

WATER PERMIT NO. 6528-3

Name of Applicant: **Larson Livestock, Inc.**

Address: **39656 Larson Rd, Columbia SD**

Phone: **605 396-2391**

Amount of Water Claimed: **0.333 cfs**

Total Acres: **NA**

Source of Water Supply: **groundwater (one well)**

Water to be used for: **commercial**

County: **Brown**

Type of Waste Disposal System:

Location: **½ east of Columbia**

PRIORITY

Date Received: **7-27-04**

Application/License Fee: **\$275**

Corrected Application Received:

Period of Annual Use: **January 1 – December 31**

Remarks: **Beef feedlot operation**

Diversion Point: **NW ¼ SE ¼ Sec 28-T125N-**

R62W

Land to be Irrigated: **NA**

Depth of Well: **214 feet deep**

Well Driller: : **Olson Well Drilling**

Remarks:

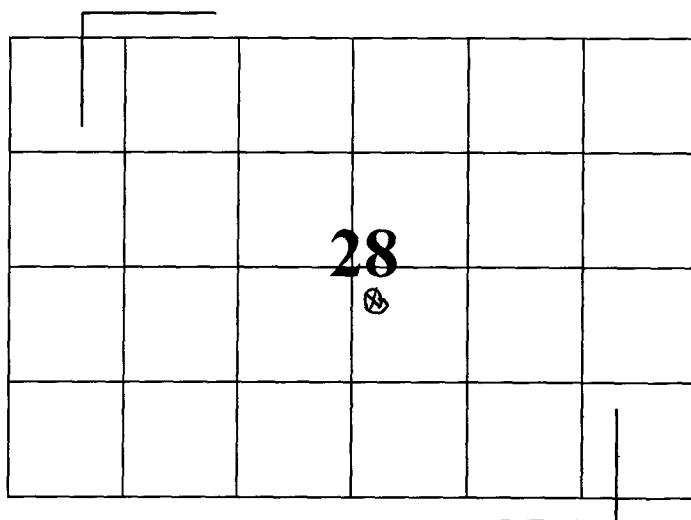
Type of Map: **topo**

Prepared by: **Gregory G Grabs, PE**

Reviewed and the Number Assigned on: **7-27-04**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6528-3</u> (office use only) Hydrologic Unit <u>10160003</u>
	Basin <u>James River</u>
	Newspaper <u>American News Aberdeen</u>

RECEIVED
JUL 27 2004
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 <u>Livestock</u> | |

Type of Application: (check one)

- ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☐ 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.)

1. Name of Applicant Larson Livestock, Inc. - Ray Larson Phone (605) 396-2391
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 39656 Larson Road Columbia State SD 57433
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 0.333 *CFS or 150 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply _____
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Brown
1 well in NW 1/4 of NW 1/4 of SE 1/4 of Section 28, T125N, R62W
5. County or counties where water will be used Brown
6. Annual period during which water is to be used Year Around Jan - 1 - Dec 31
7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Application for existing well to serve 1,500 head of beef feedlot.

STATE OF SOUTH DAKOTA)

County of Brown SS

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

I, Ray Larson, 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.

Applicant's signature Ray Larson

Subscribed and sworn to before me this 26th day of July 20 04

JODI HILLESTAD

SEAL NOTARY PUBLIC SEAL
SOUTH DAKOTA

Jodi Hillestad
Notary Public signature

My Commission Expires 02-27-2008

**SOUTH DAKOTA
WATER PERMIT NO. 6528-3**

Date of first receipt of application July 27, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6528-3 to Larson Livestock, Inc., c/o Ray Larson, 39656 Larson Road, Columbia SD 57433 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. 6528-3 appropriates 0.333 cubic feet of water per second from one well to be completed into the Middle James: Columbia Aquifer (214 feet deep) located in the NW ¼ SE ¼ Section 28-T125N-R62W.
2. The water appropriated shall be used for the purpose of commercial use in a cattle feedlot 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 of approval of Permit No. 6528-3 is October 18, 2004.
5. The date from which applicant may claim right is July 27, 2004.
6. One-fifth of the construction is to be completed on or before April 18, 2007.
7. All construction is to be completed on or before October 18, 2009.
8. Water is to be put to beneficial use on or before October 18, 2013.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Permit No. 6528-3 is subject to compliance with requirements of the Department's Water Pollution Control Permit issued pursuant to SDCL 34A-2-36 or 34A-2-112 for concentrated animal feeding operations.
3. Permit No. 6528-3 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

