

WATER PERMIT NO. 6998-3

Name of Applicant: United Feeders LLP

Address: c/o Joseph Basel, 26406 470th St, Morris MN Phone: 320 392-5609

Amount of Water Claimed: 0.89 cfs Total Acres: NA

Source of Water Supply: groundwater (2 wells)

Water to be used for: commercial County: Clark

Type of Waste Disposal System:

Location: 10 miles southwest of Clark

PRIORITY Date Received: 3-6-08

Application/License Fee: \$375

Corrected Application Received: 3-13-08

Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: NW ¼ NE ¼ Sec 3-T115N-R59W

Land to be Irrigated: NA

Depth of Well: 120 feet deep

Well Driller:

Remarks:

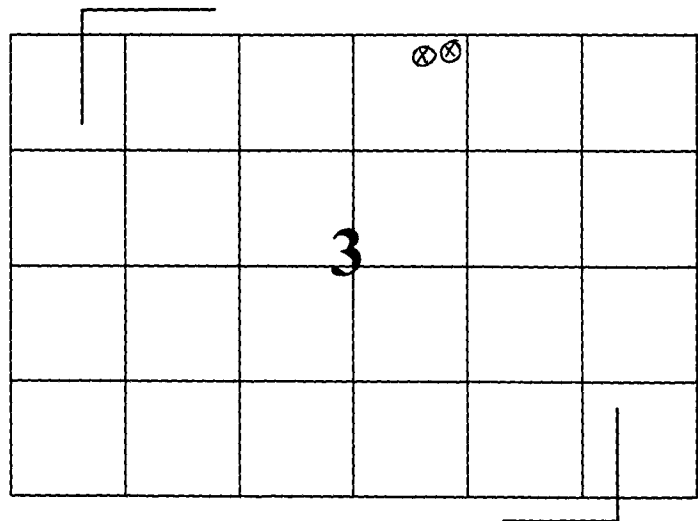
Type of Map: plat

Prepared by: Stephen Westerbuhr, PE

Reviewed and the Number Assigned on: 3-13-08

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



McMath, Genny

From: Brady Janzen <brady.janzen@riverviewllp.com>
Sent: Thursday, July 21, 2011 7:56 AM
To: mikedurre@hotmail.com; Peterson, Mark (DOT); Hicks, Matt;
mcdirector@venturecomm.net; Mohan, Krishna (MDH); Wegleitner, Paul; Myers, Ben;
billkleindl@co.stevens.mn.us; Schwint, George (MPCA); McMath, Genny;
sheri.reuss@state.mn.us; janell.miersch@state.mn.us; Gronlund, Eric; Woodmansey, Kent;
Kindt, Trish
Cc: anthony.ekren@riverviewllp.com; brad.fehr@riverviewllp.com
Subject: Contact Change

Hello,

Just wanted to give everyone notice that Anthony Ekren will be taking over the permitting, zoning, and annual reporting duties here at Riverview. Please direct all future correspondences to him. He can be reached at 320.392.5609 ext 297 (office), 320.287.0978 (cell), or anthony.ekren@riverviewllp.com.

Thanks and have a great day!

Brady Janzen
Riverview, LLP
320.392.5609

Mail to:
Water Rights Program
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181
(605) 773-3352

(office use only)
No. 6998-3 Hydrologic Unit 10160006
Basin James River
Newspaper Clark Co. Courier 119 E 1st Ave E
605-532-3654 Clark 51225

RECEIVED
MAR - 6 2008
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>Water for 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.)

United Feeders LLP is requesting to drill two wells to water our livestock.

- Name of Applicant United Feeders LLP (Joseph Basel) Phone (320) 392-5609
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 26406 470th Ave Morris State MN 56267
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.89 *CFS or 400 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Two wells.
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Clark
2 wells in NE 1/4 of Section 3 - T115N - R59W (NW 1/4 NE 1/4)
- County or counties where water will be used Clark County
- Annual period during which water is to be used Year Round Jan 1 - Dec 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Two wells will be drilled to supply water for a cattle yard.

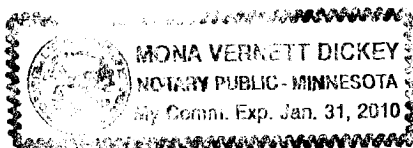
STATE OF SOUTH DAKOTA) SS
County of Clark

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, Joseph Basel, 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 Joseph Basel

Subscribed and sworn to before me this 3rd day of March 20 08



Mona V Dickey
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 6998-3**

Date of first receipt of application March 6, 2008.

Date of return to applicant for corrections, amendments or changes March 6, 2008.

Date of receipt of corrected application March 13, 2008.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6998-3 to United Feeders LLP, c/o Joseph Basel, 26406 470th Ave, Morris MN 56267 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. 6998-3 appropriates 0.89 cubic feet of water per second from two wells to be completed into the Altamont Aquifer (approximately 120 feet deep) located in NW ¼ NE ¼ Section 3-T115N-R59W.
2. The water appropriated shall be used for the purpose of commercial use in a livestock confinement facility 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. 6998-3 is May 19, 2008.
5. The date from which applicant may claim right is March 6, 2008.
6. One-fifth of the construction is to be completed on or before November 19, 2010.
7. All construction is to be completed on or before May 19, 2013.
8. Water is to be put to beneficial use on or before May 19, 2017.
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 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. 6998-3 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. 6998-3 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.

