

WATER PERMIT NO. 6905-3

Name of Applicant: **Pannar Seed, Inc.**

Address: **40329 US Hwy 14, Huron SD 57350** Phone: **605 352-8791**

Amount of Water Claimed: **0.022 cfs** Total Acres: **NA**

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

Water to be used for: **commercial** County: **Beadle**

Type of Waste Disposal System:

Location: **North side of Huron**

PRIORITY Date Received: **10-10-07** Application/License Fee: **\$100**

Corrected Application Received: Period of Annual Use: **January 1 – December 31**

Remarks:

Diversion Point: **NE ¼ NW ¼ Sec 3-T110N-R61W**

Land to be Irrigated: **NA**

Depth of Well:

Well Driller: :

Remarks:

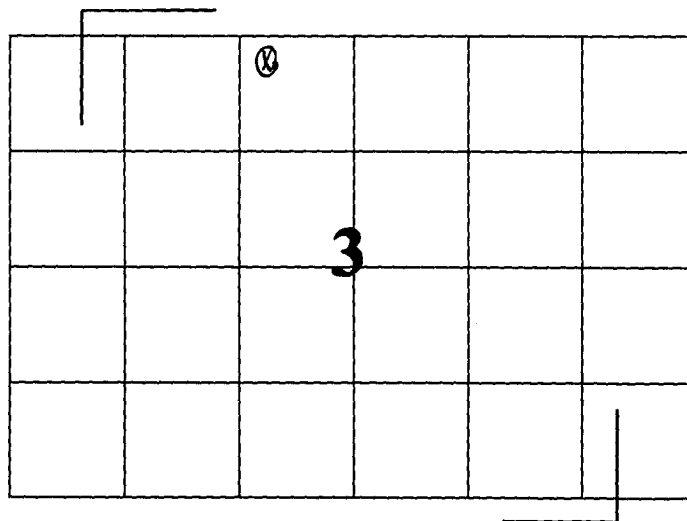
Type of Map: **aerial**

Prepared by: **Mike DeFea**

Reviewed and the Number Assigned on: **11-6-07**

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>16905-3</u> (office use only) Hydrologic Unit <u>16160006</u>
	Basin <u>James River</u>
	Newspaper <u>The Plainsman, Huron SD</u>

RECEIVED
OCT 10 2007
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.)

1. Name of Applicant Panner Seed, Inc. Phone (605) 352-8791
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 40329 US Highway 14 Huron State SD 57350
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 0.022 0.089 *CFS or 10 40 **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 Ground water
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Beadle
One existing well located in the NE1/4 NW1/4 Section 3-T110N-R61W approximately 120 feet south and 405 feet east of the NW corner. (N 44.36929, W -98.14784) 370
1580
5. County or counties where water will be used Beadle
6. Annual period during which water is to be used Year round
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)

STATE OF SOUTH DAKOTA)
County of Beadle 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, Panner Seed Inc., 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 Marie Begelin

Subscribed and sworn to before me this 7th day of October 2007

Cassandra J. Hunter
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 6905-3**

Date of first receipt of application October 11, 2007.

Date of receipt of corrected application October 18, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6905-3 to Pannar Seed, Inc., c/o Tracie Gogolin, Manager, 40329 US Hwy 14, Huron SD 57350 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. 6905-3 appropriates 0.022 cubic feet of water per second from one existing well located in NE ¼ NW ¼ Section 3-T110N-R61W. The depth of the well is unknown.
2. The water appropriated shall be used for the purpose of commercial use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 6905-3 is June 2, 2008.
5. The date from which applicant may claim right is October 11, 2007.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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.

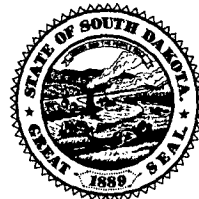
WATER MANAGEMENT BOARD

By: Garland Erbele

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

JUN 12 2008

date

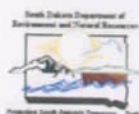


Panner Seed, Inc.
P. O. Box 947
Huron, SD 57350

Water Permit No. 6905-3



Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
Sept. 12, 2006



0 950 1,900 3,800 Feet

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 10/12, 2007

RECEIVED OF Pannar Seed Inc 40329 US Hwy 14 E Huron SD 57350

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

Fee for Application for Permit No. <u>6905-3</u> to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6905-3</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	100 00

No.