NOV 19 2004

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 6" Depth 214'
- b) Casing Type Plastic Diameter 5" Thickness Unknown
- c) Screen Type Plastic Diameter 5" Thickness Unknown
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property None - Rural Water On property owned by others 2200' (Unconfirmed)

2. Wastewater Disposal System Information

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

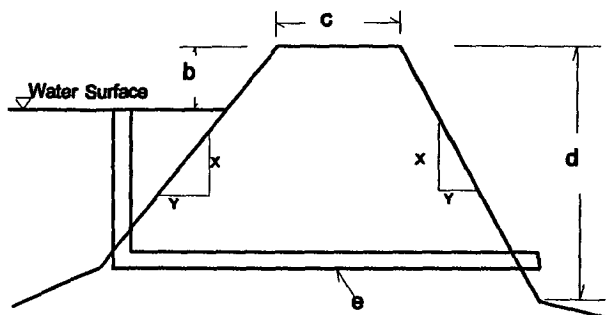
3. Dugout Information

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

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date July 27, 20 04

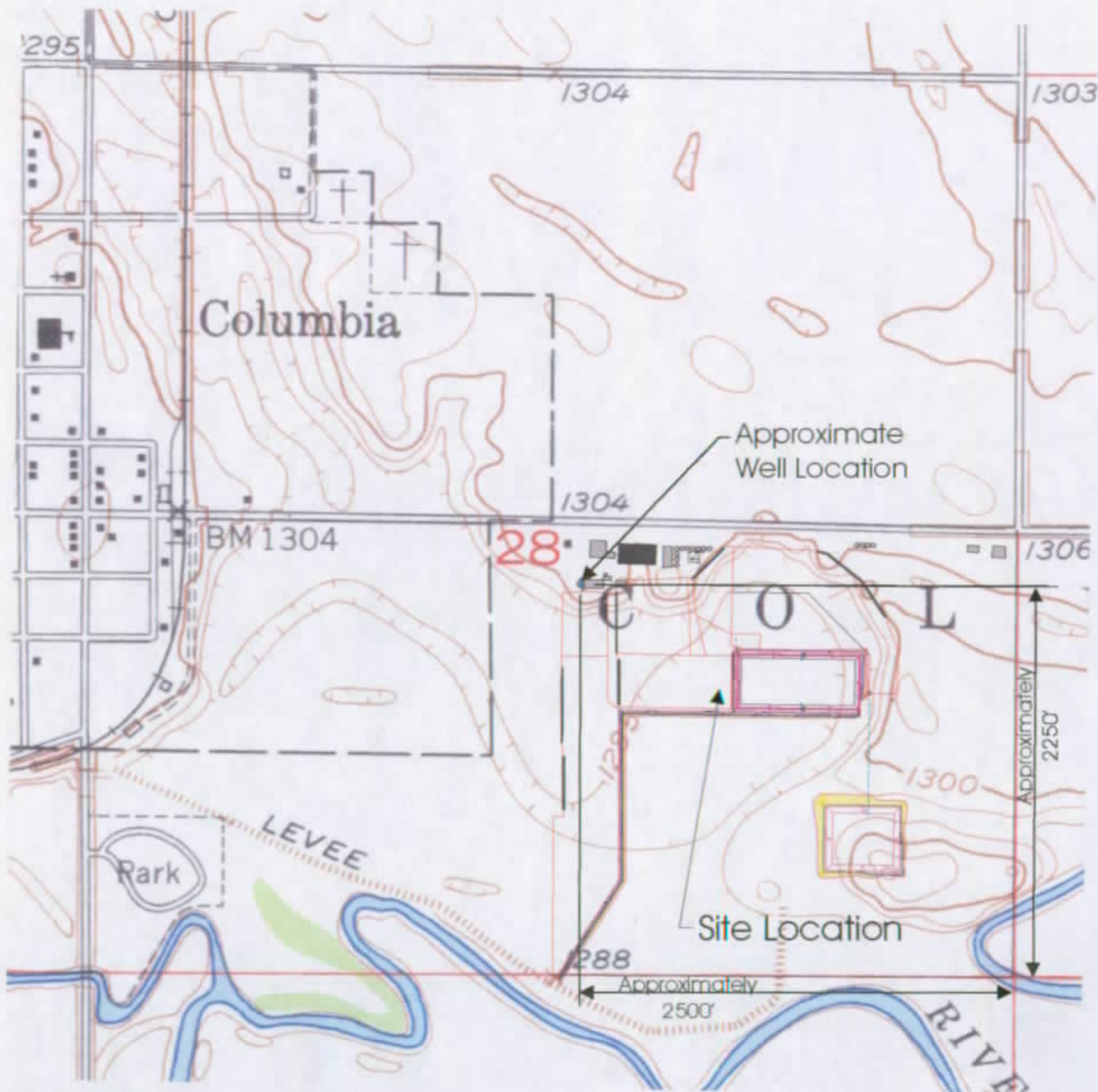
RECEIVED OF Larson Livestock Inc, PO Box 17, Columbia SD 57433

