

WATER PERMIT NO. 8004-3

Name of Applicant: Mitchell Livestock

Address: PO box 516, Mitchell SD 57301

Phone: 605 996-6543

Amount of Water Claimed: 120 gpm (0.27 cfs)

Total Acres: NA

Source of Water Supply: groundwater (three wells)

Water to be used for: commercial

County: Davison

Type of Waste Disposal System:

Location: south side of Mitchell

PRIORITY

Date Received: 4-16-14

Application/License Fee: \$ 700

Corrected Application Received: 4-24-14

Period of Annual Use: Jan 1 – Dec 31

Remarks:

Diversion Point: SW 1/4 NW 1/4 Sec 35-T103N-
R60W

Land to be Irrigated: NA

Depth of Well: 243, 243 & 543 feet deep

Well Driller: Pullman Well Drilling

Remarks:

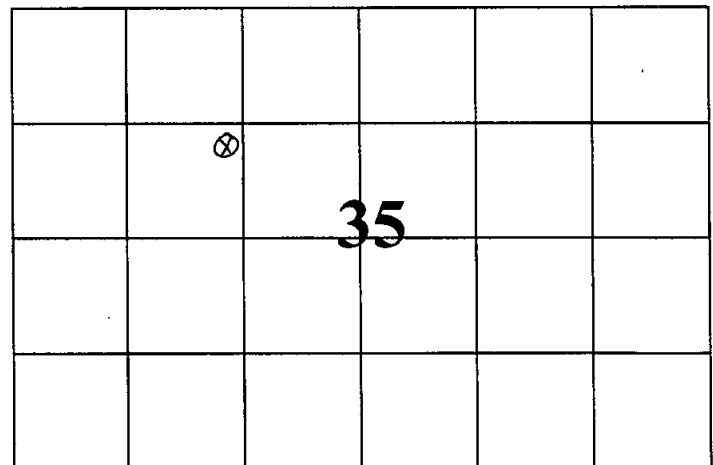
Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 4-24-14

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8004-3</u> (office use only) Hydrologic Unit <u>10160011</u>
	Basin <u>James River</u>
	Newspaper <u>Daily Republic Box 1288</u>
	<u>Mitchell 57301 - 605-996-5514</u>

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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: (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.)

- Name of Applicant Mitchell Livestock Phone 605-998-6543
 (check one) ☒ Owner ☐ Tenant/lessee
 Mailing Address P.O. Box 516 Mitchell SD 57301
 (Address) (City) (State) (Zip Code)
- Amount of water claimed 120 *CFS or 0.27 **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 Ground (3 wells)
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County DAVISON
SW 1/4 NW 1/4 Sec 35 Twp 103 Rg 60
- County or counties where water will be used DAVISON
- 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)

STATE OF SOUTH DAKOTA)
 County of DAVISON) SS

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

I, Donald L. Hargis, 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 Donald L. Hargis

Subscribed and sworn to before me this 15 day of APRIL 20 14

Commission expires January 16, 2020
Lisa D. Christopher
 Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 8004-3**

Date of first receipt of application April 16, 2014.

Date of return to applicant for corrections, amendments or changes April 17, 2014.

Date of receipt of corrected application May 19, 2014.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8004-3 to Mitchell Livestock, c/o Donald Stange, PO Box 516, Mitchell SD 57301 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. 8004-3 appropriates 0.27 cubic feet of water per second (120 gallons per minute) from two wells completed into the Undifferentiated Cretaceous Aquifer (243 feet deep) located in the SW 1/4 NW 1/4 Section 35-T103N-R60W.
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.
4. The date of approval of Permit No. 8004-3 is July 14, 2014.
5. The date from which applicant may claim right is April 16, 2014.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

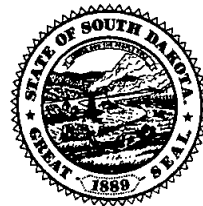
1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The water permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Undifferentiated Cretaceous aquifer.

WATER MANAGEMENT BOARD

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

AUG 18 2014

date



Sec 27
T103N
R60W

Sec 26
T103N
R60W

Sec 25
T103N
R60W

Sec 34
T103N
R60W

Sec 35
T103N
R60W

Sec 36
T103N
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Sec 3
T102N
R60W

Sec 2
T102N
R60W

Sec 1
T102N
R60W

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RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 5/19, 20 14

RECEIVED OF Mitchell Livestock PO Box 516 Mitchell SD 57201

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	250	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for _____		
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	250	00

No. **06857**

By *James Goodman*
Chief Engineer

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 4/24, 20 14

RECEIVED OF Mitchell Livestock PO Box 516 Mitchell SD 57301

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

Fee for Application for Permit No. <u>8004-3</u> to Appropriate Water, to construct and to put water to beneficial use	500	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>8004-3</u>	200	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	700	00

No. **06838**

By *J. L. Anderson*
Chief Engineer



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



March 27, 2014

Don Stange
Mitchell Livestock
PO Box 516
Mitchell SD 57301

Dear Mr. Stange:

I am writing in regard to a well driller's report filed by Pullman Well Drilling Inc. The report shows a new well has been completed for Mitchell Livestock on August 15, 2013. Based on the information in the report, you may need a water permit for this water use.

1. According to state law, a water permit is needed for any water use except for reasonable, private domestic use. Examples of commercial uses that require a water rights permit are: truckstops; motels; restaurants; bars; clubs; tourist attractions; campgrounds or any other business operation.
2. Also, as a new well owner, you need to be aware of some of your responsibilities. Enclosed is a copy of "Well Owner Responsibilities". Please review these responsibilities to ensure you are complying with all of the requirements.

Enclosed are application forms and instruction sheet to apply for a water permit. The completed forms with the application fee and map can be returned to: Water Rights Program, 523 E. Capitol, Pierre, SD 57501. Please respond by May 1, 2014.

If you believe your water use does not require a water permit or that you have an existing permit, or if help is needed completing the application forms, please contact Eric Gronlund or me at (605) 773-3352. We will be happy to assist you in any way possible.