03181

By *Leland Erling*
Chief Engineer

26



October 18, 2006

Panner Seed, Inc.
c/o Matt Foley
40329 US Highway 14
Huron, SD 57350

Dear Matt:

On October 4, 2006, I conducted an inspection of the well and pumping system at your office for licensing of Water Permit No. 6290-3, Panner Seed, Inc. After reviewing the information, I found the location of the well did not match the permit which indicated the well should have been in Section 32-T111N-R61W, not Section 3-T110N-R61W. Our records also indicate that Panner Seed, Inc does not have a permit authorizing the diversion of water from Section 3-T110N-R61W. As a result, Panner Seed, Inc needs to apply for a water permit for use of this well.

I have enclosed two partially completed applications for appropriation of water from your well for the Panner Seed, Inc office. Along with the partially completed applications, I have also included an instruction sheet, the required map showing the location of the well, and a self addressed envelope to return the application to us. You will need to sign and have Form 2 notarized. On Form 2A, you need to fill out the well information in Item's 1 and 2 as well as provide a well log. A fee of \$50.00 is also required to appropriate 0.10 cfs (45 gpm) or less in addition to \$50.00 for the inspection/licensing fee which has already been conducted. This is to be included with the application. You should review and make any corrections on the application before returning it to us.

If you have any questions regarding the application or the application process, you can contact Eric Gronlund at 773-3352 or you can e-mail him at eric.gronlund@state.sd.us.

Sincerely,

Mike DeFea
Natural Resources Project Engineer
DENR, Water Rights Program

enclosures:

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

January 30, 2007

Panner Seed Inc.
c/o Matt Foley
40329 US Hwy 14
Huron SD 57350

Dear Mr. Foley:

On October 18, 2006, you were sent applications forms for a permit to appropriate water based on an investigation of Water Permit No. 6290-3, by Mike DeFea, an engineer with this office. Enclosed is a copy of that letter. The investigation showed that an additional water permit was necessary in order to reflect the company's actual water use. To date, we have not received a response regarding this application.

Please complete the application, have it signed, notarized and return it to this office with the required \$100 application/license fee.

Obtaining a water permit that accurately reflects water use ultimately benefits your company by protecting its right to use water. Except for domestic use, any water user without a water right is not entitled to receive protection in the event of interference by a new or future user who has a water right.

Pursuant to South Dakota Codified Laws 46-1-15, 46-5-9, 46-5-10 and 46-2-18, you must have a water permit prior to using water.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
Phone: (605) 773-3352
karen.schlaak@state.sd.us

enclosures



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**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6905-3, Pannar Seeds, 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. 6905-3, Pannar Seeds, Inc., c/ Tracie Gobolin, 40329 US Hwy 14, Huron SD 57350.

The Chief Engineer is recommending APPROVAL of Application No. 6905-3 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 qualification:

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.

See report on application for additional information.

Garland Erbele, Chief Engineer
May 6, 2007

REPORT ON WATER PERMIT NO. 6905-3
For Pannar Seed Inc.
December 10, 2007

Application No. 6905-3 proposes to appropriate 0.022 cfs (10 gpm) from an existing well of unknown depth located in the NE ¼ NW ¼ of section 3, T110N R61W in Beadle County for commercial use.

AQUIFER – UNKNOWN

There is insufficient information available to determine the source of water for this application. A well at this site could obtain water from at least three different sources. The most likely sources would be the Niobrara or the Floyd East James aquifers. Both would be confined and under artesian conditions in this area. The Niobrara would probably be 120 to 150 feet deep and the Floyd East James aquifer would probably be 70 to 120 feet deep. Another potential source could be the Dakota Formation however, a well into the Dakota should free flow in this area. The only reliable information available is the inspection report which indicates the location of the well and basically the pump rate.