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

Fee for Application for Permit No. <u>6528-3</u> to Appropriate Water, to construct and to put water to beneficial use	225	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6528-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	275.00

No. 001000

By Darland Eiche
Chief Engineer gm



Larson Livestock, Inc. Well Location Map

SE 1/4, Section 28, Township 125 North, Range 62 West
Brown County, South Dakota

**DeHaan, Grabs
& Associates, LLC**
Consulting Engineers

PO Box 522, Mandan, ND 58554
(701) 663-1116, FAX: (701) 667-1356

Revision	
Date: July 14, 2004	Date:
Scale: 1" = 1000'	Scale:
Drawn By: GGG	Drawn By:
Checked By: DLD	Checked By:
Page: 1	Page:
File Name: C:/Project Files/Beef/Larson, Ray/Corel Draw/1.mile	

6528-3

PLEASE COMPLETE
ENTIRE FORM

WELL DRILLERS REPORT
Division of Water Rights
Department of Water & Natural Resources

6/60

Well Owner:
Name Ray Larson
Address Columbia, S.D.

Well Location:
North
Mark location with an "X"
W E
1 mile

County Brown
* SE 1/4 Sec. 28 Twp. 125 Rg. 62

Proposed Use:
☒ Domestic ☐ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☒ Stock

Method of Drilling:
☒ Forward Rotary ☐ Bored ☐ Jetted
☐ Reverse Rotary ☐ Cable ☐ Other

Well Construction:
Diameter of Hole 5"
Depth 214
Casing ☐ Steel ☐ Concrete
☒ Plastic ☐ Other
If other, specify _____
Was casing end left open yes
Was a well screen installed yes
Describe Well Screen
Diameter 3" Material plastic
Slot size 30
Was well gravel packed yes
Was well grouted yes
Was water sample taken _____

Remarks:



Water Level Information:
Static water level 25 below land surfac
If flowing: closed in pressure _____ PSI
rate of flow _____ GPM
Controlled by:
☐ Valve ☐ Reducers ☐ Other
If other; specify _____

Well Test Data:
☒ Pumped Describe: air lift
☐ Bailed
☐ Other
Pumping Level Below Land Surface
_____ ft. After _____ Hrs. pumped _____ GPM
_____ " " " " " "
_____ " " " " " "

Well Log:

Formation Topsoil	Depth	
	From 0	To 2
yellow clay	0	20
gravel	20	27
blue clay	27	45
dirty fine sand	45	50
blue clay	50	74
dirty sand/gravel	74	81
clay	81	86
gravel/rocks	86	89
clay	89	90
clay/gravel	90	92
clay with dirty sandstone	92	100
clay	100	103
pebbly clay	103	107
clay	107	110

(Use Back if Necessary)

Date Completed: 6-1-82

Driller:
Olson Well Drilling 288
Driller's or Firm's Name License NO
Columbia, S.D.
Address
Ray Z. Olson 11/29/82
Signed By Date

110-123 pebbly clay
123-130 sand
130-138 dirty sand & clay
138-145 fine sand
145-148 clay
148-160 sand little coarser
160-165 finer sand
165-170 sand coarser
170-180 sand
180-190 sand
190-200 sand coarser 12° - 18°
200-215 coarse sand 18° - 25°
215-- rocks



**DeHaan, Grabs
& Associates, LLC**
Consulting Engineers

PO Box 522, Mandan, ND 58554
(701) 663-1116, Fax: (701) 667-1356
www.dgaengineering.com

Eric Gronlund
Water Rights Program
Joe Foss Building
523 E. Capital
Pierre, SD 57501-3181

July 14, 2004
RE: Water Rights Permit
Application for Larson
Livestock, Inc.