(continued)

4. Permit No. 6998-3 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

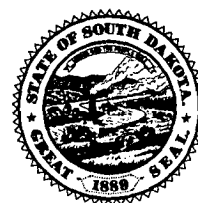
Garland Erbele, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

JUN 12 2000

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 16" Depth 120'
- b) Casing Type PVC Diameter 12" Thickness
- c) Screen Type SS Diameter 12" Thickness
- d) Gravel Pack Length of Gravel Pack
- e) Depth to Top of Water Bearing Material 90'
- f) Depth to Water (ground surface to water level) 30'
- g) Distance to nearest existing domestic well:
On applicants property 3,750' On property owned by others

2. Wastewater Disposal System Information

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

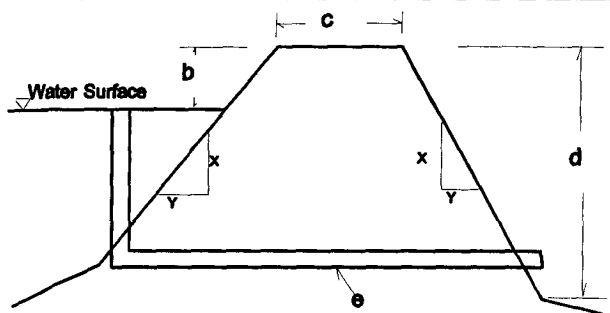
3. Dugout Information

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

4. Water Storage Dams

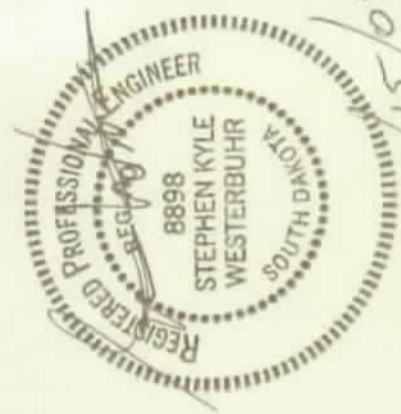
If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

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



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

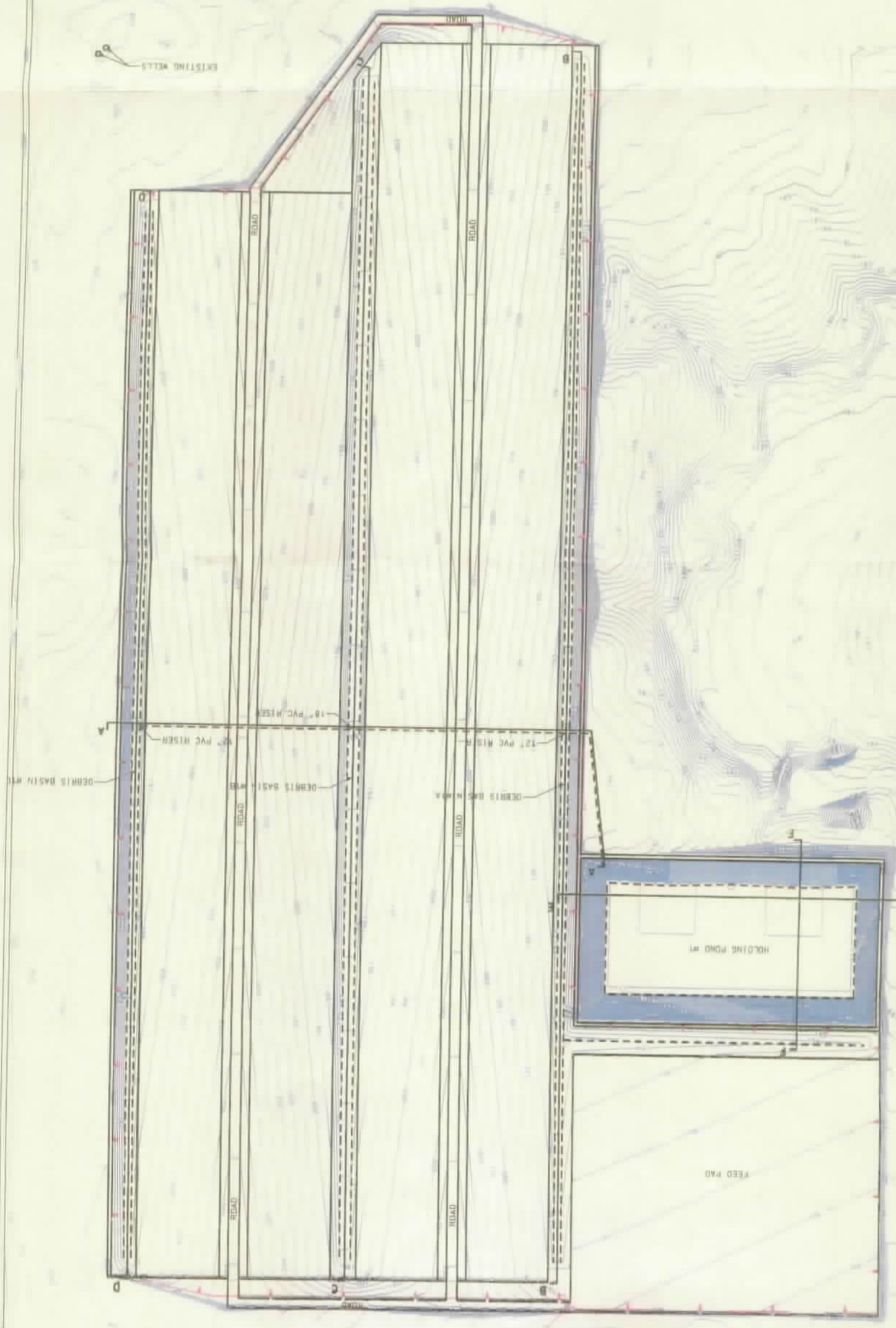
80/5/1/1



RECEIVED
MAR - 5 2008
WATER RIGHTS
PROGRAM



PROPOSED TOPOGRAPHY
AND SITE PLAN
UNITED FEEDERS, LLP
CLARK COUNTY
SETTLE AGRI SERVICES
AND ENGINEERING, INC.
E 1/2, SEC 3, T 115 N, R 59 W



DRAINAGE AREA = 10.5 ACRES



NE Corner of Section 3
COUNTY ROAD INTERSECTION

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/6, 20 08

RECEIVED OF Fehr's Riverview Farms Inc 26406 470th Ave Morris MN 56267

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

Fee for Application for Permit No. <u>6998-3</u> to Appropriate Water, to construct and to put water to beneficial use	325	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>6998-3</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	375 00

No.

