Annual soil samples from zero to two feet and two to four feet are required on these fields.** All of the other fields will only need to have annual soil samples from zero to two feet. The following table shows the legal descriptions and sampling requirements for all the fields listed in your proposed nutrient management plan.

Field #	County	Legal Description	Total Available Acres	Soil Sampling 0-2 feet	Soil Sampling 2-4 feet
1	Charles Mix	NE ¼ Section 7, T 98 N, R 67 W	120.4	✓	
2	Charles Mix	Part of SE ¼ Section 7, T 98 N, R 67 W	85.5	✓	
3	Charles Mix	Part of SE ¼ Section 7, T 98 N-R 67 W	66.0	✓	
4	Charles Mix	Part of NW ¼ Section 8, T 98 N, R 67 W	67.3	✓	
5	Charles Mix	Part of NW ¼ Section 8, T 98 N, R 67 W	97.0	✓	
6	Charles Mix	Part of SE ¼ Section 8, T 98 N, R 67 W	74.0	✓	
7	Charles Mix	Part of SE ¼ Section 8, T 98 N, R 67 W	28.4	✓	
8	Charles Mix	Part of SE ¼ Section 8, T 98 N, R 67 W	37.9	✓	
9	Charles Mix	SE ¼ Section 8, T 98 N, R 67 W	144.9	✓	
10	Charles Mix	Part of SW ¼ Section 17, T 98 N, R 67 W	28.3	✓	

REQUIREMENTS CONTINUED

11	Charles Mix	Part of SW ¼ Section 17, T 98 N, R 67 W	27.0	✓	
12	Charles Mix	Part of W ½ Section 17, T 98 N, R 67 W	118.7	✓	
13	Charles Mix	Part of SW ¼ Section 17, T 98 N, R 67 W	95.6	✓	
14	Charles Mix	Part of NW ¼ Section 13, T 98 N, R 68 W	83.4	✓	
15	Charles Mix	Part of NE ¼ Section 13, T 98 N, R 68 W	46.8	✓	
16	Charles Mix	Part of N ½ Section 13, T 98 N, R 68 W	118.0	✓	
17	Charles Mix	Part of NE ¼ Section 29, T 99 N, R 67 W	56.0	✓	✓
18	Charles Mix	Part of NE ¼ Section 29, T 99 N, R 67 W	27.0	✓	✓
19	Charles Mix	Part of NE ¼ Section 29, T 99 N, R 67 W	28.0	✓	✓

7. Setback Distances

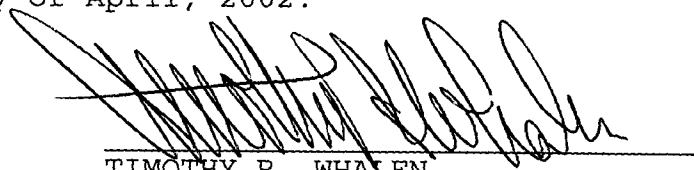
The manure management system and any portion of the application sites must be located at least 150 feet from a private well owned by you, 250 feet from a private well not owned by you, and 1,000 feet from any public supply well. These setback distances from identified wells cannot be included as part of the land application acreage.

IN THE MATTER OF THE APPLICATION)
TO APPROPRIATE WATER,) MOTION FOR CONTINUANCE
COYOTE RIDGE COOPERATIVE, INC.)

Comes now Glenn and Marcella Dyk, Eugene and Ruth Keegel, Arnold Hanten, and Bernard and Dorothy Hoversten, and other residents of Platte, Charles Mix County, South Dakota, who reside near or within the surrounding area of the hog confinement facility being constructed by Coyote Ridge Cooperative, Inc., southeast of the City of Platte, South Dakota, by and through their counsel, Timothy R. Whalen of Whalen Law Office, P.C., and hereby move for a continuance of the hearing in the above matter scheduled for May 1, 2002, for a period of at least 60 days. The reason for the requested continuance is so the Petitioners can be adequately prepared to contest the issues associated with the application made by Coyote Ridge Cooperative, Inc.

WHEREFORE, the petitioners prays that this motion be granted and that the hearing in the above matter be continued for a period of at least 60 days.

Dated this 19th day of April, 2002.