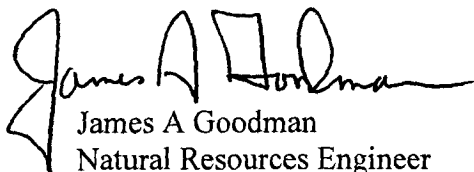
The Water Rights Program monitors an observation well BD-68A completed into the Floyd East James aquifer and located about two miles southeast of this application. The water levels for this well may reflect the water levels in the area of this application. A hydrograph for this observation well is included with this report (Water Rights, 2007).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other water permits/rights in this immediate area that obtain water from any ground water source. Interference is not a concern. This diversion rate is very small and drawdown created by pumping would not be significant.

CONCLUSIONS

1. Water is available from either the Niobrara or the Floyd East James aquifer.
2. The aquifer is probably under artesian conditions. Drawdown will be created by pumping but at the requested rate of ten gallons per minute is not expected to be significant. Interference is not a concern.
3. Nothing is known about the well construction to include even the well depth. It can not be determined if this well is constructed in accordance with SD Well Construction Standards.
4. This well has been used for many years. This well was found after an inspection by Mike DeFea of the Water Rights Program during a routine inspection of another water permit for this facility. Approval of this application will allow licensing of this application for the amount of water that has been used.