By

Donald Erbe
Chief Engineer

03570



RECEIVED
MAR - 6 2008
WATER RIGHTS
PROGRAM

26410 470th Avenue Morris, MN 56267
Office: (320) 392-5609 Fax: (320) 392-5319

To Whom It May Concern:

Please find enclosed an application for water appropriation to water our livestock. We plan to drill two wells on the north end of the property and we will be installing a pump capacity of 400 gpm.

Please do not hesitate to call with any questions or concerns. We look forward to working with you now and into the future.

Sincerely,

Joseph E. Basel

Director of Sustainability



March 6, 2008

RECEIVED
MAR 13 2008
WATER RIGHTS
PROGRAM

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

RECEIVED
MAR 11 2008
WATER RIGHTS
PROGRAM

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

United Feeders LLP
Joseph Basel
26406 470th Ave
Morris MN 56267

Dear Mr. Basel:

Thank you for submitting the *Application for a Permit to Appropriate Water* for commercial use at your cattle feed yard. In order to complete the application the following is required.

- Enclosed is the map submitted with the application. The map needs to reference a government section corner or quarter corner. *Edited and Enclosed. JEB*
- If available, please submit a well log or test hole log signed by a licensed South Dakota well driller. *well is not drilled yet. JEB*

If you have any questions, please contact me.

Sincerely,

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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**REVISED RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6998-3, United Feeders, LLP**

Pursuant to SDCL 46-2A-2, the following is the revised recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6998-3, United Feeders LLP, 26406 470th Avenue, Morris, MN 56267.

The Chief Engineer is recommending APPROVAL of Application No. 6998-3 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. 6998-3 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. 6998-3 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.
4. Permit No. 6998-3 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

April 23, 2008

REPORT ON WATER PERMIT APPLICATION NO. 6998-3
For United Feeders LLP
April 16, 2008

Application No. 6998-3 proposes to appropriate 0.89 cfs (400 gpm) from two wells approximately 120 feet deep located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 3, T115N R59W in Clark County. The water will be used for commercial purposes for a cattle feedlot.

AQUIFER – ALTAMONT (A)

The Altamont is a predominantly buried outwash (sand and gravel) that is under artesian conditions in this area. In this area, Hamilton called the aquifer the Altamont 2. The Altamont 2 underlies 630 square miles and contains an estimated 3.2 million acre-feet of water in storage in Clark County (Hamilton, 1986). Ground water movement is from west to east across this portion of Clark County (Hamilton, 1986). Hamilton estimated the volume of recharge to the Altamont 2 and 3 aquifers to be about 54,000 acre-feet annually.

No test well was drilled for this application. There is sufficient information available from the county study, observation wells in the area and other irrigation and domestic wells in this area to evaluate this application. There is a Water Rights observation well CK-76E located about one mile northwest of these proposed wells. Also a domestic well log located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 5 indicates sand and gravel from about 110 to 140 feet below land surface. This well has a static water level of about 50 feet below land surface.

The Water Rights Program monitors two observation wells completed into the Altamont aquifer within two miles of this site. These are observation wells CK-76E (about one mile to the northwest) and CK-76I (about two miles to the southwest) all from the proposed wells for this application. Hydrographs for these two wells are included with this report. In general the hydrographs indicate that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2008). Also, note the amount of fluctuation due to pumping. Water levels can fluctuate 30 to 35 feet annually in response to pumping.

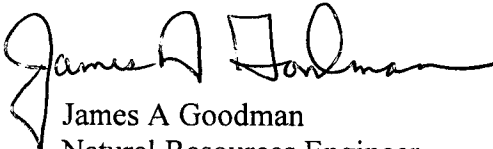
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are four Water Permits/Rights within two miles of this application. These are Water Right Nos. 1776-3, 3059-3, and Water Permit Nos. 6385-3, and 6883-3. The first two water rights are for irrigation use. The two water permits are for a dairy operation and irrigation respectively. The nearest existing irrigation well is about one-half mile northwest of this application and is for Water Right No. 1776-3. The well for Water Right No. 3059-3 is about three-fourth mile northwest of this proposed well and the two permitted wells for Water Permit No. 6385-3 are to be located about one-half mile west of this application. Apparently Water Permit No. 6385-3 has not been developed and will be subject to cancellation in May of 2008. Interference will occur but should not be

be subject to cancellation in May of 2008. Interference will occur but should not be adverse. Additional drawdown can be expected because of the artesian conditions. However, at this distance between diversions the magnitude of the drawdown is not expected to adversely affect existing wells. This concept is backed up by the observation well record which indicates some 30 to 35 feet of fluctuation due to pumping under existing conditions.