TIMOTHY R. WHALEN
WHALEN LAW OFFICE, P.C.
P.O. Box 127
Lake Andes, SD 57356
Telephone: 605-487-7645
Attorney for Intervener

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he served a true and

correct copy of the Motion for Continuance on the attorney for the applicant and the applicant at their addresses as follows:

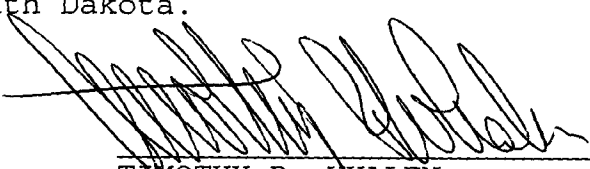
John R. Steele
P.O. Box 577
Plankinton, SD 57368

Coyote Ridge Cooperative, Inc.
Steve VanderPol
37731 SE Hwy 44
Geddes, SD 57342

and filed the original Motion for Continuance with the following:

Chief Engineer, Water Rights Program
Foss Building
523 E. Capitol
Pierre, SD 57501

by depositing the copies and the original in the United States first class mail, postage prepaid, on the 19th day of April, 2002, at Lake Andes, South Dakota.



TIMOTHY R. WHALEN
Whalen Law Office, P.C.
P.O. Box 127
Lake Andes, SD 57356
Telephone: 605487-7645
Attorney for Intervener



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 22, 2002

NOTICE

TO: Steven VanderPol, President
Coyote Ridge Cooperative
37731 SE Hwy 44
Geddes SD 57342

John R. Steele
PO Box 577
Plankinton SD 57368

Timothy R. Whalen
Whalen Law Office, P.C.
PO Box 127
Lake Andes SD 57356

FROM: *for* Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Automatic Delay of Hearing on Water Right Permit Application No. 6298-3,
Coyote Ridge Cooperative

In response to the notice of hearing published in the Platte Enterprise and Charles Mix County News, a petition has been filed by Timothy Whalen in the matter of Water Right Permit Application No. 6298-3 for Coyote Ridge Cooperative. The petition also requests an automatic delay of the May 1, 2002, hearing before the Water Management Board. Therefore, the hearing on Application No. 6298-3 is automatically delayed pursuant to SDCL 46-2A-4 and 46-2A-5 and will not be held on May 1, 2002.

The hearing to consider Application No. 6298-3 will be scheduled for the July 10 – 11, 2002, Water Management Board meeting. Future notice of the exact date, time and place of the hearing for Application No. 6298-3 will be provided to all parties of record.

Please contact Eric Gronlund at (605) 773-3352, if you have any questions.

c: Diane Best, Assistant Attorney General

CERTIFICATION

I hereby certify that on April 22, 2002, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated April 22, 2002, regarding Automatic Delay of Hearing on Water Right Permit Application No. 6298-3, Coyote Ridge Cooperative, addressed as stated below:

Steven VanderPol, President
Coyote Ridge Cooperative
37731 SE Hwy 44
Geddes SD 57342

John R. Steele
PO Box 577
Plankinton SD 57368

Timothy R. Whalen
Whalen Law Office, P.C.
PO Box 127
Lake Andes SD 57356

A copy of the Notice was sent Inter-office to:

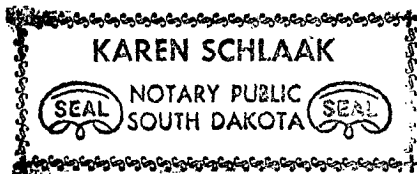
Diane Best, Assistant Attorney General, Capitol Building


Eric Gronlund
Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 22nd day of April, 2002.


Karen Schlaak
Notary Public
My Commission expires April 1, 2007





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

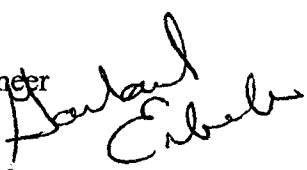
May 30, 2002

NOTICE

TO: Steven VanderPol, President
Coyote Ridge Cooperative
37731 SE Hwy 44
Geddes SD 57342

John R. Steele
PO Box 577
Plankinton SD 57368

Timothy R. Whalen
Whalen Law Office, P.C.
PO Box 127
Lake Andes SD 57356

FROM: Garland Erbele, Chief Engineer
Water Rights Program 

SUBJECT: Scheduling of the Hearing on Water Right Permit Application No. 6298-3,
Coyote Ridge Cooperative

Water Permit Application No. 6298-3 proposes to appropriate 0.10 cubic feet of water per second (45 gallons per minute) from two Dakota Formation wells located in the NE ¼ NE ¼ Sections 7, T98N, R67W in Charles Mix County. The water is for commercial use in a swine operation. The May 1, 2002 hearing before the Water Management Board was automatically delayed at the request of a petitioner.