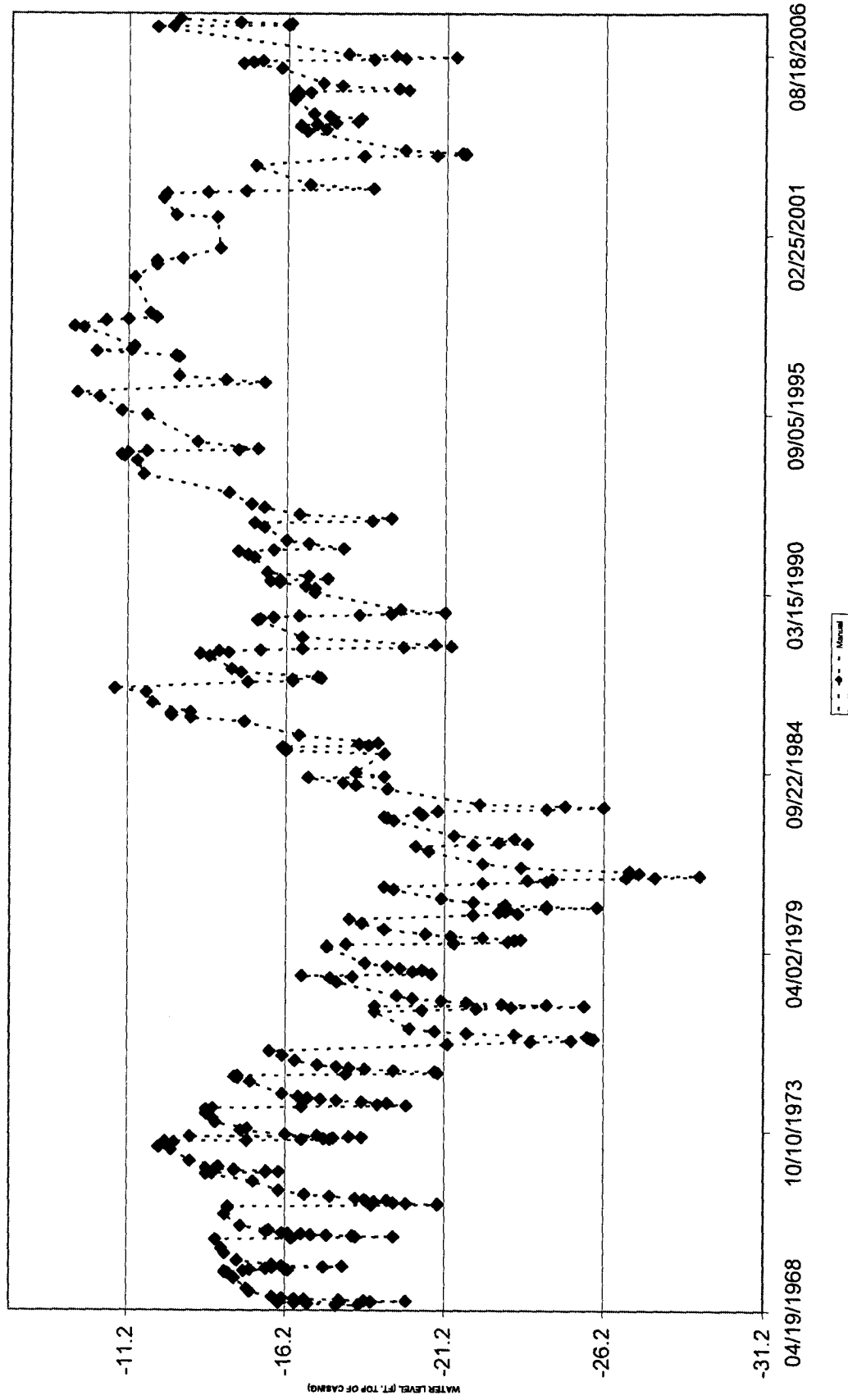


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Water Rights, 2007, Unpublished Observation Well Data for Beadle County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
BD-68A



Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Beadle) SS

I, Jana Rae McMillan

certify that the attached printed Notice was taken

from the Plainsman

printed and published in Huron

County of Beadle and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

May 15

May 23

Cost of Printing \$ 53.55

Jana Rae McMillan
(Signature)

Business Manager
(Title)

5/27/08
(Date Signed)

RECEIVED

MAY 29 2008

WATER RIGHTS
PROGRAM

OK

F.P. 05-15-08

L.P. 05-22-08

NOTICE OF APPLICATION

NO. 6905-3 to

Appropriate Water

Notice is given that Pannar Seed, Inc., Tracie Gogolin, 40329 US Hwy 14, Huron, SD 57350 has filed an application for a water permit to appropriate 0.022 cubic feet of water per second from one existing well located in NE 1/4 NW 1/4 Section 3-T110NR61W for commercial use. The depth of the well is unknown.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6905-3 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 this application, as recommended, unless a petition is filed opposing the application of 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 this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3952)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 2, 2008.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing 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.

Steve Pirner,
Secretary, Department
of Environment and
Natural Resources
No. 218 (adv.)

Instruction to Newspaper - Publish first Notice on May 15, 2008 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6905-3 to Appropriate Water

Notice is given that Pannar Seed, Inc., Tracie Gogolin, 40329 US Hwy 14, Huron SD 57350 has filed an application for a water permit to appropriate 0.022 cubic feet of water per second from one existing well located in NE ¼ NW ¼ Section 3-T110NR61W for commercial use. The depth of the well is unknown.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6905-3 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 this 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 this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 2, 2008.

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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 8, 2008

The Plainsman
PO Box 1278
Huron SD 57350

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6905-3 to Appropriate Water to be published twice. Please publish the first notice on May 15, 2008 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 Pannar Seed Inc., Tracie Gogolin, 40329 US Hwy 14, Huron SD 57350 (Ph # 605-352-8791).

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. 6905-3

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

Date _____

We are in receipt of your letter of May 8, 2008 enclosing Notice to Appropriate Water by Application No. 6905-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
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.

May 8, 2008

Pannar Seeds Inc
Tracie Gogolin
40329 US Hwy 14
Huron SD 57350

Dear Ms. Gogolin

Water Permit Application No. 6905-3 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 Plainsman printed at Huron SD (Ph # 605-352-6401). 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 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

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.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6905-3

(1) Pannar Seed, Inc., 40329 US Hwy 14, Huron SD 57350 made Application No. 6905-3, October 10, 2007 for a water permit to divert 0.022 cubic feet of water per second from groundwater (one well), Beadle County, South Dakota for commercial purposes. Permit No. 6905-3, with a priority date of October 10, 2007 was approved June 2, 2008 and issued to the applicant for diversion of water with construction of the described water supply system and the application to beneficial use of water completed.

(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. 6905-3 is issued a license, bearing a priority date of October 10, 2007 to appropriate 0.022 cubic feet of water per second from groundwater (one well) for commercial use purposes.

The diversion point is located: approximately 370 feet south and 1,580 feet east of the northwest corner of Section 3-T110N-R61W (NE ¼ NW ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6905-3 including the following now applicable qualification:

- 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.

Garland Erbele

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

JUN 12 2008

date



Permit No. 6905-3
James River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, **October 4, 2006**, made a thorough examination of the water use system constructed by **Pannar Seed, Inc.** of **40329 US Highway 14, Huron, SD 57350** holder of Permit No. **6905-3**, bearing the priority of **October 10, 2007** authorizing the diversion of **0.02** cu. ft. per second of **Ground Water** for **Commercial** purposes, in **Beadle** County.

Inspection contact & relationship to permit holder, if applicable: **Tracie Gogolin (General Manager)**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Unknown**
- 2) No. of Wells **1**
- 3) Depth(s) **Unknown** feet
- 4) Well log is available **N**
- 5) Comment: On October 4, 2006, this inspection was to be for Water Permit No. 6290-3, Pannar Seed, Inc. At that time I met with Matt Foley (former General Manager) to inspect the system for licensing of the permit. He informed me the well was behind a building east of the main office. He took me to the well and he went back inside the building. After taking the GPS's waypoints, I met with him again and he showed me the pump and information and this information was taken down.

When writing the inspection report for Water Permit 6290-3, I found the legal locations were different and it was determined that Pannar Seed, Inc. would need to get this new permit for the well since it was for commercial use. The information provided in this inspection report is for Water Permit No. 6905-3. There is no well log information available with DENR on file and file documentation with the new manager and her fellow employee shows that they do not know who drilled the well, its depth or when it was drilled is included with this report.

Pump:

- 1) Make Wayne Shallow Well Pump
- 2) Model Serial No. 3058
- 3) Size ½ hp
- 4) Capacity 10 GPM

B. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period NA
- 3) Exceptions to compliance are: None

The system is in Good condition with the point(s) of diversion located as follows:

Approximately 370 feet south and 1580 feet east of the NW corner of Section 3-T110N-R61W
(N 44.36929, W -98.14784)

The works are capable of diverting and conveying to the place of use 0.02 cu. ft. per second of water which is to be used for Commercial use.

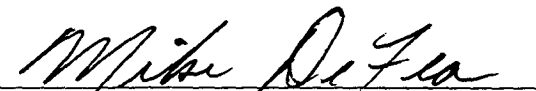
Water has been put to beneficial use to the maximum extent as follows:

Water from the well is used to supply water to the Pannar Seed office building.

The license should be issued for 0.02 cfs.

All structures, wells and lands on map Y

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



Mike DeFea

Natural Resources Project Engineer
DENR, Water Rights Program

Date report completed: October 31, 2007

Water Rights Program - DENR

Conversation or File Documentation

Name of Person: Pannar Seed, Inc.

File No 6905-3

Address: 40329 US Hwy 14 East

County: Beadle

Date: October 31, 2007

Telephone: 352-8791

RE: Application and Inspection for Water Permit No. 6905-3

Comments:

On October 31, 2007, I contacted Pannar Seed and talked to both Rita ? and Tracie Gogolin (new Manager of Pannar Seed) regarding information on the well that was inspected on October 4, 2006 for licensing. I asked both of them if they had any idea of who might have drilled the well or even knew how old the well was. Rita nor Tracie had any of who might have drilled the well or when. Rita did say the well had been there when Pannar Seed bought the property from a Case dealership approximately 15 years ago and thought it had been there before then but did not know for sure. Both were informed that we did not have any information of a well for that location and if they happened to find any information regarding a well to contact our office. They said they would let us know if they find anything.



Mike DeFea
Natural Resources Project Engineer
DENR, Water Rights Program



JUN 12 2008

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

6905-3

Pannar Seed, Inc
c/o Tracie Gogolin, Manager
40329 US Hwy 14
Huron SD 57350

Dear Ms. Gogolin:

Enclosed are Water Permit and License No. 6905-3. These are the final water right documents completing the process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6905-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

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

enclosures