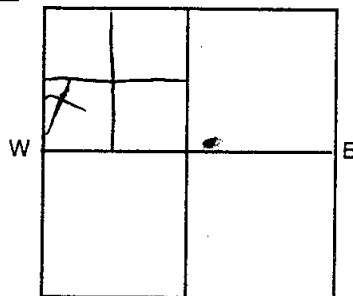
Sincerely,

Karen Schlaak
Water Rights Program
karen.schlaak@state.sd.us

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SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SW 1/4 NW 1/4 Sec 35 Twp 103 Rg 60County Davison ☒ NorthPlease mark well
location with an "X"

Well Completion Date

08/15/2013

1 Mile

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

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
17 LB/FT	5 IN	0 FT	20 FT	8 3/4 IN
21 LB/FT	5 IN	20 FT	213 FT	8 3/4 IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Volclay	16	Lb/gal	0 Ft	209 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure _____

SCREEN:

☒ Perforated pipe ☐ Manufactured
Diameter 5 Inches Length 30 FeetMaterial SDR 21Slot Size .025 Set From 213 Feet to 243 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☒ Yes ☐ NoIf so, what material? Sand

Describe packer(s) and location

Sand Packed from 209' to 243'

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Chlorine☐ No, Why Not? RemainsLab to which water
quality sample sent for analysisWell Owner: Don StangeBusiness Name: Mitchell LivestockAddress: Po Box 516City, State, Zip: Mitchell ☒ SD ☒ 57301

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Yellow Clay	0	25
Blue Clay	25	117
Shale	117	220
Sand	220	243
Granite	243	

STATIC WATER LEVEL 97 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: Pumped with Air 60 GPM☐ Bailed☐ Other

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

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JAN - 2 2014

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report is true and accurate.Drilling firm: Pullman Well Drilling Inc.Signature of License Representative: [Signature]Signature of Well Owner or Equitable Property Holder: [Signature]

Date: _____

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Form 2A

(Complete applicable portions only)

Supplemental Information

(type or print)

1. Well Information (check one or both as applicable)
- ☒
- Drilling new well(s)
- ☐
- Using existing well(s)

a) If new wells, how many 1 Have test holes been drilled ☐ Yes ☐ No Drilled by Pullman Drilling
(If yes, please provide copies of logs)b) If existing wells, how many Provide copy of log(s), if available. Drilled by Paul Hoferc) Well Depth 243 Depth to Top of Water Bearing Material 213 Depth to Water from Surface Flows

d) Distance to nearest existing domestic well:

On applicant's property On property owned by others

2. Wastewater Disposal System Information

a) Type of System (i.e. septic tank, drain field) NAb) System Capacity (gallons) 60 gal/min Year Constructed 2014c) Connected to the City of NONE Sanitary System

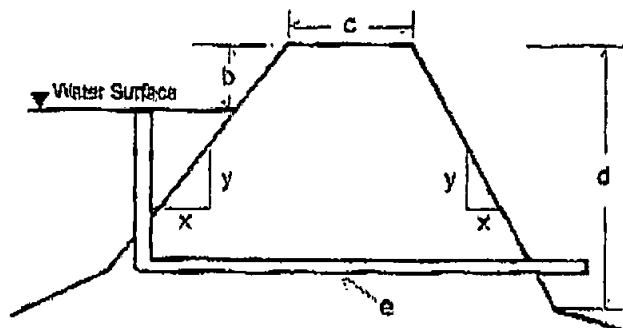
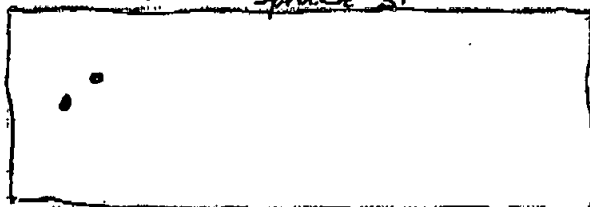
3. Dugout Information

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

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:
- Spence St

b) Freeboard NO DAM / well onlyc) Crest Width Crest Length d) Height e) Primary Outlet Capacity If pipe, diameter f) Secondary Spillway Capacity Spillway Width

g) X & Y Slope (e.g. 3 to 1 is a typical slope)

Upstream Downstream h) Surface Area of Impoundment i) Storage Acre Feetj) Drainage Area Above Dam Acres



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



April 17, 2014

Donald Stange
Mitchell Livestock
PO Box 516
Mitchell SD 57301

Dear Mr. Stange:

Thank you for submitting the *Application for a Permit to Appropriate Water* for commercial use in Davison County. In order to complete the application, the following is required.

- Please complete Items No. 2 thru 6 of the application form. On Item No. 2, the amount of water claimed should be based on the maximum pump rate.
- Based on the location indicated on the Well Completion Report, I have included an aerial photo map for Section 35-T103N-R60W. Please mark the well location with an "X".
- There is a discrepancy regarding the well depth. The well completion report indicates the well is 243 feet deep. The Supplemental Information sheet indicates a well depth of 920 feet. Which is correct? If the well is 920 feet deep, please submit the appropriate well completion report.
- The application/license filing fee is based on the amount of water claimed: 45 gallons per minute (gpm) or less - \$300, 45 to 75 gpm - \$700, 75 to 150 gpm - \$950. If you need help determining the fee, let me know. Please submit the appropriate amount.

If you have any questions, please contact me.

Sincerely,

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

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DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



May 6, 2014

Donald Stange
Mitchell Livestock
PO Box 516
Mitchell SD 57301

Dear Mr. Stange:

Regarding your phone conversation with Joe Stonesifer, we have amended your application from one well to two wells and increased the amount of water claimed from 60 to 120 gallons per minute.

This increase in the amount of water claimed will require an additional \$250.00 fee. Please submit this amount.

If you have any questions, please contact Joe Stonesifer or me.