The Water Management Board will now consider Application No. 6298-3 on July 10, 2002, at 1:30 PM, in the Conference Room, Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol Ave., Pierre SD. The hearing time is an estimate and may be delayed due to prior agenda items. The hearing may also continue on Thursday morning, July 11th if necessary to complete testimony. Parties should plan accordingly.

Applicable provisions of the Notice published March 28 and April 4, 2002, in the Platte Enterprise and the Charles Mix County News will still apply at the July 10, 2002 hearing before the Water Management Board. This hearing is an adversary proceeding. Any party of record has the right to be present and to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Please contact Eric Gronlund at (605) 773-3352, if you have any questions.

c: Diane Best, Assistant Attorney General

CERTIFICATION

I hereby certify that on May 30, 2002, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated May 30, 2002, regarding scheduling of the Hearing on Water Right Permit Application No. 6298-3, Coyote Ridge Cooperative, addressed as stated below:

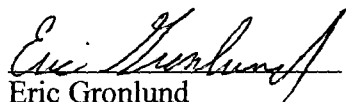
Steven VanderPol, President
Coyote Ridge Cooperative
37731 SE Hwy 44
Geddes SD 57342

John R. Steele
PO Box 577
Plankinton SD 57368

Timothy R. Whalen
Whalen Law Office, P.C.
PO Box 127
Lake Andes SD 57356

A copy of the Notice was sent Inter-office to:

Diane Best, Assistant Attorney General, Capitol Building



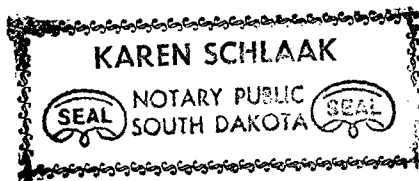
Eric Gronlund
Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 31st day of May, 2002.



Karen Schlaak
Notary Public
My Commission expires April 1, 2007





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 12, 2002

John R. Steele
Steele & Steele, P.C.
404 South Main Street
P.O. Box 577
Plankinton, SD 57368-0577

RE: Coyote Ridge Cooperative Permit Transfer

Thank you for your telephone call requesting information regarding the requirements for transferring permit coverage at Coyote Ridge Cooperative. Coyote Ridge Cooperative is currently permitted for 3,502-head (1,644 animal units) of production swine.

You indicated that Coyote Ridge is considering changing their ownership from a cooperative to a limited liability corporation. As we discussed on the telephone, we will provide the Attorney General's office with any information we receive regarding this type of transfer.

The following items must be completed for transferring permit coverage:

1. The current owner notifies the Secretary at least 30 days in advance of the proposed transfer date;
2. The notice includes a written agreement between the existing and new owners containing a specific date for transfer of permit responsibility, coverage, and liability between them.
3. The new owner submits a Certification of Applicant form;
4. The new owner submits signed Operation and Maintenance Guidelines;
5. The new owner will be required to attend a DENR approved Environmental Training Class; and
6. If the new owner chooses to use the Nutrient Management Plan currently approved for Coyote Ridge Cooperative and lease agreements are required for any manure application fields, new lease agreements for the manure application fields must be submitted.

John R. Steele
June 12, 2002
Page 2

7. Coyote Ridge Cooperative has submitted an application for a Water Right Permit. Please contact Eric Gronlund at (605) 773-3352 for information on how this permit transfer will affect the water right permit application.
8. The new owner is responsible for contacting local governments to determine if local permits or approvals need to be transferred.

The department may conduct an inspection to ensure all requirements have been met. Once we receive the permit transfer information, we will process it as required by our permit and the administrative rules of South Dakota.

If you have any questions or comments, please feel free to contact me at (605) 773-3351.