CONCLUSIONS

1. Water is available from the Altamont aquifer.
2. The aquifer is under artesian conditions at this site. Drawdown does occur as a result of pumping and will increase in magnitude. Interference will occur but is not expected to cause adverse effects and should not be a problem.
3. The wells authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. No test well was drilled for this application. Adequate testing should be completed to determine the best site for a production well(s).
5. Water Permit No. 6385-3 should be cancelled because it has not been developed.
6. Plans and specifications for this facility have not been submitted to the Department for review.



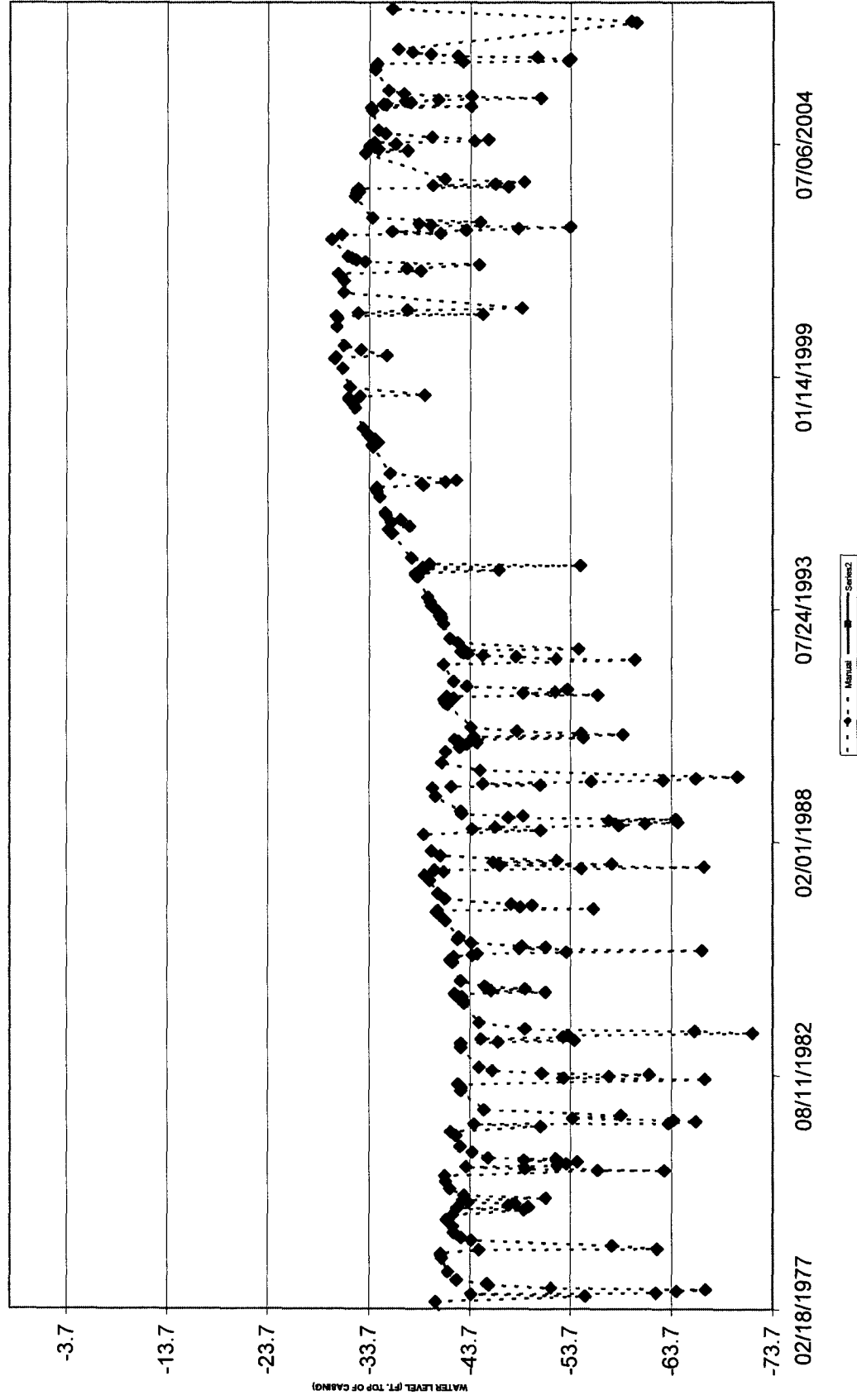
James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