Sincerely,

Karen Schlaak

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

**Water Rights Program
File Documentation**

NAME OF PERSON OR FILE: Don Stange – Mitchell Livestock
Water Permit Application No. 8004-3

ADDRESS: PO Box 516, Mitchell, SD 57301

DATE: 05/06/14 (9:00 am) TELEPHONE: 605-996-6543

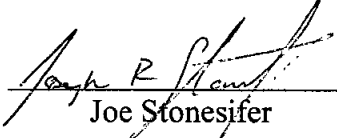
RE: number of wells, diversion rate

COMMENTS: Upon reviewing Water Permit Application No. 8004-3 I noticed that the Water Rights Program has 3 well completion reports on file for Mitchell Livestock. These wells were drilled in 1979, 2012, and 2013.

Mr. Stange stated that the 2012 and 2013 wells can both pump at 60 gpm, but only one well is currently in operation at a time. The 1979 well is currently not in operation, but he is considering rehabilitating the well.

He stated he is not sure if all three wells will eventually be in operation, but at this time he would like to change his permit application to requesting at total of 120 gpm from three wells just in case.

I mentioned that the fees could go up due to the increased diversion rate; he understood.

NAME: 
Joe Stonesifer

**Water Rights Program
File Documentation**

NAME OF PERSON OR FILE: Don Stange – Mitchell Livestock
Water Permit Application No. 8004-3

ADDRESS: PO Box 516, Mitchell, SD 57301

DATE: 05/06/14 (11:15 am) TELEPHONE: 605-996-6543

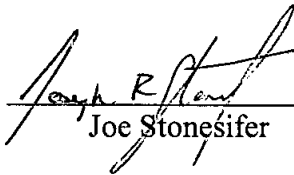
RE: different aquifers

COMMENTS: Further review of the geology in the area indicates that two wells, drilled in 2012 and 2013, are completed into the Dakota formation. The third well, drilled in 1979, is completed into the Sioux Quartzite.

I told Mr. Stange that using all three wells would require two water permits due to different aquifers. He stated that because the well drilled in 1979 is currently not in use and needs to be rehabilitated, he would not like to pursue a water permit for that well at this time.

So, at this time he would like to change his permit application to requesting at total of **120 gpm** from **two wells** (both Dakota aquifer).

NAME:


Joe Stonesifer



**DEPARTMENT OF ENVIRONMENT
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523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
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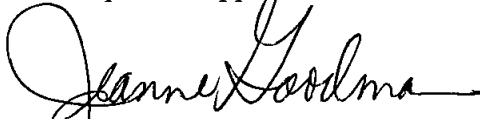
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 8004-3, Mitchell Livestock**

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. 8004-3, Mitchell Livestock, c/o Donald Stange, PO Box 516, Mitchell SD 57301.

The Chief Engineer is recommending APPROVAL of Application No. 8004-3 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 Water Permit Holder shall report to the Chief Engineer annually the amount of water withdrawn from the Undifferentiated Cretaceous aquifer.

See report on application for additional information.


Jeanne Goodman, Chief Engineer
June 25, 2014

REPORT TO THE CHIEF ENGINEER

WATER PERMIT APPLICATION NO. 8004-3

Mitchell Livestock

May 15, 2014

Water Permit Application No. 8004-3 proposes to appropriate groundwater at a maximum diversion rate of 0.27 cubic feet of water per second (cfs) from two wells completed into the Undifferentiated Cretaceous aquifer. The wells are both 243 feet deep and located in the SW¼ NW¼ of Section 35, T103N-R60W. Water is used for commercial use.

AQUIFER: Undifferentiated Cretaceous aquifer (UC)

HYDROGEOLOGY:

Ground surface at the well sites are at an elevation of approximately 1,350 feet mean sea level (fmsl). The top of the aquifer materials the wells are completed into are at approximately 1,130 fmsl. The Dakota formation has been recorded at approximately 1,000 fmsl a few miles west of the well sites. The Sioux Quartzite wash has been recorded at approximately 1,130 fmsl less than a mile south of the well sites (SD Geological Survey, 2014).

In the area of these wells, the Cretaceous-aged formations, including the Dakota, are pinched out at the Precambrian-aged Sioux Quartzite as it rises in elevation across the study area (SD Geological Survey, 2014). Area lithologic logs along with ArcMap 10.2 mapping software was used to create rasters of the top of the Dakota formation, Sioux Quartzite, and Sioux Quartzite wash. These rasters were then compared to create a map of the first occurring material of the three formations, shown in Figure 1.

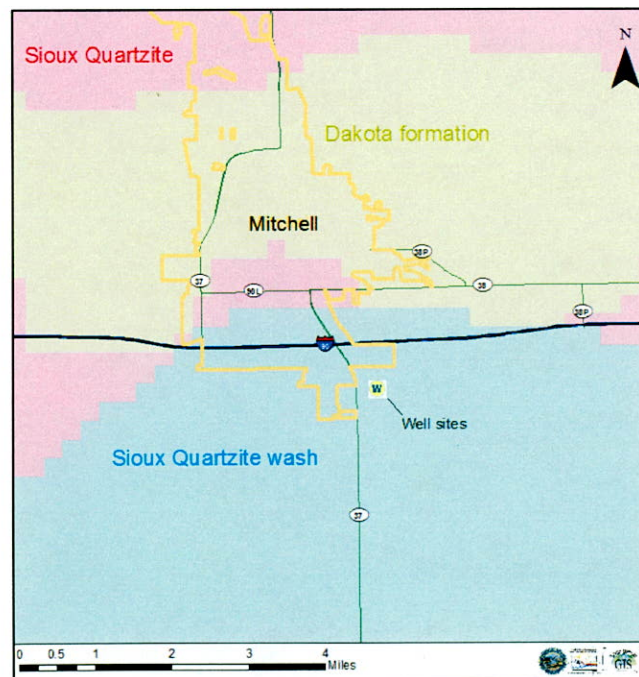


Figure 1: Map of first occurring material

At the well sites, the top of the Sioux Quartzite wash is expected to occur at approximately 1,130 fmsl and the Dakota formation is not expected to be present. However, at approximately one mile north, the Dakota formation is expected to occur first at 1,000 fmsl with the Sioux Quartzite underlying. The Sioux Quartzite wash could occur within Dakota formation materials; in these situations all aquifer materials are often mapped as the Dakota formation (McCormick and Hammond, 2004).