Sincerely,



Jason A. Roggow
Natural Resources Engineer
Surface Water Quality Program

cc: ~~Garland Erbele~~, DENR – Water Rights
Charles Mix County Commissioners
Steve VanderPol, Coyote Ridge Cooperative, 37731 SD Hwy 44, Geddes, SD 57342-5000

TRANSCRIPT OF THE HEARING
IS LOCATED IN THE
WATER MANAGEMENT BOARD
MEETING MINUTES FROM
JULY 10, 2002



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 18, 2002

NOTICE

TO: Timothy W. Engel
May, Adam, Gerdes & Thompson
PO Box 160
Pierre SD 57501

Timothy R. Whalen
Whalen Law Office
PO Box 127
Lake Andes SD 57356

FROM: Garland Erbele, Chief Engineer
Water Rights Program *Garland Erbele*

SUBJECT: Preparation of Findings of Fact, Conclusions of Law and Final Decision

The Water Management Board directed John Guhin, the Board's attorney, to prepare proposed Findings of Fact, Conclusions of Law and a Final Decision in the matter of Water Permit No. Application No. 6298-3 filed by Coyote Ridge Cooperative. The Board will consider the proposed Findings, Conclusions and Final Decision at 1:00 PM, CDT on September 25, 2002 in the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol Avenue, Pierre SD.

The Board requested that a copy of the proposed Findings, Conclusions and Final Decision be mailed to each Board member and Attorneys for Parties by September 5, 2002. Written objections or comments in support of the proposed Findings, Conclusions and Final Decision, or alternative Findings, Conclusions and Final Decision are to be mailed to each Board member, the Board attorney (mailing list enclosed) and counsel for opposing Party by September 16, 2002.

Oral arguments by parties who timely filed written comments in opposition or support of the proposed Findings, Conclusions and Final Decision, or alternative Findings, Conclusions and Final Decision may be made on September 25, 2002. The public hearing was completed July 10, 2002. No additional testimony will be received on September 25, 2002.

Enclosure

c: John Guhin, Deputy Attorney General
Diane Best, Assistant Attorney General

2002/ 2003 WATER MANAGEMENT BOARD MEMBERS

Francis E. Brink
1214 South Wells Street
Aberdeen, SD 57401-7351

Leo Holzbauer
RR 1, Box 170
Wagner, SD 57380-9681

Rodney Freeman, Jr,
P.O. Box 176
Huron, SD 57350-0176

Bernita Loucks
219 42nd Street
Rapid City, SD 57702-0240

Marian Gunderson
811 West 3rd
Yankton, SD 57078-3702

Dwayne Rollag Chairman
320 Lincoln Lane S
Brookings SD 57006-2741

BOARD ATTORNEY

John Guhin, Deputy Attorney General
Office of Attorney General
Natural Resources Section
State Capitol Building
Pierre, SD 57501

WATER RIGHTS PROGRAM

Department of Environment and
Natural Resources

Garland Erbele, Chief Engineer
Water Rights Program
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

STAFF ATTORNEY

Diane Best
Assistant Attorney General
Office of Attorney General
Natural Resources Section
State Capitol Building
Pierre, SD 57501

CERTIFICATION

I hereby certify that on July 18, 2002, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated July 18, 2002, regarding preparation of findings of fact, conclusions of law and final decision on Water Permit Application No. 6298-3, Coyote Ridge Cooperative, addressed as stated below.

Timothy W. Engel
May, Adam, Gerdes & Thompson
PO Box 160
Pierre SD 57501

Timothy R. Whalen
Whalen Law Office
PO Box 127
Lake Andes SD 57356

A copy of the Notice was sent Inter-office to:

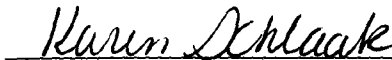
John Guhin, Deputy Attorney General
Diane Best, Assistant Attorney General



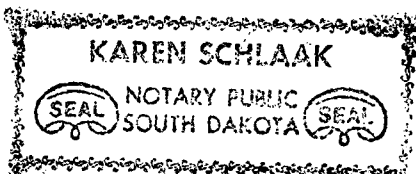
Eric Gronlund
Natural Resource Engineer
Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 19th day of July, 2002.



Karen Schlaak
Notary Public
My Commission expires April 1, 2007





OFFICE OF ATTORNEY GENERAL

500 East Capitol Avenue
Pierre, South Dakota 57501-5070
Phone (605) 773-3215
FAX (605) 773-4106
www.state.sd.us/atg

MARK BARNETT
ATTORNEY GENERAL

LAWRENCE LONG
CHIEF DEPUTY ATTORNEY GENERAL

September 3, 2002

John Guhin
Office of Attorney General
500 East Capitol Avenue
Pierre, SD 57501

RECEIVED

SEP 04 2002

**WATER RIGHTS
PROGRAM**

Re: Water Permit Application No. 6298-3, Coyote Ridge
Cooperative

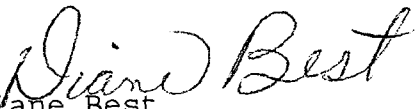
Dear John:

Enclosed find a copy of a Stipulation among the parties. It waives the right to appeals and waives the necessity of entry of Findings of Fact and Conclusions of Law. I am filing the original Stipulation with the Chief Engineer along with a copy of this letter.