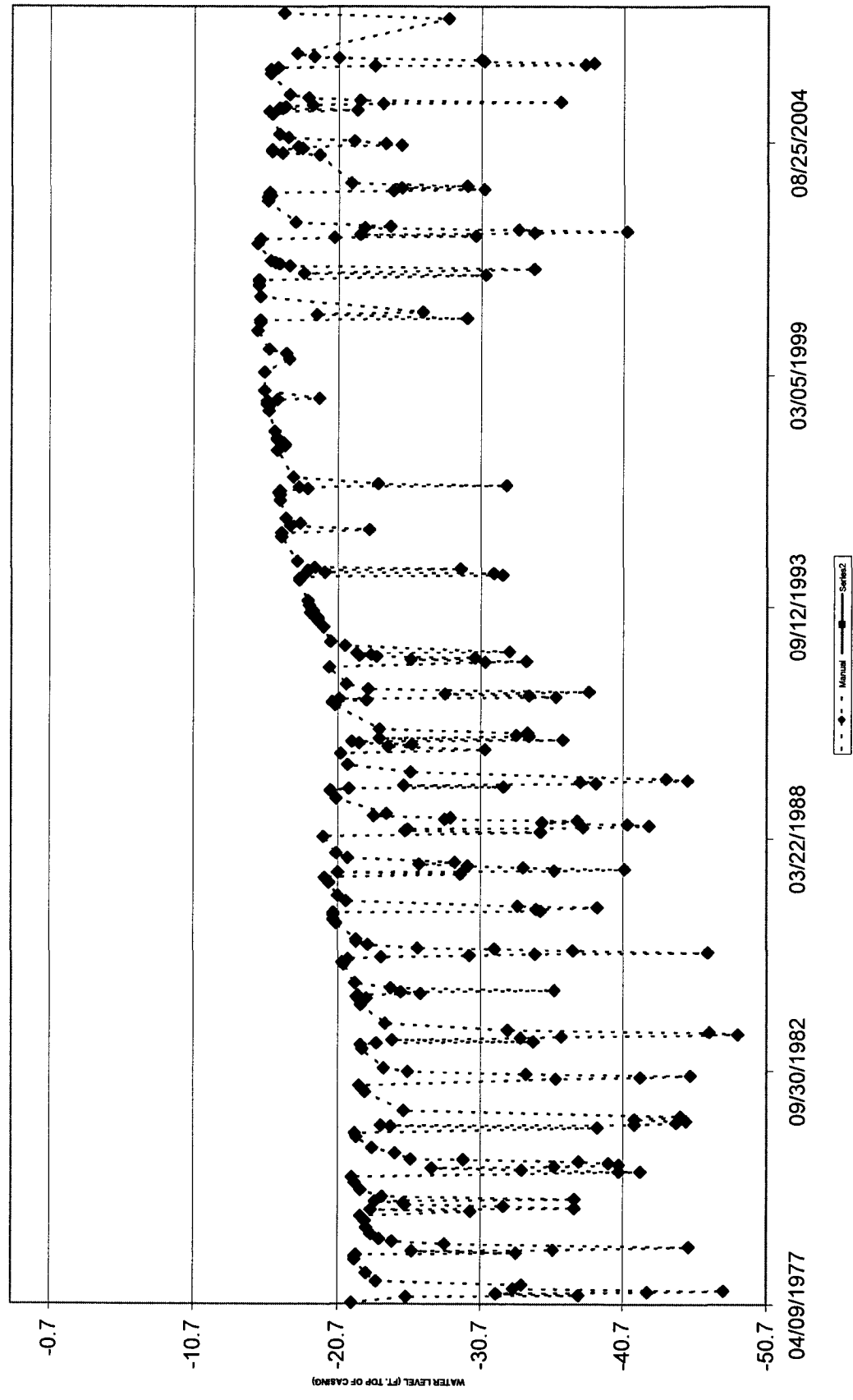
Hamilton, L.J., 1986, Geology and Water Resources of Clark County, South Dakota, Bulletin 29, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2008, Unpublished Observation Well Data for Clark County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL
CK-76E**



The graph displays water level data (ft. top of casing) over time. The y-axis represents the water level in feet, ranging from -50.7 to -0.7. The x-axis represents time, with major ticks at 04/09/1977, 09/30/1982, 03/22/1988, 09/12/1993, 03/05/1999, and 08/25/2004. Two data series are plotted: 'Manual' (dashed line with diamond markers) and 'Series2' (solid line). The 'Manual' series shows significant fluctuations, with a major peak around 1982 and a major trough around 1993. The 'Series2' series is mostly flat, indicating a constant water level.



Affidavit of Publication

State of South Dakota

§

County of Clark

William J. Krikac of said county, being first duly sworn, on oath says that he is the publisher of the **Clark County Courier**, a weekly newspaper printed and published in Clark in said County of Clark and has a full and personal knowledge of all the facts therein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the

UNITED FEEDERS

a printed copy of which, taken from the paper in which same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for

TWO

successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

APRIL 30, 2008

MAY 7, 2008

that the full amount of the fees for the publication of the annexed notice is

40.48

William J. Krikac

Subscribed and sworn to before me this

19th DAY OF MAY, 2008

Arnt Helken

Notary Public

Clark County, South Dakota

My commission expires: 06/04/2013

NOTICE OF APPLICATION NO. 6998-3 to Appropriate Water

Notice is given that United Feeders LLP, Joseph Basel, 26406 470th Ave, Morris, MN 56267 has filed an application for a water permit to appropriate 0.89 cubic feet of water per second from two wells to be completed into the Altamont Aquifer (approximately 120 feet deep) located in NW 1/4 NE 1/4 Section 3-T115N-R59W for commercial use in a livestock confinement facility.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6998-3 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 S.D. 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 May 19, 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
4-30-2t

RECEIVED
MAY 21 2008
WATER RIGHTS
PROGRAM



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 23, 2008

Clark County Courier
119 1st Ave E
Clark SD 57225

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6998-3 to Appropriate Water to be published twice. Please publish the first notice on April 30, 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 United Feeders LLP, Joseph Basel, 26406 470th Ave, Morris MN, 56267 (Ph # 320-392-5609).

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. 6998-3

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

Date _____

We are in receipt of your letter of April 30, 2008 enclosing Notice to Appropriate Water by Application No. 6998-3 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.

April 23, 2008

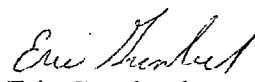
United Feeders LLP
Joseph Basel
26406 470th Ave
Morris MN 56267

Dear Mr. Basel:

Water Permit Application No. 6998-3 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 Clark County Courier printed at Clark SD (Ph # 605-532-3654). 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.