The elevation of the Dakota formation provided from the raster is based on lithologic logs located several miles from the Sioux Quartzite ridge. At the ridge of the Sioux Quartzite the edges of these Cretaceous formations often steeply rise in elevation, which can be explained by ancient sea level fluctuations on the paleoshore of the Sioux Quartzite during deposition. An example is shown in Figure 2. The raster does not account for this expected upward warping. And so, the elevation of the Dakota formation at the Sioux Quartzite ridge at the well sites could plausibly be at approximately 1,130 fmsl.

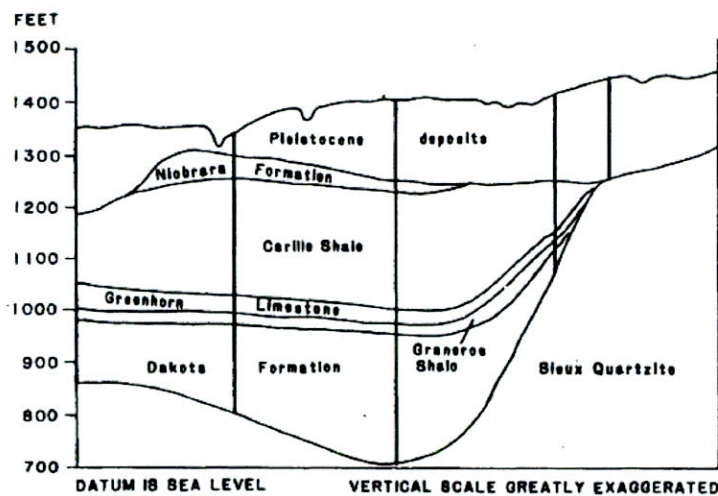


Figure 2: Example of Cretaceous formations rising near the Sioux Quartzite ridge in northwestern Lincoln County (Koch, 1986)

The Dakota formation consists of Cretaceous-aged sandstone with layers of interbedded shale (Schoon, 1971). The Sioux Quartzite wash consists of weathered quartzite sand that lies directly on the Sioux Quartzite (Hansen, 1983). The well driller, Pullman Well Drilling, Inc., stated the layers of sand recorded beginning at approximately 1,130 fmsl is sandstone that appeared to be the Dakota formation based on the experience of the drill rig operator (Pullman, 2014).

In the area of the well sites, the Dakota formation and Sioux Quartzite wash appear to converge. Figure 3 shows the topography of the Sioux Quartzite interpreted by McCormick (2010). In this area, the top of the Dakota formation is expected to have been deposited at generally 1,000 fmsl but up to 1,200 feet near the paleoshore of the Sioux Quartzite. By highlighting in shades of blue areas of the Sioux Quartzite location above 1,000, 1,110, and 1,200 fmsl, an embayment environment becomes evident in the area of the well sites.

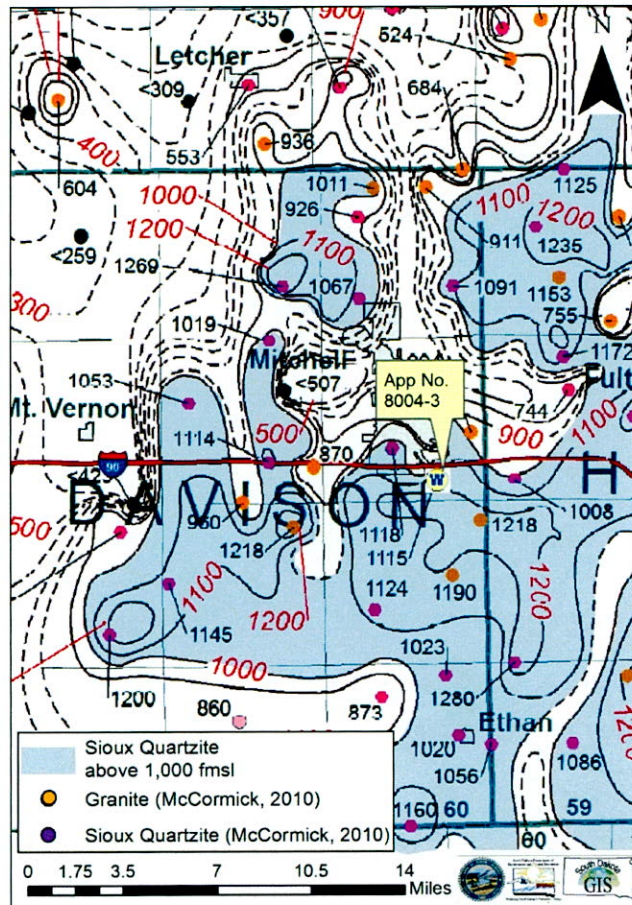


Figure 3: Sioux Quartzite topographic map with areas above 1,000 fmsl highlighted (modified from McCormick, 2010)

The irregularities of the paleoshore of the Sioux Quartzite created an embayment environment allowing a transgressive sequence of Cretaceous-aged sediments to be deposited. Individual formations are difficult to identify or may not be present. The Sioux Quartzite wash is a result of weathering and deterioration of the Sioux Quartzite prior to or during the Cretaceous age. In these embayment environments, the Sioux Quartzite wash can become intermixed within the Cretaceous-aged rocks (Putnam, 1981). As a result, these layers of Cretaceous formations along with the Sioux Quartzite wash became undifferentiated sequences of interbedded and often pink sandstone, mudstone, and shale (McCormick and Hammond, 2004).

The Split Rock Creek formation, located in southeastern Minnehaha County, was the first recognized example of this type of formation. The Split Rock Creek formation has been informally expanded to encompass Cretaceous undifferentiated materials in embayment environments along the entire Sioux Quartzite ridge. Individual sections of these materials may not be lithologically or time-stratigraphically related (McCormick and Hammond, 2004). Christensen (1989) noted the Split Rock Creek formation is present in Davison County but did not further discuss the formation. Lindgren (1997) distinguished the Split Rock Creek aquifer from other undifferentiable Cretaceous formations in Minnehaha County. Therefore, the formation in the area of the well sites should be termed the Undifferentiated Cretaceous formation (McCormick and Hammond, 2004).