Because the parties have waived findings, I believe that no further board action would be required and that the Chief Engineer would be in a position to issue the permit. If you disagree or have questions, please advise me.

I am also providing a copy of the fully executed Stipulation and this letter to the parties of record in this matter.

Sincerely,


Diane Best
Assistant Attorney General

DB/jmm

Enclosure

cc w/enc: Timothy M. Engel
Timothy R. Whalen
Garland Erbele

BEFORE THE WATER MANAGEMENT BOARD

STATE OF SOUTH DAKOTA

In Re:

Consideration of Water Permit
Application No. 6298-3
Coyote Ridge Cooperative.

)
)
)
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)

STIPULATION

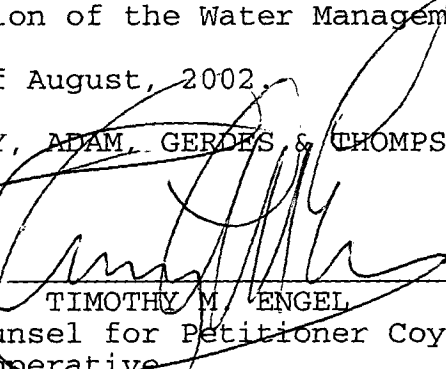
COME NOW all of the parties to the above-captioned administrative proceeding, and hereby stipulate and agree as follows:

1. The South Dakota Water Management Board may enter an order consistent with the decision announced at the July 10, 2002 hearing without the necessity of the entry of findings of fact or conclusions of law.

2. Intervenors hereby irrevocably waive their right to appeal from the final decision of the Water Management Board.

Dated this 30th day of August, 2002.

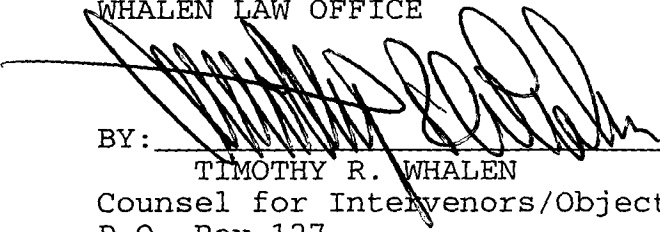
MAY, ADAM GERDES & THOMPSON LLP

BY: 

TIMOTHY M. ENGEL
Counsel for Petitioner Coyote Ridge
Cooperative
P.O. Box 160
Pierre, South Dakota 57501-0160
(605) 224-8803

Dated this 27th day of August, 2002.

WHALEN LAW OFFICE

BY: 

TIMOTHY R. WHALEN
Counsel for Intervenors/Objectors
P.O. Box 127
Lake Andes, South Dakota 57356
(605) 487-7645

Dated this 3rd day of August, 2002.

BY: *Diane Best*
DIANE BEST

Counsel for the South Dakota Department
of Environment & Natural Resources
500 E. Capitol
Pierre, South Dakota 57501
(605)773-3215



SEP 17 2002

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Coyote Ridge Cooperative
Steven VanderPol, President
37731 SE Hwy 44
Geddes SD 57342

Dear Mr. VanderPol:

Enclosed is Water Permit No. 6298-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

The application was submitted with a \$150 fee. Based on the amount of water claimed, the application/license fee is \$100. Therefore, the additional \$50 will be refunded to you. The refund check should be received within the next couple of weeks.

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.

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

* INVOICE *

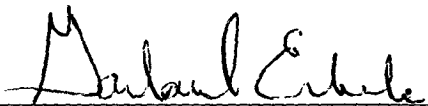
Invoice No. 20411-6298-3

Coyote Ridge Cooperative
Steven VanderPol, Presidnet
37731 SE Hwy 44
Geddes SD 57342

Paid application fee for \$150.00 but based on the amount of water claimed the
application/license fee should have been \$100.00 so we are refunding \$50.00

\$50.00

PLEASE PAY THIS AMOUNT: **\$50.00**


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

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

Date 10-15-02

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

RECEIVED

OCT 17 2002

WATER RIGHTS
PROGRAM

FROM: Coyote Ridge Co-op
(name)
37731 SD Hwy 44
(address)
Codds SD 57342
(city, state, zip)

530-1456

(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.