Dear Mr. Gronlund;

Enclosed you will find two copies of an *Application For Permit To Appropriate Water Within The State of South Dakota* for Ray Larson, Larson Livestock, Inc. in Brown County.

Please let me know if you need any additional information to process this application.

Respectfully,

Greg Grabs, PE
Vice-President

cc: Ray Larson w/enclosures
NRCS w/enclosures

RECEIVED
JUL 27 2004
WATER RIGHTS
PROGRAM

REPORT ON WATER PERMIT APPLICATION NO. 6528-3
For Larson Livestock
September 2, 2004

Application No. 6528-3 proposes to appropriate 0.333 cfs (150 gpm) from one well approximately 214 feet deep located in the NW ¼ SE ¼ of section 28, T125N R62W in Brown County. The water is for commercial use in a cattle feedlot operation.

AQUIFER – MIDDLE JAMES COLUMBIA (MJ-C)

The Middle James Columbia is a buried outwash (sand and gravel). The aquifer is under confined or artesian conditions at this site. The aquifer underlies 220,500 acres and contains an estimated 661,000 acre-feet of water in storage in Brown County (Hedges, 1982). The aquifer extends to the south where it blends into the Middle James Aberdeen aquifer and then into Spink County, to the east into Marshall County and to the north into North Dakota. The Middle James aquifer appears to be hydraulically connected to the overlying Elm aquifer at least in some areas of Brown County with water from the Elm aquifer also providing recharge to the Middle James aquifer (Koch, 1976). Ground water movement appears to be from the northwest to the southeast in this area (Koch, 1976). The glacial aquifer system in Brown County is complicated both geologically and hydrologically. Two separate studies describing artificial recharge (Emmons, 1987) and digital modeling of the aquifers (Emmons, 1990) have been completed for the northern one-half of Brown County.

The well log filed with the application indicates sand beginning about 123 feet below land surface and extending to a depth of 215 feet. The completed well was capable of producing 150 gpm using air to develop and had a static water level of 25 feet below land surface. It is unlikely that there is a 150 gpm pump in this well.

The Water Rights Program monitors twelve observation wells completed into the Middle James Columbia aquifer in Brown County. Water levels for these wells show good response to pumping and the effects of climatic conditions. A hydrograph for observation well BN-77T (located about 12 miles north of this application) is included with this report. In general the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2004).

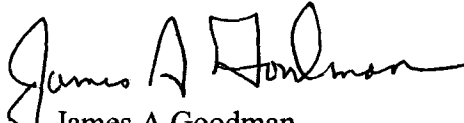
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other nearby water permits/rights that obtain water from the Middle James Columbia aquifer. The nearest existing diversion is for irrigation and located about fourteen miles north of this application. This irrigation permit apparently has not been used for many years and may be subject to forfeiture for nonuse.

CONCLUSIONS

1. Water is available from the Middle James Columbia aquifer.

2. The aquifer is confined and under artesian conditions in this area. Drawdown will be created by pumping. This is not expected to be adversely affect any nearby water user. Interference is not a concern.
3. This is an existing well and from the information presented it appears that this well is constructed in accordance with SD Well Construction Standards.
4. Larson Livestock has filed plans and specifications for this facility with the Department. These are presently under review.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

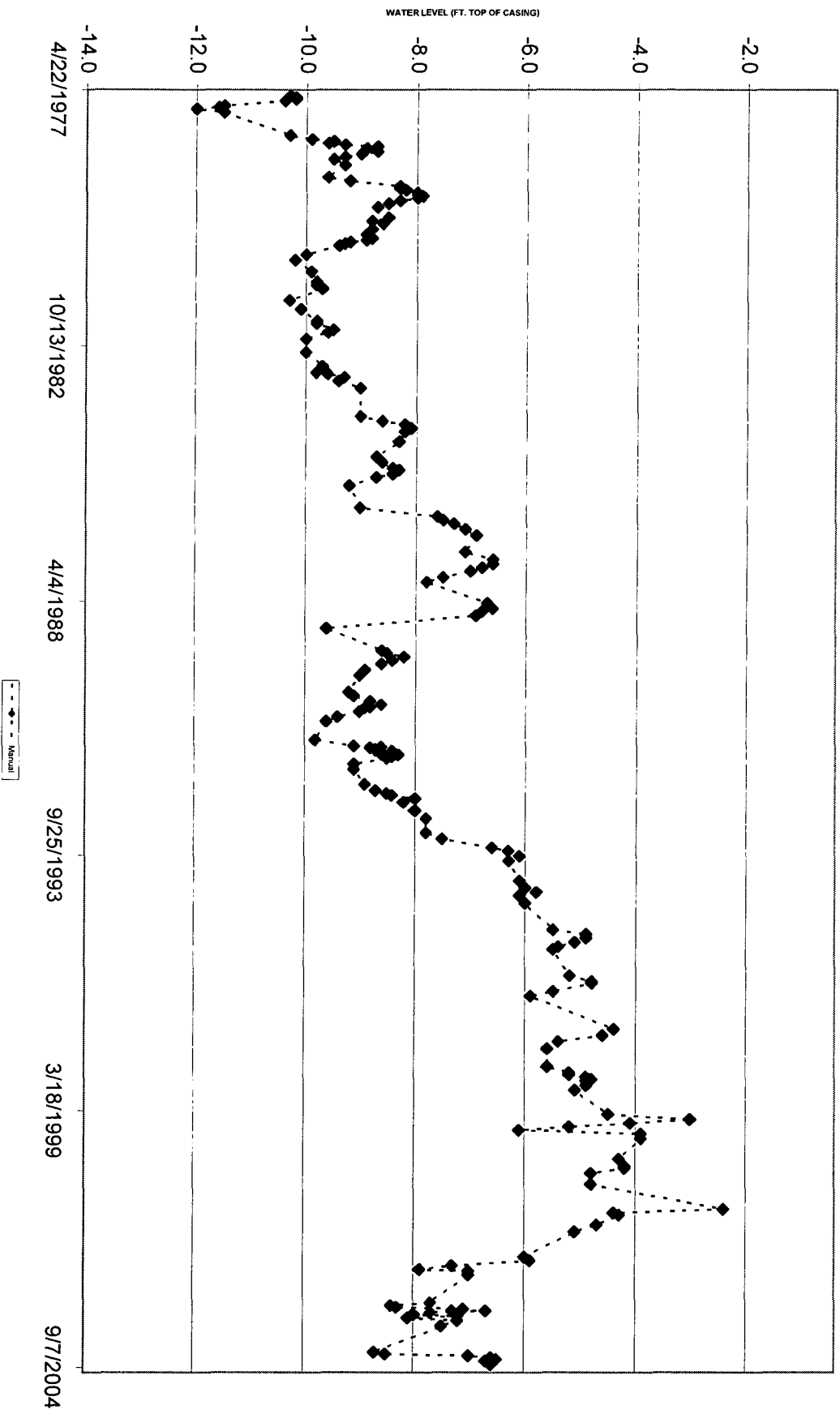
Emmons, P.J., 1987, Preliminary Assessment of Potential Well Yields and the Potential for Artificial Recharge of the Elm and Middle James Aquifers in the Aberdeen Area, South Dakota, USGS, WRI 87-4017, Huron, SD, 57350.

Emmons, P.J., 1990, A Digital Simulation of the Glacial-Aquifer System in the Northern Three-Fourths of Brown County, South Dakota, USGS, WRI 88-4198, Huron, SD, 57350.

Koch, N.C., W. Bradford, 1976, Geology and Water Resources of Brown County, South Dakota, Bulletin 25, Part II Water Resources, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2004, Unpublished Observation Well Data for Brown County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
BN-77T





**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. 6528-3, Larson Livestock, Inc.**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6528-3, Larson Livestock, Inc., c/o Ray Larson, 39656 Larson Road, Columbia SD 57433.

The Chief Engineer is recommending APPROVAL of Application No. 6528-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been 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 well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. Permit No. 6528-3 is subject to compliance with requirements of the Department's Water Pollution Control Permit issued pursuant to SDCL 34A-2-36 or 34A-2-112 for concentrated animal feeding operations.
3. Permit No. 6528-3 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
September 22, 2004

RECEIVED

OCT 15 2004

AFFIDAVIT OF PUBLICATION

WATER
PRO.

STATE OF SOUTH DAKOTA}

§

COUNTY OF BROWN}

Mary Basten being duly sworn, on his/her oath says: That the AMERICAN NEWS is a daily newspaper of general circulation, printed and published in Aberdeen, Brown County, South Dakota, by the Aberdeen News Company; a corporation, and has been such a newspaper during the times hereinafter mentioned; That affiant is an employee and principal clerk of said publisher and has personal knowledge of all facts stated in this affidavit; That the advertisement headed:

Legal Notice H 1136570

a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper, and not in a supplement thereof, once each

Week for 2 successive Weeks

The first publication being made on the 30 day of Sept, 2004.

The second publication being made on the 7 day of Oct, 2004.

The third publication being made on the _____ day of _____, 2004.

The fourth publication being made on the _____ day of _____, 2004.

The fifth publication being made on the _____ day of _____, 2004.

The sixth publication being made on the _____ day of _____, 2004;

That said newspaper is a legal newspaper published five days or more each week; with a bona fide circulation of more than two hundred copies daily; published in the English language within the said county of Brown for more than one year prior to the first publication of said notice; and printed in whole in an office maintained at the place of publication of said newspaper; That the whole amount of the fee paid for the publication of the annexed notice is \$ 82.80, which insures solely to the benefit of said publisher; That no agreement or understanding for a division thereof had been made with any other person; and That no part thereof has been agreed to be paid to any person whomsoever.

Mary Basten

Subscribed and sworn to before me this 11 day of Oct, 2004.

Daily Circulation 18,000

[Signature]

Notary Public, Brown County, SD.

My commission expires

March 20, 2007

(No. 1136570)

(Sept. 30, Oct. 7, 2004 - 2T)

NOTICE OF APPLICATION

NO. 6525-3 to Appropriate Water

Notice is given that Larsor Livestock, Inc., c/o Ray Larson, 39656 Larson Rd, Columbia, SD 57433 has filed an application for a water permit to appropriate 0.333 cubic feet of water per second from one existing well completed in the Middle James: Columbia Aquifer (214 feet deep) located in the NW 1/4 SE 1/4 Section 28-T125N-R62W. The water is for commercial use in a cattle feedlot operation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6528-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and the Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by October 18, 2004.

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

SEAL

Instruction to Newspaper - Publish first Notice on September 30, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6528-3 to Appropriate Water

Notice is given that Larson Livestock, Inc., c/o Ray Larson, 39656 Larson Rd, Columbia SD 57433 has filed an application for a water permit to appropriate 0.333 cubic feet of water per second from one well to be completed into the Middle James: Columbia Aquifer (214 feet deep) located in the NW ¼ SE ¼ Section 28-T125N-R62W. The water is for commercial use in a cattle feedlot operation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6528-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 23, 2004

American News
PO Box 4430
Aberdeen SD 57402

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6528-3 to Appropriate Water to be published twice. Please publish the first notice on September 30, 2004 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Larson Livestock Inc, % Ray Larson, 39656 Larson Raod, Columbia SD (Ph # 605-396-2391).

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-----

No. 6528-3

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

Date _____

We are in receipt of your letter of September 23, 2004 enclosing Notice to Appropriate Water by Application No. 6528-3 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

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

September 23, 2004

Larson Livestock Inc
% Ray Larson
39656 Larson Road
Columbia SD 57433

Dear Mr. Larson:

Water Permit Application No. 6528-3 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the American News printed at Aberdeen, SD (Ph # 605-225-4100). 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 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. 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.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

cc: Greg Grabs, DeHaan, Grabs & Associates LLC

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**

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

NOV 19 2004

Larson Livestock Inc
% Ray Larson
39656 Larson Road
Columbia SD 57433

Dear Mr. Larson:

Enclosed is Water Permit No. 6528-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

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

Sincerely,

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

enclosures