This portion of the Undifferentiated Cretaceous formation consists of layers of sandstone consisting of Dakota formation and Sioux quartzite wash materials, among others. The formation occurs from 220 to 243 feet at the well sites. The aquifer is under artesian conditions, and the potentiometric surface has been recorded at approximately 100 feet below ground surface at the well sites. This aquifer is likely in a strong hydraulic connection with the Dakota aquifer and portions of the Sioux quartzite wash aquifer.

The extent of this portion of the Undifferentiated Cretaceous formation has not been determined. The formation could plausibly extend throughout the embayment environment shown in Figure 3. Assuming the ancient Dakota Sea has an elevation of 1,000 fmsl during deposition; the embayment had an estimated paleoshoreline of 40 miles and covered an estimated 80 square miles.

SDCL 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is a reasonable probability that there is unappropriated water available for the applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will address the availability of unappropriated water from the aquifer and the potential for impairment of existing rights.

WATER AVAILABILITY:

The probability of unappropriated water available from an aquifer can be evaluated by considering SDCL 46-6-3.1, which requires that no application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge. If the source of the groundwater is older or lower than the Greenhorn formation and will be used for a public water system, recharge and withdrawal does not need to be considered. Here, a public water system is not involved and the aquifer is above the Greenhorn formation. So, recharge and withdrawal must be considered.

This will be considered by two methods: a hydrologic budget considering quantified values of recharge and withdrawal and an observation well analysis considering water levels.

Hydrologic Budget:

Recharge:

Recharge to this portion of the Undifferentiated Cretaceous aquifer could occur through inflow from adjacent aquifers, specifically the Dakota and Sioux Quartzite wash. Recharge to this portion of the aquifer has not been quantified.

Discharge:

Discharge from the Undifferentiated Cretaceous aquifer occurs through well withdrawals. Currently, there are no water rights authorized for this portion of the Undifferentiated Cretaceous aquifer (Water Rights, 2014b). There are approximately 100 domestic wells on file within the expected general area of the aquifer (Water Rights, 2014c).

Balance:

The average annual recharge and withdrawal from this portion of the Undifferentiated Cretaceous aquifer has not been quantified. This water permit application requests a maximum diversion rate of 0.27 cfs. Assuming the well will pump 60% of the time, the average annual use is estimated to be 117 ac-ft/yr. If this portion of the aquifer underlies 80 square miles, the required recharge rate to balance the hydrologic budget is 0.027 inches per year. This could be considered a relatively low amount of water and based on the history of this facility and expected water use, is a reasonable amount of recharge expected at this site.

Observation Well Data:

Administrative Rule of South Dakota (ARSD) 74:02:05:07 states the Board will rely on the record of observation well measurements to determine that the annual withdrawals from the aquifer do not exceed the estimated average annual recharge.

The Water Rights Program does not monitor any wells completed into aquifers named Undifferentiated Cretaceous. However, several observation wells are completed into the Dakota, Sioux Quartzite wash, and Split Rock Creek aquifers. These can provide insight to water level trends in this portion of the Undifferentiated Cretaceous aquifer.

The nearest observation well completed into the Sioux Quartzite wash aquifer is HS-78A, located approximately 20 miles east of the well sites. The hydrograph of this well is shown in Figure 4. The Sioux Quartzite in this area appears to create a similar embayment environment at 1,000 fmsl (McCormick, 2010). Observation well MA-80Z is completed into the Split Rock Creek aquifer in southeastern Minnehaha County. The hydrograph of this well is shown in Figure 5. This well appears to be located in a similar embayment environment (McCormick, 2010). The two nearest observation wells completed into the Dakota aquifer are HT-80B and AU-89A, located approximately 40 miles southeast and 27 miles west, respectively (Water Rights, 2014a). The hydrographs of these well are shown in Figures 6 and 7, respectively.

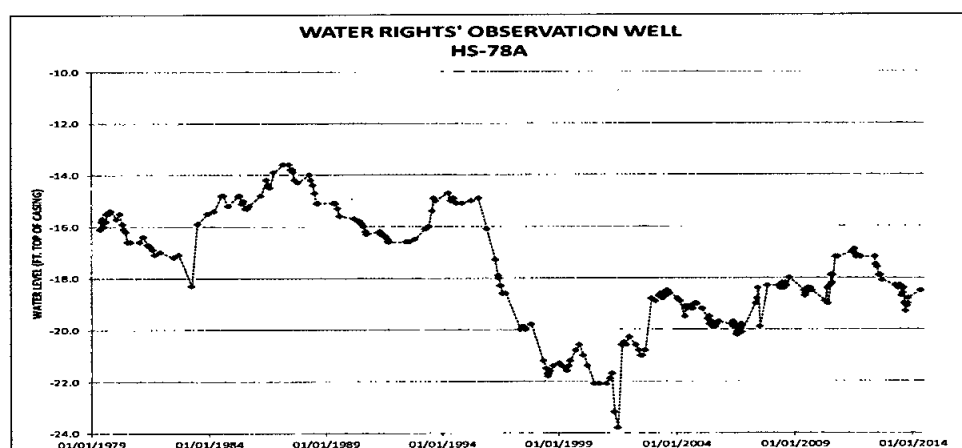


Figure 4: Hydrograph for observation well HS-78A (Water Rights, 2014a)

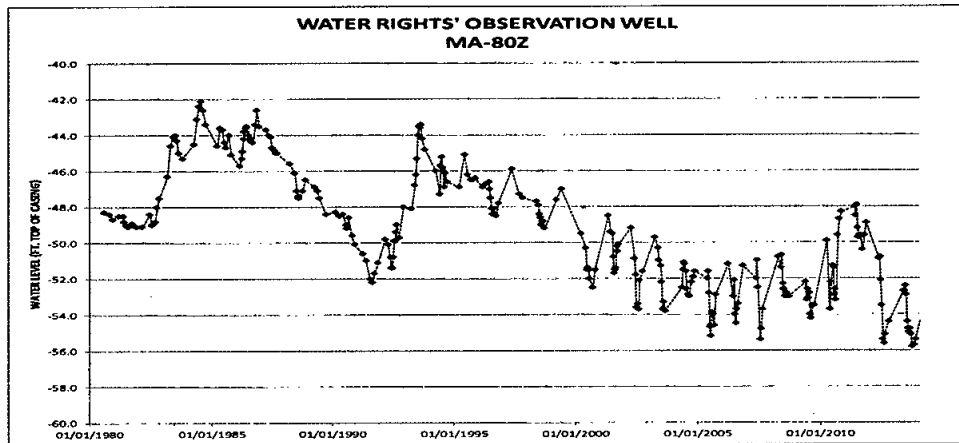


Figure 5: Hydrograph for observation well MA-80Z (Water Rights, 2014a)

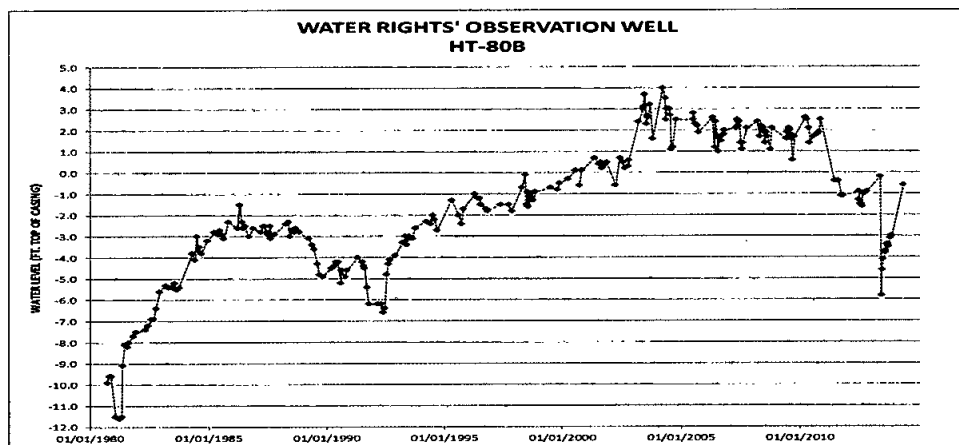


Figure 6: Hydrograph for observation well HT-80B (Water Rights, 2014a)

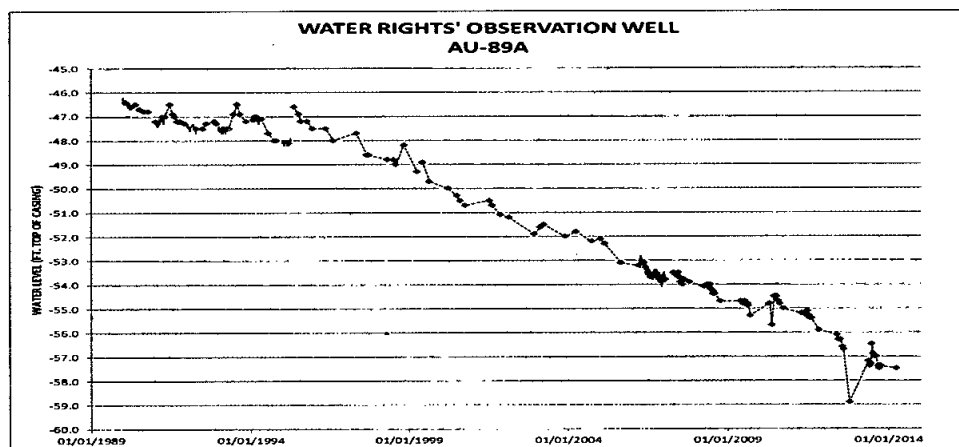


Figure 7: Hydrograph for observation well AU-89A (Water Rights, 2014a)

Water levels in observation wells HS-78A, MA-80Z, and HT-80B have remained stable over the periods of record (Water Rights, 2014a). The data documents cyclic changes in water levels. Temporal well withdrawal is evident but generally masked by climatic conditions. This indicates withdrawals have not exceeded recharge.

Observation wells AU-89A records decreasing water levels over the periods of record (Water Rights, 2014a). The declining head pressure in the Dakota aquifer has been of concern since the early 1900's. In some parts of the state, water levels have declined several hundred feet since first development. Schoon (1971) and Rothrock and Robinson (1938) both interpret the declining head pressure as withdrawals exceeding recharge in the aquifer. However, in other areas water levels have remained stable or increased, which Schoon (1971) attributes to local recharge. The Water Management Board has considered this issue and concluded that whether withdrawals exceed recharge cannot be determined solely from declining head pressure in some wells. This declining head pressure is expected to stabilize eventually once reaching a dynamic equilibrium.

The Water Management Board has concluded that the public interest is better served by allowing Dakota aquifer water to be utilized for a beneficial use rather than to allow the water in this aquifer to remain unused or to be discharge by uncontrolled flowing wells. Denial of a water permit application is not in the public interest when the effects of the withdrawal will not have a significant impact on head pressure in the Dakota aquifer (Buhler, 2009).

EXISTING RIGHTS:

There are no water rights completed into aquifers identified as Undifferentiated Cretaceous. The wells pertaining to this water permit application are located near other wells that obtain water from the hydraulically connected Dakota aquifer. Water Right No. 6174-3, Cabela's Retail, Inc., is located approximately 4,000 feet from the wells. Water Right No. 6256-3, Dakota Wesleyan University, is located approximately 9,000 feet from the wells (Water Rights, 2014b). There are no other water rights completed into the Sioux Quartzite wash or Dakota aquifers in this embayment environment. There are many domestic wells that could be completed into the Undifferentiated Cretaceous aquifer or the strongly hydraulically connected Sioux Quartzite wash or Dakota aquifers (Water Rights, 2014c).