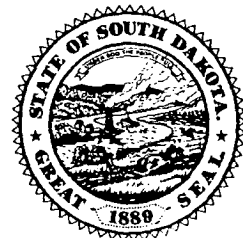
Water Permit No. 6298-3 states that the water use system is to be constructed by
7-10-07, and water is to be put to beneficial use by 7-10-11
(date) (date)

The water use system was completed on 10-15-02
(date)

Applying the water to beneficial use was completed on 10-15-02
(date)

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

Steven VanLief
(signature)



Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 6298-3

10-27-2015

I have this day, date, made a thorough examination of the water use system constructed by Coyote Ridge Cooperative, 37731 SD Hwy 44, Geddes, SD 57342 of Permit No. 6598-3, bearing the priority of 7 February 2002 authorizing the diversion of 0.10 cu. ft. per second of the waters of the Dakota aquifer for commercial use in a swine operation purposes, in Charles Mix County.

Inspection contact & relationship to permit holder, if applicable: **Steve Vanderpool, owner**
Mr. Vanderpool was not present, but authorized access.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Hutmacher Drilling Inc.
- 2) No. of Wells one
- 3) Depth(s) 955 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 5 inches
- 2) Length 900 feet
- 3) Type PVC

Screen:

- 1) Type Stainless Steel
- 2) Length 40 feet
- 3) Static water level 70 feet (10 May 2002)

Pump:

- 1) Make Goulds submersible
- 2) Model 25GS20412
- 3) Size 2 Horsepower
- 4) Capacity 25 GPM

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

- 1) Type PVC
- 2) Size 2 inches
- 3) Length <100 feet

Comments: **Buried line from well to barn**

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes

If no, describe: na

- 2) Exceptions to compliance are: na

D. Condition and Location:

1. The system is in fair condition with the point(s) of diversion located as follows: 568 feet south and 153 feet west of the NE corner of Sec. 7, T98N-R67W, (lat/lon: 43.32594/-98.80580.
2. The works are capable of diverting and conveying to the place of use 0.056 cu. ft. per second of water which is to be used for commercial use in a swine operation.
The license should be issued for 0.056 cfs.
3. All structures, wells and lands on map Yes

E. Comments or other permit(s) associated with the project:

Original pump stuck in well, smaller pump placed up hole in well per Wade Hutmacher, Hutmacher Drilling, (personal communication 4 February 2016) . Facility uses rural water, maintains well for backup.



Ken Buhler

DENR, Water Rights Program

Date report completed: 10 January 2016



NE Corner
Sec. 7 T98N-R67W

568'

153'

Legend

 6298-3_Well

 Sections



660

330

660 Feet



kb
21 Nov. 2015

Base Layer: FSA-2012-Statewide

Bureau of Land Management and U.S. Forest Service



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

MAY 03 2016

6298-3

Coyote Ridge Cooperative
37731 SD Hwy 44
Geddes SD 57342

Dear Sir:

Enclosed is Water License No. 6298-3. This is the final water right document completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

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,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6298-3

(1) Coyote Ridge Cooperative, 37731 SD Hwy 44, Geddes SD 57342 made Application No. 6298-3, February 7, 2002 for a water permit to divert 0.10 cubic feet of water per second from twos wells – Dakota Formation, Charles Mix County, South Dakota for commercial use purposes. Permit No. 6298-3, with a priority date of February 7, 2002 was approved July 10, 2002 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 10, 2007 and for the application to beneficial use of water on or before July 10, 2011.

(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. 6298-3 is issued a license, bearing a priority date of February 7, 2002 to appropriate 0.056 cubic feet of water per second from one well – Dakota Formation for commercial use purposes in a swine operation.