Instruction to Newspaper - Publish first Notice on April 30, 2008 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6998-3 to Appropriate Water

Notice is given that United Feeders LLP, Joseph Basel, 26406 470th Ave, Morris MN 56267 has filed an application for a water permit to appropriate 0.89 cubic feet of water per second from two wells to be completed into the Altamont Aquifer (approximately 120 feet deep) located in NW ¼ NE ¼ Section 3-T115N-R59W for commercial use in a livestock confinement facility.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6998-3 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 May 19, 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

JUN 12 2000

United Feeders LLP
c/o Joseph Basel
26406 470th Ave
Morris MN 56267

Dear Mr. Basel:

Enclosed is Water Permit No. 6998-3 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

6998-3

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

RECEIVED**AUG 21 2008****WATER RIGHTS
PROGRAM**Date 8-19-2008

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

FROM: United Feeders, LLP - Brady Janzen
(name)

26406 470th Ave
(address)

Morris, MN 56267
(city, state, zip)

320.392.5609
(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. 6998-3 states that the water use system is to be constructed by
5-19-2013 , and water is to be put to beneficial use by 5-19-2017
(date) (date)

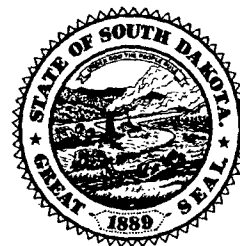
The water use system was completed on ~~8-5-2008~~ 8-5-2008
(date)

Applying the water to beneficial use was completed on 8-18-2008
(date)

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

Brady Janzen

(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 21, 2008

6998-3

Brady Janzen
United Feeders LLP
26406 470th Ave
Morris MN 56267

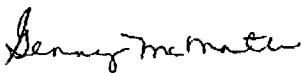
Dear Mr. Janzen:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with the project authorized by Water Permit No. 6998-3.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

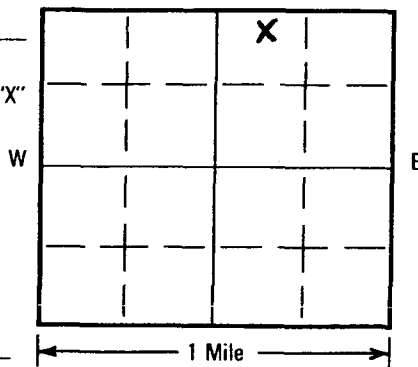

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 3 Twp 115N Rg 59W
County Clark

Please mark well location with an "X"



Well-Completion Date

July 11-2008

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 4000 ft. from Farm Yard (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Mud RotaryCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>LB/FT</u> <u>12</u> <u>IN</u>	<u>12</u> <u>IN</u>	<u>+2</u> <u>FT</u>	<u>142</u> <u>FT</u>	<u>18</u> <u>IN</u>
<u>LB/FT</u> _____ <u>IN</u>	_____ <u>IN</u>	_____ <u>FT</u>	_____ <u>FT</u>	_____ <u>IN</u>
<u>LB/FT</u> _____ <u>IN</u>	_____ <u>IN</u>	_____ <u>FT</u>	_____ <u>FT</u>	_____ <u>IN</u>

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Cement</u>	_____	_____ lb./gal	<u>0</u> ft.	<u>50</u> ft.
<u>Quick Grout</u>	_____	_____ lb./gal	<u>50</u> ft.	<u>132</u> ft.

Describe grouting procedure tremmieSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 12 IN Length 12 FEETMaterial stainless steelSlot Size 50 Set From 142 Feet to 154 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

X YES, How: Chlorine

____ NO, Why Not? _____

Laboratory sent to for water quality analysis

Well Owner: Gary FehrBusiness Name: Clark Feeders

Address: _____

Clark SD

WELL LOG:

FORMATION			DEPTH	
			FROM	TO
Loam	Black	M	0	2
Clay	Yellow	Gummy	2	24
Clay	Blue	Gummy	24	43
Sand/Shle	Blu/Bik	M	43	55
Clay	Blu	Gummy	55	101
Clay w/snd Strks	Tan M		101	107
Gravel w/Clay Tan	Course		107	112
Clay	Blue	Gummy	112	139
Sand	Grn/Blue	10-40 slt	139	154
Shale	Black	M	154	

STATIC WATER LEVEL 33' 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: _____

☐ Bailed☒ OtherAir Develop 12 hrs

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

MAR 13 2009

WATER RIGHTS
463 PROGRAM

This well was drilled under license # _____

And this report is true and accurate.

Drilling firm Steffl Drilling & Pump Inc.

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

2/22/09

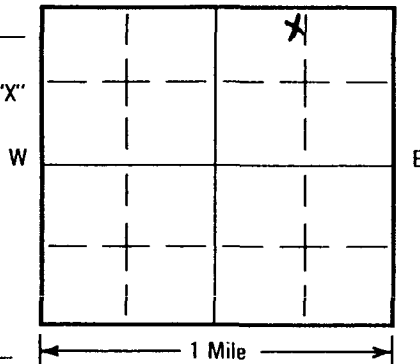
6998-3 EAST

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location 1/4 NE 1/4 Sec 3 Twp 115 Rg 59W
County CLARK North

Please mark well location with an "X"



Well-Completion Date

July 11 08

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 4000 ft. from Farm Yard (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Mud Rotary

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>12</u> LB/FT	<u>12</u> IN	<u>+2</u> FT	<u>142</u> FT	<u>18</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Cement</u>	_____	_____ lb./gal	<u>0</u> ft	<u>50</u> ft
<u>Quick Grout</u>	_____	_____ lb./gal	<u>50</u> ft	<u>132</u> ft

Describe grouting procedure TremieSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 12 IN Length 12 FEETMaterial Stainless SteelSlot Size 40 Set From 142 Feet to 154 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

X YES, How: Chlorine

____ NO, Why Not? _____

Laboratory sent to for water quality analysis

Well Owner: Gary FehrBusiness Name: Clark Feeders

Address: _____

Clark, SD

WELL LOG:

FORMATION			DEPTH	
			FROM	TO
Loam	Black	Soft	0	2
Clay	Tan	Gummy	2	17
Clay	Blue	Gummy	17	23
Mush	Blue	Soft	23	32
Clay w/sandstreaks	Blue	Gummy	32	87
Clay	Tan	M	87	90
Clay	Grn/Blu	Gummy	90	101
Sand	Gray	18	101	104
Clay	Blu	Gummy	104	138
Sand	Grn/Blu	10-50slt	138	154
Shale	Black	M	154	

STATIC WATER LEVEL 34 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: _____☐ Bailed _____☒ Other Air Dev 12 Hrs

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

MAR 13 2009

WATER RIGHTS PROGRAM

This well was drilled under license # 463

And this report is true and accurate.

Drilling firm Steffl Drilling & Pump Inc.

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Gary Fehr

3/11/09



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 18, 2010

Brady Janzen
Riverview LLP
26406 470th Ave
Morris MN 56267

RE: United Feeders LLP and West Central Land LLP Water Rights and Permits

I am writing in follow-up to your email communication with Eric Gronlund concerning the recent merger of West Central Land LLP and United Feeders LLP into Riverview LLP.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for the following Water Permits or Rights:

- West Central Land LLP - 1776-3, 6883-3 and 7105-3
- United Feeders - 6724-3, 1072-3, 1073-3, 3035-3, 6998-3, 7063-3 and 3175A-3

Please complete the forms and return them to our office with a required filing fee of \$50.00 each (total of \$500.00). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosures

RECEIVED

OCT 25 2010

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 6998-3Date: 10-21-10I/We request that Water Permit No. 6998-3formerly owned by: United Feeders LLP

be transferred to: (name & address) Riverview, LLP
26406 470th Ave
Morris, MN 56267 Telephone No. 320-392-5609

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

well locations: NW ¼ NE ¼ Section 3, T115N, R59W

I/We understand that the validity of Water Permit No. 6998-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Riverview, LLP, the new owner, certify that the above information is true and correct.

Brady Jansen, Partner
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 10/25, 2010

RECEIVED OF Riverview LLP 26406 470th Ave Morris MN 56267

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	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. _____		
Fee for Filing Transfer Form <u>6998-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50 00	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

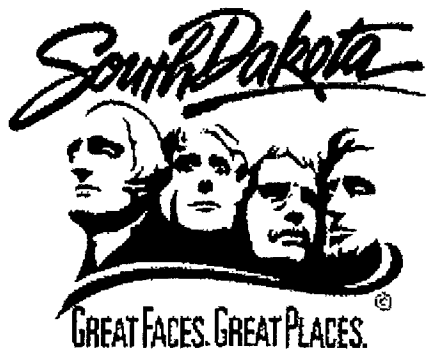
No.

04643

By

John E. Eide
Chief Engineer

6998-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 26, 2010

Brady Janzen
Riverview LLP
26406 470th Ave
Morris MN 56267

Re: Water Permit or Right Nos. 7105-3, 7063-3, 6998-3, 6883-3, 6724-3, 3175A-3,
3035-3, 1776-3, 1073-3, 1072-3

Dear Mr. Janzen:

The recent ownership changes you filed for Riverview LLP have been completed. The water rights or permits formerly held by West Central Land LLP and United Feeders are now listed in the name of Riverview LLP.

The receipts for the filing fees are enclosed. If you have any questions, please contact me.

Sincerely,

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

enclosures

Permit No. 6998-3

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 23, 2013**, made a thorough examination of the water use system constructed by **Riverview LLP of 26406 470th Ave Morris, MN** holder of Permit No. **6998-3**, bearing the priority of **March 6, 2008** authorizing the diversion of **0.89** cu. ft. per second of the waters of **Altamont aquifer** for **commercial** purposes in a **livestock confinement operation**, in **Clark** County.

I have to report on the conditions of the same as follows:

- A. Works used to divert the water: **There are 2 wells, 154 feet deep completed into the Altamont aquifer each with a 400 gpm (0.89 cfs) pump. The wells are setup to not run at the same time and to pump into a 10,000 gallon storage tank. The water is pumped from the storage tank to the cattle water tanks in the different lots.**
- B. Works used to transport water to place of use: **6 inch pvc line goes from the wells to the storage tank, 4 inch pvc mainline from the storage tank through the alleys, and 2 inch pvc line from the alleys to the individual water tanks in the lots. There are 2 booster pumps each rated at 158.5 gpm (0.353 cfs) that move the water from the storage tank to the water tanks in the lots.**
- C. Works used to apply water to beneficial use: **31 water tanks**

The system is in the following condition **good**. The point of diversion is located **2 wells in the NW ¼ NE ¼ Section 3-T115N-R59W (44.8046° N, 97.9030° W and 44.8048° N, 97.9036° W); 1,600 feet west, 215 feet south and 1,750 west, 140 feet south of the NE corner of Section 3-T115N-R59W.** The works are capable of diverting and conveying to the place of use **0.89** cu. ft. per second of water which is to be used for **commercial purposes in a livestock confinement operation.**

Applicable permit qualifications have been complied with: **Yes.**

The license should be issued for **0.89 cfs from two wells for commercial purposes in a livestock confinement operation.**

Date: **June 19, 2014**



(Signature)

REPORT ON INSPECTION OF PERMIT NO. 6998-3

DATE: 10/23/2013

Other permit(s) associated with the project:

DIVERIONS POINT LEGAL LOCATION: 2 wells in the NW ¼ NE ¼ Section 3-T115N-R59W (44.8046° N, 97.9030° W and 44.8048° N, 97.9036° W); 1,600 feet west, 215 feet south and 1,750 west, 140 feet south of the NE corner of Section 3-T115N-R59W

WELL INFORMATION:

- 1) Well Drilling Firm: **Steffl Drilling & Pump Co**
- 2) No. of Wells: **2**
- 3) Depth(s) feet: **both are 154 feet**
- 4) Well Log is available Y/N: **Yes, in well log database and in permit file**
- 5) Comments: **There is a third well log in the well logs database for a 6 inch well in this location for the same person that had the two for the permit drilled. I did not see the 6 inch well on site and Anthony Ekren, my inspection contact, was unaware of the well.**

Casing:

- 1) Diameter inches: **both are 12 inch**
- 2) Length feet: **both are 144 feet**
- 3) Type: **both are PVC**

Screen:

- 1) Type: **both are stainless steel**
- 2) Length feet: **both are 12 feet**
- 3) Static water level feet: **one was 33 feet, one was 34 feet**

Pump:

- 1) Model: **Submersible electric**
- 2) Capacity GPM: **each are 400 gpm, but the system is designed to run them independently to fill a storage tank**

Motor:

- 1) Model: **both are submersible**

DISTRIBUTION LINES OR CANALS:

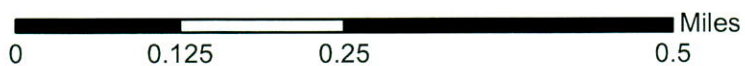
- 1) Type: **PVC**
- 2) Size inches: **From wells to storage tank are 6 inch, mainlines from booster pumps are 4 inch, lines from mainlines in alleys to tanks are 2 inch**
- 3) Length feet: **wells to storage tank and booster pumps- approximately 600 feet, from booster farthest tank is approximately 3,650 feet**
- 4) Storage: **1-10,000 gallon tank**
- 5) Booster Pumps
 - a. Make: **Grundfos**
 - b. Size: **6 inch**
 - c. Capacity: **158.5 gpm**
 - d. No. of pumps: **2**
- 6) Booster Motor
 - a. Make: **Baldor-Reliance**
 - b. Model: **84z05096**
 - c. Horsepower: **15 hp**
- 7) No. of cattle tanks: **31**

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by Y/N: **Yes**
- 2) All structures, wells and lands on map Y/N: **Yes**

COMMENTS:

This particular feedlot is known as United Feeders (Clark-1) to the DENR Feedlot Program and is authorized for 6,940 cattle.



June 19, 2014
Date

Adam Mathiowetz
Adam Mathiowetz
DENR-Water Rights Program



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov



6998-3

JUL 07 2014

Anthony Ekren
Riverview LLP
26406 470th Ave
Morris MN 56267

Dear Mr. Ekren:

Enclosed is Water License No. 6998-3. This is the final water right document completing the process of obtaining a Water Right. Included with the license is a map prepared by the staff engineer who conducted the field 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. 6998-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

If you have any questions, please contact our office.

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6998-3

(1) United Feeders LLP made Application No. 6998-3, March 6, 2008 for a water permit to divert 0.89 cubic feet of water per second from ground water (two wells – Altamont Aquifer), Clark County, South Dakota for commercial purposes. Permit No. 6998-3, with a priority date of March 6, 2008 was approved May 19, 2008 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 19, 2013 and for the application to beneficial use of said water on or before May 19, 2017.

On October 25, 2010, Water Permit No. 6998-3 was transferred to Riverview LLP, 26406 470th Ave., Morris MN 56267.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.89 cubic feet of water per second for beneficial use.

The location of the diversion points are:

- 1,600 feet west and 215 feet south of the NE corner of Section 3, T115N, R59W (NW ¼ NE ¼);
- 1,750 feet west and 140 feet south of the NE corner of Section 3, T115N, R59W (NW ¼ NE ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use in a commercial livestock confinement facility.

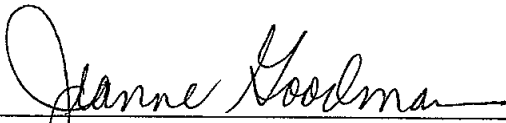
(4) Pursuant to South Dakota Water Law 46-5-30.1 Riverview LLP, 26406 470th Ave., Morris MN 56267 the holder and/or owner of Water Right No. 6998-3 is issued a license to appropriate water, the right to use 0.89 cubic feet of water per second from ground water (two wells – Altamont Aquifer) with a priority date of March 6, 2008 from the locations specified in (2) of this license for commercial purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6998-3 and subject to the following qualifications:

- 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.
- The wells authorized by Permit No. 6998-3 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.
- Permit No. 6998-3 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.

continued

- Permit No. 6998-3 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

JUL 07 2014

date



6998-3



February 24, 2020

26406 470th Ave
Morris, MN 56267
(320) 392-5609

SD DENR Water rights program

RE: Change in contact information

Dear Eric Gronlund,

I will no longer be with Riverview at the end of March, please remove me as the contact person for the Riverview water rights permits. Please make the following changes:

Please make the following person the main contact person for Riverview water rights permits:

Brady Janzen
320-349-0318
Brady.janzen@riverviewllp.com

Additionally, please make the following person a secondary contact person for Riverview water rights permits:

Matt Waldbeser
320-287-1028
Matt.waldbeser@riverviewllp.com

Thank you,

A handwritten signature in black ink, appearing to be "A. Ekren", written over a horizontal line.

Anthony Ekren