At the well sites pertinent to this application, the aquifer has approximately 120 feet of artesian head pressure. The drawdown due to pumping is expected due to the confined conditions of the aquifer; however, precise drawdown cannot be quantified without aquifer testing. The Water Management Board has consistently recognized that to place water to maximum beneficial use a certain amount of drawdown may occur. SDCL 46-6-6.1 does not require protection of artesian head pressure as a means of groundwater delivery. Considering the distances involved and the relatively small proposed diversion rate, the amount of drawdown is expected to be relatively minor. Therefore, nearby adequate wells defined by ARSD 74:02:20(7) are not expected to be adversely impaired due to the additional diversion.

CONCLUSIONS:

1. Water Permit Application No. 8004-3 proposes to appropriate groundwater at a maximum diversion rate of 0.27 cfs from two wells completed into the Undifferentiated Cretaceous aquifer for commercial use.
2. The required recharge rate to balance withdrawals is plausible.
3. Water levels in observation wells completed into the Split Rock Creek and Sioux Quartzite wash aquifers in similar embayment environments have remained steady.

4. Water levels in the Dakota aquifer have recorded declining water levels. The Water Management Board concluded that allowing Dakota aquifer water to be utilized for beneficial use rather than wasted by uncontrolled flowing wells is in the public interest.
5. The proposed diversion is not expected to adversely impact nearby adequate wells in this aquifer or hydraulically connected aquifers.

Joseph R Stonesifer
SD DENR-Water Rights Program

Approved by



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

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RECEIVED

JUL - 7 2014

WATER RIGHTS
PROGRAM

**NOTICE OF
APPLICATION NO.
8004-3 to Appropriate
Water**

Notice is given that Mitchell Livestock, of Donald Stange, PO Box 516, Mitchell SD 57301 has filed an application for a water permit to appropriate 0.27 cubic feet of water per second (120 gallons per minute) from two wells completed into the Undifferentiated Cretaceous Aquifer (243 feet deep) located in the SW 1/4 NW 1/4 Section 35-T103N-R60W for commercial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8004-3 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 July 14, 2014.

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. Published once at the total approximate cost of \$56.65

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF DAVISON)

Penny Hohbach of said county, being, first duly sworn, on oath, says; that he/she is the publisher or an employee of the publisher of The Daily Republic, a daily newspaper, published in the City of Mitchell, in said County of Davison, and State of South Dakota; that he/she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive; that said newspaper has been published within the said County of Davison and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the notice, order or advertisement, a printed copy of which, taken from the paper in which the same was published, and which is hereto attached and made a part of this affidavit, was published in said newspaper for 1 issue(s), to wit:

Thursday, July 3, 2014

That the full amount of the fee charged for the publication of the attached public notice insures to the sole benefit of the publisher or publishers; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever, that the fees charged for the publication thereof are: \$56.65

Signed: Penny Hohbach

Subscribed and sworn to before me this 3rd day of July, 2014.

Deb Townsend

Notary Public
County of Davison

My Commission Expires: 9-21-18

Prepared by: The Daily Republic, P.O. Box 1288, Mitchell S.D. 57301 605-996-5515

DEB TOWNSEND
Notary Public
SEAL
South Dakota



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



June 25, 2014

Daily Republic
PO Box 1288
Mitchell SD 57301

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 8004-3 to Appropriate Water. Please publish the notice once on July 3, 2014. 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 and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Mitchell Livestock, c/o Donald Stange, PO Box 516, Mitchell SD 57301(Ph # 605-996-6543).

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

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



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



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

June 25, 2014

Mitchell Livestock
Donald Stange
PO Box 516
Mitchell SD 57301

Dear Mr. Stange:

Water Permit Application No. 8004-3 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 Daily Republic printed at Mitchell SD (Ph # 605-996-5514). You will need to contact the newspaper(s) 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(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. 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 the Notice on July 3, 2014. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 8004-3 to Appropriate Water

Notice is given that Mitchell Livestock, c/o Donald Stange, PO Box 516, Mitchell SD 57301 has filed an application for a water permit to appropriate 0.27 cubic feet of water per second (120 gallons per minute) from two wells completed into the Undifferentiated Cretaceous Aquifer (243 feet deep) located in the SW 1/4 NW 1/4 Section 35-T103N-R60W for commercial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8004-3 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 July 14, 2014.

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.

Published once at the total approximate cost of_____.



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



AUG 18 2014

Mitchell Livestock
Don Stange
PO Box 516
Mitchell SD 57301

Dear Mr. Stange:

Enclosed is Water Permit No. 8004-3 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,

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

enclosures

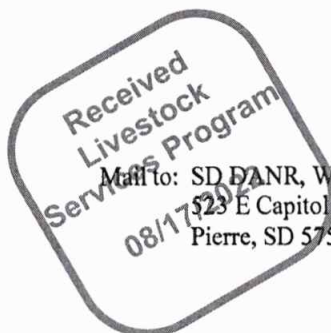
8004-3

RECEIPT**WATER RIGHTS PROGRAM**
South Dakota Department of Agriculture and Natural ResourcesDate September 13, 2022RECEIVED OF Mitchell Livestock Marketing PO Box 516 Mitchell SD 57301

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>8004-3</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$50.00</u>

By Eric Gronlund
Chief Engineer
vm



NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

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

Water Right/Permit No. 8004-3

Date: 08/16/2022

I/We request that Water Right/Permit No. 8004-3 formerly owned by:
Mitchell Livestock, LLC be transferred to:

New Owner Name: Mitchell HL2, LLC dba Mitchell Livestock Marketing

Address: P.O. Box 516 mobile: 785-564-0869

City, State, Zip Mitchell email: herrmannjarrid@gmail.com

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

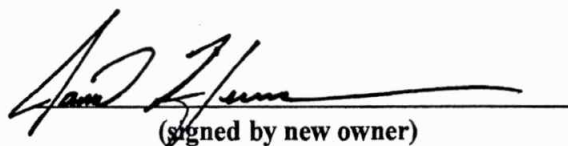
SW 1/4, NW 1/4, Section 35-T103N, R 60W

☒ I understand that the validity of Water Right/Permit No. 8004-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Jarrid Herrmann, the new owner, certify that the above information is true and correct.


(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five-year construction period has expired. Once a water permit is developed, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following reasons:

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



DL227818

B0222-0041 05/26/2022 4:18PM Rec'd by SD SOS

Secretary of State
500 E. Capitol Ave
Pierre, SD 57501-5070
(605) 773-4845

ARTICLES OF ORGANIZATION

DOMESTIC LIMITED LIABILITY COMPANY
SDCL 47-34A-203, 212

Please Type or Print Clearly in Ink
Please submit one Original
Make payable to the SECRETARY OF STATE

Filing Fee: \$150

Total Fee: \$150

Article I

The name of the Company: **Mitchell HL2, LLC**

Article II

The address of the initial designated office in or out of the State of South Dakota where the company conducts its business:

Actual Street Address

**1801 E. SPRUCE STREET
MITCHELL, SD 57301**

Mailing Address

**P.O. BOX 1162
MITCHELL, SD 57301**

Article III

SDCL 59-11-6

The South Dakota Registered Agent's Name:

South Dakota law permits the registered agent to be either (a) a noncommercial registered agent or (b) a commercial registered agent.

(a) The South Dakota Noncommercial Registered Agent's name

Name **Christopher D. Sommers**

Actual Street Address in this State

**1300 W 57TH STREET
SUITE 101
SIOUX FALLS, SD 57108**

Mailing Address in this State

**1300 W 57TH STREET
SUITE 101
SIOUX FALLS, SD 57108**

Article IV

The name and address of each organizer

Name

Address

Christopher D. Sommers

1300 W. 57th Street, Suite 101, Sioux Falls, SD 57108

Article V

The duration of the company if other than perpetual is: **Perpetual**

If the document is not to be effective upon filing by the Secretary of State, the delayed effective date is: _____



Article VI

☐ Member-Managed ☒ Manager-Managed

Name

Address

Jarrid Herrmann

P.O. Box 1162, Mitchell, SD 57301

Article VII

Beneficial Owners (optional): A beneficial owner is a person who has or in some manner controls an equity security. Please consult an attorney for legal advice if you have any questions concerning this entry. Any question under this heading is considered a request for legal advice and the secretary of state's office is, by statute, not permitted, to provide legal advice.

Article VIII

Initial Managers. The initial Managers may not be removed as Managers of the Company by the Member(s) of the Company, without their consent or except as otherwise provided in the Operating Agreement.

Article IX

Liability. No Manager or Member of the Company shall be personally liable to any third party for any debts of the Company – whether in contract, tort, or otherwise.

Article X

Operating Agreement. The rights and obligations of the Member(s) and Manager(s) shall be governed by an Operating Agreement to be executed by the Member(s).

Signature/Authorization

The Articles of Organization must be executed by the organizers.

No person may execute this report knowing it is false in any material respect. Any violation may be subject to a criminal penalty (SDCL 22-39-36).

Christopher D. Sommers *Christopher D. Sommers*

Organizer

05/26/2022

PRINTED NAME

SIGNATURE

TITLE

DATED



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

September 14, 2022

8004-3

Jarrid Herrmann
Mitchell Livestock Marketing
PO Box 516
Mitchell SD 57301-0516

Dear Mr. Herrmann:

I am writing to acknowledge receipt of the transfer form and filing fee submitted by DeHaan Grabs and Associates for changing ownership on Water Permit No. 8004-3.

The ownership change has been completed. Water Permit No. 8004-3 formerly held by Mitchell Livestock LLC is now listed under Mitchell HL2 LLC dba Mitchell Livestock Marketing.

Enclosed is a receipt showing payment of the fee. If I can answer any questions for you, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

Water Rights Program File Documentation

NAME OF PERSON OR FILE:

Water Permit No. 8004-3 Mitchell Livestock Marketing

Water Permit No. 8280-3 Dylbrook Farms RE LLC

DATE: April 29, 2024

RE: Water Rights Info Database Aquifer Abbreviation Reassignment

COMMENTS:

As part of initial water permit application review and report writing, it was determined both applications would be withdrawing water from some portion of the Cretaceous aged undifferentiated sandstone aquifer. For Water Permit No. 8004-3, the aquifer listed in the permit was called "Undifferentiated Cretaceous Aquifer" with a suggested abbreviation on the report of "UC". The original abbreviation used in the Water Rights Info Database was "C:U". For Water Permit No. 8280-3, the aquifer listed in the permit was called "a Cretaceous aged undifferentiated sandstone Aquifer" with no abbreviation suggested in the report and no abbreviation used in the Water Rights Info Database.

It was determined a consistent name and abbreviation were needed from any water rights/permits that withdraw water from any portion of the discontinuous deposits of this aquifer. A review of how aquifers have been named in the past by the SD Geological Survey, U.S. Geological Survey and the Water Rights Program, consultation with the SD Geological Survey, and review of the Corps of Engineers Reports (Hedges et al, 1982) determined it would be most appropriate to designate the aquifer as the "Cretaceous Undifferentiated" and use the abbreviation "KU".



Adam Mathiowetz

Natural Resources Engineer

DANR-Water Rights Program

REFERENCES

Hedges, L.S., Burch, S. L., Iles, D. L., Barari, R. A., and Schoon, R. A. 1982. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota, and Iowa. Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, Final Report. U.S. Army Corps of Engineers Contract DACW 45-80-C-0185.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

September 10, 2024

8004-3

Mitchell Livestock Marketing
c/o Jarrid Herrmann
PO Box 516
Mitchell SD 57301

Dear Mr. Herrmann:

I am reaching out today in reference to Water Permit No. 8004-3, held by Mitchell HL2 LLC, dba Mitchell Livestock Marketing, authorizing the diversion of 0.27 cfs (120 GPM) of water from two wells located in the SW ¼ NW ¼ Section 35, T103N, R60W, for commercial purposes. (copy of permit enclosed)

A recent inspection was conducted by a program staff engineer for the purpose of licensing the water use system. During the inspection, the staff engineer only noted use of one well.

With this letter, I hope to confirm that only one well is currently operational at the location listed above, and potentially gain "well plugging reports" for the unused wells.

Amanda Dewell
Water Rights Program
Permitting Administrator
605 773-3352
Amanda.Dewell@state.sd.us

enclosure