The diversion point is located: 568 feet south and 153 feet west of the NE corner of Section 7-T98N-R67W (NE 1/4 NE 1/4). *The facility utilizes rural water and this well is maintained as a backup supply.*

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6298-3 including the following qualifications:

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The wells authorized by Permit No. 6298-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump 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. *Only one well was developed. The well was drilled by Hutmacher Drilling Inc. in 2002. A copy of the log is on file with the Water Rights Program.*
3. Permit No. 6298-3 will be subject to compliance with requirements of the Department's General Water Pollution Control Permit for concentrated animal feeding operations.
4. Permit No. 6298-3 is subject to compliance with all existing and applicable Water Management Board Rules including but not limited to:
 - a. Chapter 74:54:01 Ground Water Quality Standards,
 - b. Chapter 74:54:02 Ground Water Discharge Permit,
 - c. Chapter 74:51:01 Surface Water Quality Standards,
 - d. Chapter 74:51:02 Uses Assigned to Lakes,
 - e. Chapter 74:51:03 Uses Assigned to Streams, and
 - f. Chapter 74:52:01 through 74:52:11 Surface Water Discharge Provisions.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAY 03 2016
date





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

April 2, 2026

6298-3

Ridge View Hogs (Ridge View HBI)
C/O David Stahl
27759 357th Avenue
Platte, SD 57369

Dear Mr. Stahl:

We understand that this property authorized under Water Right No. 6298-3, has been sold to you for commercial use in a swine operation. For your convenience I have enclosed a partially completed "Transfer of Ownership" form for you to complete and return in the pre-paid envelope.

Please return the form with a check for \$50.00 made payable to "SD Water Rights Program" to cover the transfer fee. If you would prefer to pay by card, you may call our Fiscal Office at 605.773.5559. This form will still need to be returned even if you are submitting payment over the phone.

If you have any questions or concerns, please give me a call. My direct number is 605.773.8204

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

enclosure



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

April 29, 2026

6298-3

Ridge View Hutterian Brethren Inc
C/O David Stahl
27759 357th Avenue
Platte, SD 57369

Dear Mr. Stahl:

The Water Rights Program is in receipt for the "Notice of Transfer of Ownership" form you submitted for Water Rights No. 6298-3, currently held by Coyote Ridge Cooperative. However, the required fee for processing the transfer has not been received.

Please submit payment in the amount of \$50.00 via check (payable to SD Water Rights) I have enclosed a self-addressed envelope, or you may pay over the phone by calling our Fiscal Office at 605-773-5559.

Once the payment has been received, our office will proceed with transferring ownership of Water Right No. 6298-3 to Ridge View Hutterian Brethren Inc.

If you have any questions, please contact me.

Sincerely,

Shannon Konst

Shannon Konst
Water Rights Program
605 773-8204
Shannon.konst@state.sd.us



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
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April 29, 2026

6298-3

Ridge View Hutterian Brethren Inc
C/O David Stahl
27759 357th Avenue
Platte, SD 57369

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Once the payment has been received, our office will proceed with transferring ownership of Water Right No. 6298-3 to Ridge View Hutterian Brethren Inc.

If you have any questions, please contact me.

Sincerely,

Shannon Konst

Shannon Konst
Water Rights Program
605 773-8204
Shannon.konst@state.sd.us

PAID

MAY 11 2026

Ck# 1139

Rec't# _____

RECEIVED

MAY 11 2026

OFFICE OF
WATER

RECEIVED

APR 13 2026

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

OFFICE OF
WATER

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 6298-3

Date:

4-8-26

I/We request that Water Right/Permit No. 6298-3 formerly owned by:

Coyote Ridge Cooperative

be transferred to:

New Owner Name:

Ridge View Hutterian Brethren Inc

Address:

27759 357th Avenue mobile: 605 682 8546

City, State, Zip

Platte SD 57369

email: ridgeviewhb@gmail.com

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

Section 7-T98N-R67W

NE 1/4 NE 1/4

For Commercial use in a Swine operation



I understand that the validity of Water Right/Permit No. 6298-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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 included to cover the filing fee as required by SDCL 46-2-13.

I, David J. Hutter Ridge View Hutterian Brethren Inc, the new owner, certify that the above information is true and correct.

David J. Hutter

(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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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 Agriculture and Natural Resources

Date May 11, 2026

RECEIVED OF Ridge View Hutterian Brethren Inc 27759 357th Avenue Platte, SD 57369

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 #6298-3	\$ <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 
Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

May 11, 2026

6298-3

Ridge View Hutterian Brethren Inc
C/O David Stahl
27759 357th Avenue
Platte, SD 57369

Dear Mr. Stahl:

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" form and the fee you submitted for Water Right No. 6298-3, enclosed is a \$50.00 receipt of payment for your records.

Water Right No. 6298-3, previously held by Coyote Ridge Cooperative, is now listed under Ridge View Hutterian Brethren Inc. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the Permit/License (copy enclosed), State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the Permit/License will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

NOTE: The validity of Water Right No. 6298-3 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosures