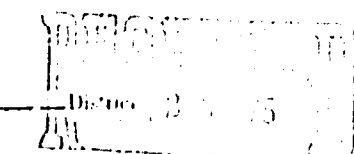


Water Right Number 1279-2

1. Considered SEPTEMBER 10, 1975
2. Name of Applicant PETE LIEN & SONS, INC.
3. Post Office Address RAPID CITY
4. Amount of Water claimed .68
5. Source of Water supply ~~SURFACE~~ GROUND WATER (4 WELLS)
6. Water to be used for INDUSTRIAL (LIMESTONE QUARRY & LIME PRODUCTION)
- Acres to be irrigated _____
7. Water to be diverted and used in PENNINGTON County
about 3N, 2E miles 1ST of RAPID CITY
8. Proof of Publication
Received _____
Not Received _____
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
9. Application

10. Remarks:

No. 1279-2
 Map No. 1083-2 Water Division No. 2 RAPID CREEK
 (Blanks to be filled by the Engineer for the W. H. C.)



APPLICATION FOR PERMIT

STATE WATER RIGHTS OFFICE
 PIERRE, SOUTH DAKOTA
 ORIGINALLY RECD
 JULY 27, 1975 @ 8:51am

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant PETE LIEN & SONS, INC.
 Post-office address Box 440, RAPID CITY, State SOUTH DAKOTA
 If a corporation show date and place of incorporation SOUTH DAKOTA 1960
 2. Method of accomplishing work (contract, employment of others, or by direct labor) EXISTING WELLS
 3. Name of diversion work LIEN No. 1, LIEN No. 2, LIEN No. 3, AND LIEN No. 4
 4. Amount of water claimed (cubic feet per second) 0.6792
 5. Source of water supply MINNELUSA AND MINNEKAHTA FORMATIONS
 6. Location of point of diversion SE 1/4 SECTION 21, T2N, R7E, BHM
 County PENNINGTON
 7. Annual period or periods during which water is to be used YEAR ROUND
 8. Use to be made of water. (Irrigation, industrial, municipal, commercial, recreation, etc.) INDUSTRIAL
 9. For irrigation use, Total number of acres to be irrigated NONE

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system EXISTING years. Additional time required to complete application of water to the proposed beneficial use EXISTING years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication RAPID CITY JOURNAL
 12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

B. Works proposed to transport water to place of use.

C. Works proposed to apply water to beneficial use.

WATER IS USED FOR LIMESTONE QUARRY
 OPERATION AND IN MANUFACTURE OF LIME.

Estimated Total Cost 3 NOT AVAILABLE

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

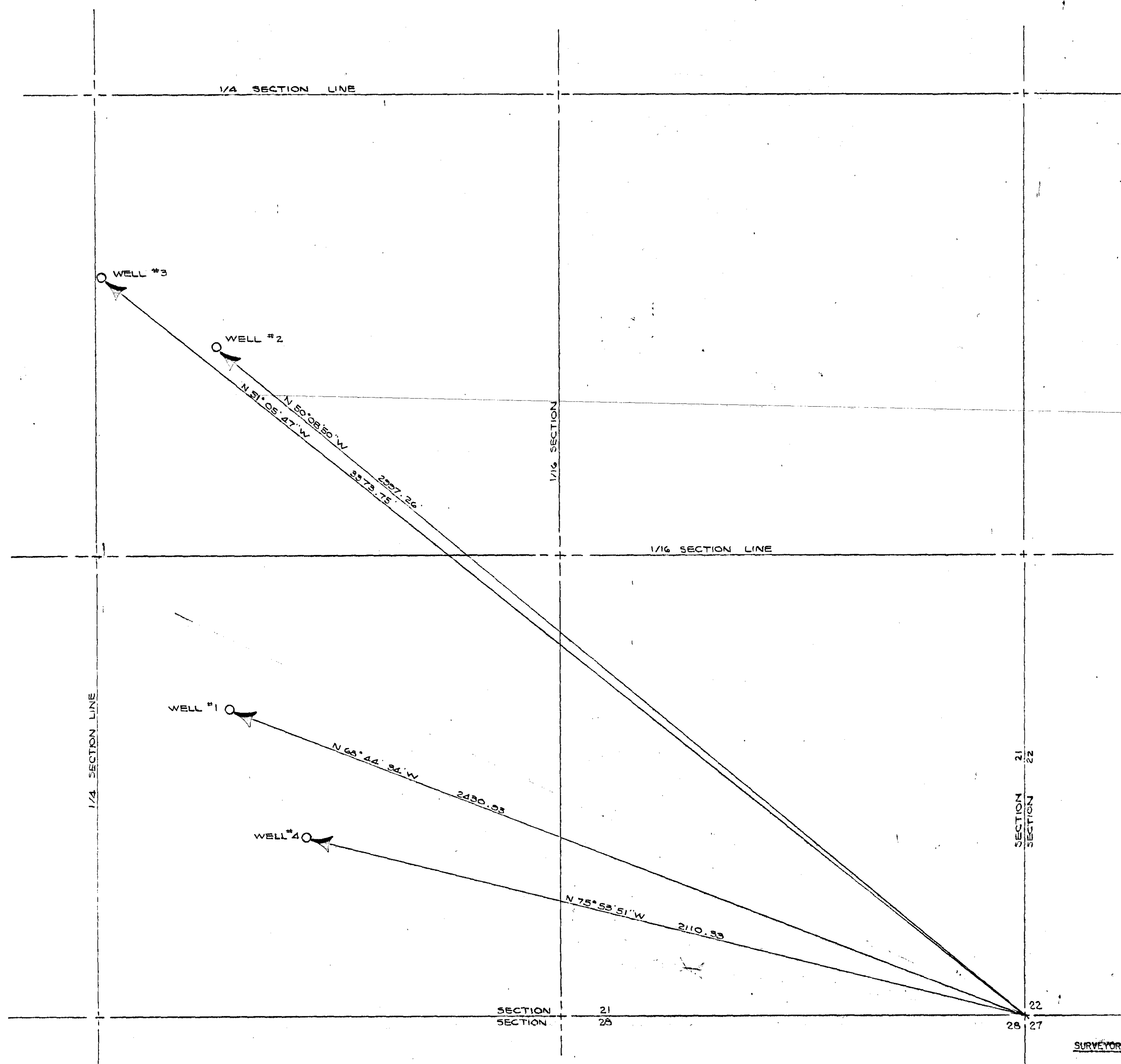
County of PENNINGTON

I KC MARSDEN the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

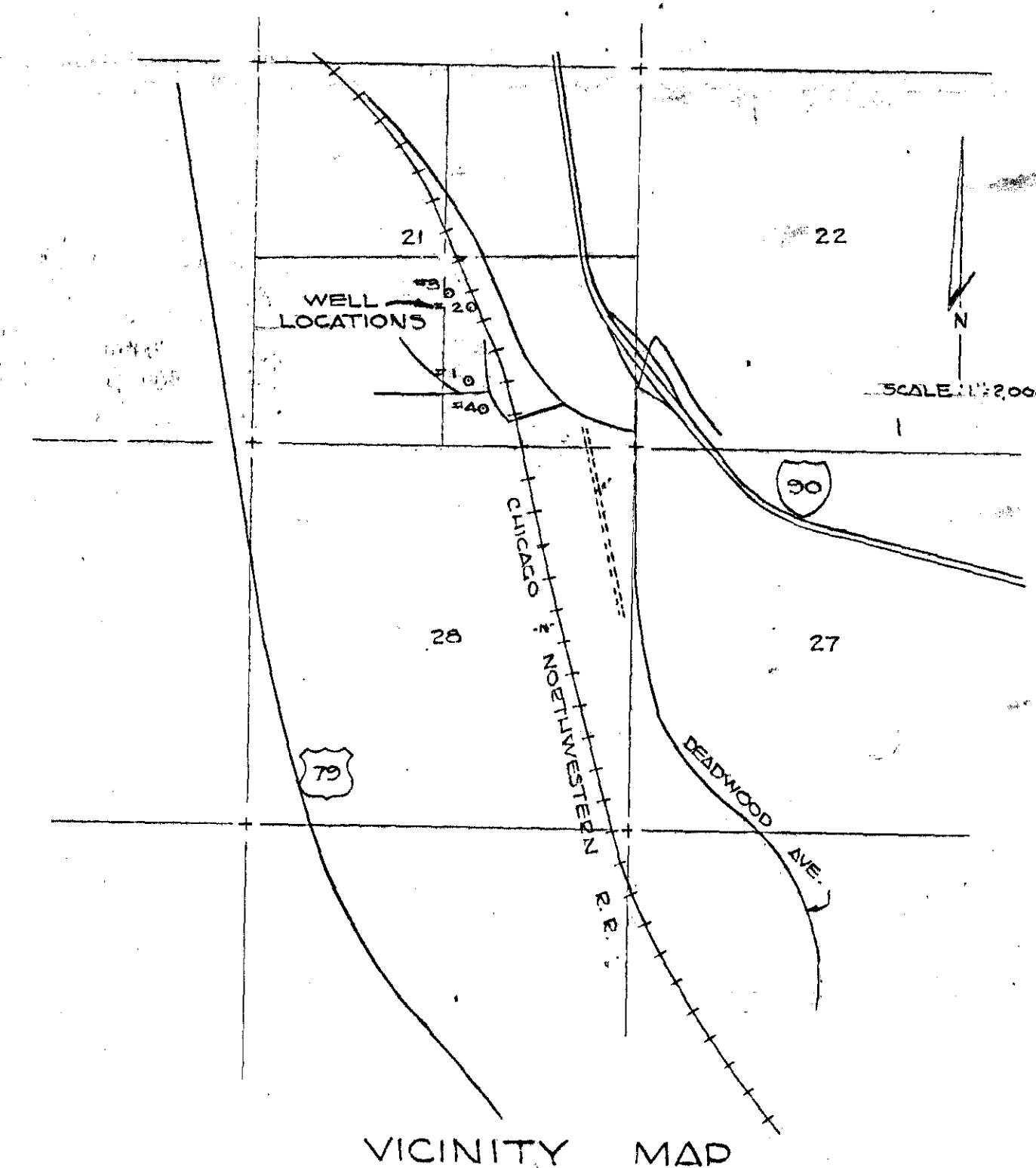
Signed

KC MarsdenSubscribed and sworn to before me this 21st day of August 19 75

Notary Public (or other qualified officer)



SCALE: 1" = 200'
APRIL 8, 1975



SURVEYOR'S CERTIFICATE

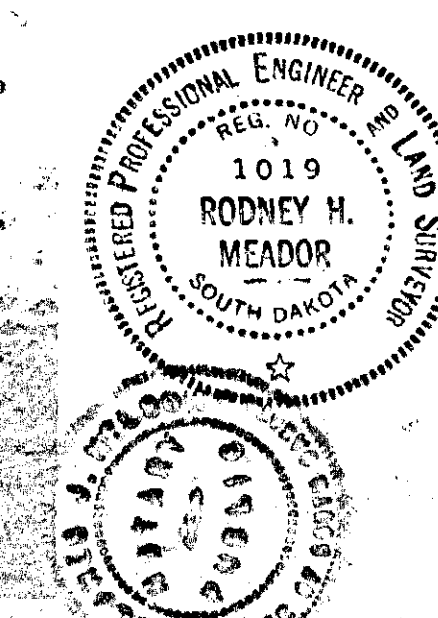
STATE OF SOUTH DAKOTA
COUNTY OF PENNINGTON

I, RODNEY H. MEADOR, REGISTERED LAND SURVEYOR No. 2199 OF THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT BEING SO AUTHORIZED, I MADE THE SURVEY AND WITHIN MAP OF THE LAND SHOWN AND DESCRIBED HEREON AND THAT THE SAME IS CORRECT AS SHOWN HEREON.

REG. LAND SURVEYOR: *Rodney H. Meador*
RODNEY H. MEADOR

ON THE 25TH DAY OF *April*, 19 *75*, BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED RODNEY H. MEADOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE SIGNED THE SAME.

NOTARY PUBLIC: *Delores J. Nelson*
MY COMMISSION EXPIRES: *9-11-77*



MAP OF
LIEN WATER RIGHTS
INCLUDING WELL NO'S 1, 2, 3 AND 4
LOCATED IN:
SE 1/4 OF SECTION 21, T2N, 27E, 84M,
PENNINGTON CO., SOUTH DAKOTA

FRANCIS-MEADOR-GELLHAUS, INC.
RAPID CITY • PIERRE • CUSTER
PROJECT NO. 2225 SHEET 1 OF 1

MAP N-1083-2 (APP. N-1279-2)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1279-2
PETE LIEN & SONS, INC. P.O. Box 440, RAPID CITY
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57701 With the following modifications:
 (State)

The ~~existing~~ wells approved under this Permit ~~are~~ located near domestic wells which may obtain water from the same aquifer. The ~~existing~~ well owner, under this Permit, shall control his ~~existing~~ withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

Date of first receipt of application AUGUST 28 19 75
 Date of return to applicant for correction, amendments or changes required --- 19 ---
 Date of receipt of corrected application --- 19 ---
 Approved SEPTEMBER 10 19 75 Recorded in Book 14 Page 25

WATER RIGHT PERMIT NO. 1279-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1279-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

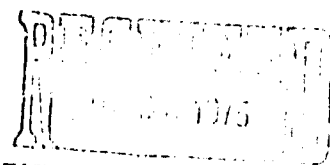
1. The date from which applicant may claim right is AUGUST 28 19 75
2. The equivalent of at least one-fifth of the work above specified is ~~to be~~ completed --- 19 ---
3. The whole of said work is ~~to be~~ completed on or before --- 19 ---
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is COMPLETED
5. The water appropriated shall be used for the purpose of INDUSTRIAL USE (QUARRY OPERATION AND MANUFACTURE OF LIME)
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed .68 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for ~~beneficial use~~ ~~and if for the irrigation purpose, said appropriation must be limited to not more than 2 acre feet per acre per year and limited to not more than one acre with (1/70) of an cubic foot per acre per second of time for each acre of land to which water is~~ USED FOR INDUSTRIAL PURPOSES actually and beneficially ~~applied for irrigation~~ applied on or before THIS DATE 19 --- said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 12TH day of SEPTEMBER 19 75

WATER RIGHTS COMMISSION

John H. H. H.
 Chief Engineer, Executive Officer

Certificate of Construction Issued APRIL 20 19 76Water License Issued APRIL 20 19 76



12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

(1) Drill Hole, Diameter 4 1/2 INCH, Depth 100 FT.(2) Casing, Type STEEL Diameter 4 INCH Thickness ---
(wood, concrete, steel, etc)

(3) Perforated Screen.

Type ---, Diameter ---, Length ---(4) Gravel Pack. Thickness ---, Length of gravel pack ---

E. Dugout Information or Estimates.

(1) Surface dimensions ---, Depth ---

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials NOT AVAILABLE------Depth to top of water bearing material ---Depth to bottom of water bearing material ---Thickness of water bearing material ---Depth to water (ground surface to water level) 50 FT.

(2) Distance to nearest existing household or livestock watering wells.

On same owner's property 90 rds. On property owned by others 180 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Kenneth C Marsden
Signature of Applicant

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

(1) Drill Hoic Diameter _____, Depth _____

(2) Casing, Type STEEL Diameter 7" AND 8" Thickness _____
(wood, concrete, steel, etc)

(3) Perforated Screen.

Type _____, Diameter _____, Length _____

(4) Gravel Pack. Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates.

(1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials SEE ATTACHED LOG

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) WELL FREE FLOWS

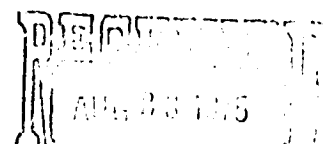
(2) Distance to nearest existing household or livestock watering wells.

On same owner's property 130 rds. On property owned by others 215 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Kenneth C Maradon
Signature of Applicant



STATE WATER RIGHTS
PIERRE, SOUTH DAKOTA

Downen Drilling Company

WATER WELL DRILLING • PUMPS & SUPPLIES
ROUTE 1, BOX 342
TELEPHONE FARMORE-2-7-47 757-4525
RAPID CITY, S. D.

Dec. 17, 1965

Peto Lien & Sons
Snow Bright Lime Plant
Rapid City, S. Dak.

STEEL

Water Well		
430' drilling		2,150.00
220' 3" casing	880.00	
100' 7" O.D. Casing	300.00	
Tax	1,180.00	
	35.40	1,215.40
		\$3,365.40

Log:
0-10' red shale
10-55' limestone
55-190' red shale
190-240' limestone
240-300' limestone with shale layers
300-365' limestone
365-400' yellow sandstone
400-410' red sandstone
410-430' yellow sandstone
8" casing set from surface to 220'
7" o.D. casing set from 215-315'
8" casing cemented in
Water level flows 4 gal. per min.
Pumping test 130 gal per min at 150'.

Thank you.

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter _____, Depth _____
- (2) Casing, Type STEEL Diameter 4" Thickness _____
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type _____, Diameter _____, Length _____
- (4) Gravel Pack. Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property 150 rds. On property owned by others 255 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Kenneth C. Maraden
Signature of Applicant

STATEMENT

LIEN #3

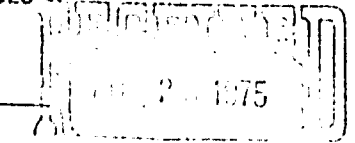
DOWNNEN DRILLING CO.

Rt. 1 Box 342

Phone 787-4525

RAPID CITY, SOUTH DAKOTA 57701

Snow-White Lima



STATE WATER RIGHTS COM.
LINCOLN, SOUTH DAKOTA

TERMS:

DATE 5/9/69

Cleaning, casing, & drilling well deeper	300.00
273' 4" casing	682.50
tax	20.48
	<u>702.68</u>
	\$1,002.68

Total Depth 320'

Test 60 gal. per. min. at 150'.

Thank you.

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

(1) Drill Hole, Diameter 6 INCH, Depth 180 FT.(2) Casing, Type STEEL Diameter 6 INCH Thickness
(wood, concrete, steel, etc)

(3) Perforated Screen.

Type , Diameter , Length (4) Gravel Pack. Thickness , Length of gravel pack

E. Dugout Information or Estimates.

(1) Surface dimensions , Depth

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials NOT AVAILABLEDepth to top of water bearing material Depth to bottom of water bearing material Thickness of water bearing material Depth to water (ground surface to water level) 50 FT.

(2) Distance to nearest existing household or livestock watering wells.

On same owner's property 10 rds. On property owned by others 160 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Kenneth C Marsden
Signature of Applicant

Permit No. 1279-2

Water Diversion No. 2 RAPID CREEK Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Pete Lien and Sons, Inc.

the holder _____ of
Permit No. 1279-2, issued upon Application No. 1279-2, bearing date of priority of August 28,

1975 authorizing the diversion of .68 cu. ft. per second of the waters of _____
ground water Pennington County of _____, State of South Dakota at _____

Well #1-N. $68^{\circ}44'34''$ W., 2430.93 ft.; Well #2- N. $50^{\circ}08'50''$ W., 2997.26 ft.;
Well #3-N. $51^{\circ}05'47''$ W., 3373.75 ft., & Well #4-N. $75^{\circ}53'51''$ W., 2110.33 ft.;
all from the SE Corner, Section 21, T2N, R7E
for irrigation

purposes, has 8 complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.0 cu. ft. per second of water.

Date April 20, 1976

By: WATER RIGHTS COMMISSION
John Hatch
JOHN HATCH, Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. . . . 1279-2

(1) WHEREAS, On the 28th day of August A. D. 19 75

Pete Lien and Sons, Inc.

made Water Right Application No. 1279-2 for a permit to use .68 cubic feet per second of the waters of ground water

County of Pennington, State of South Dakota for industrial

purposes; and

(2) WHEREAS, On the 12th day of September A. D. 19 75

Permit No. 1279-2, with a date of priority of August 28, 1975

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the day of completed A.D. 19 and for the application to beneficial use of said water on or before the day of completed A.D. 19

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert .68 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

water is used for industrial purposes in a quarry operation and
manufacture of lime.

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Pete Lien and Sons, Inc.

_____ of Rapid City
the holder _____ and owner _____ of said permit No. 1279-2 a water right, dating from August 23, 1973
_____ to use of .68 cubic feet per second of the waters
of ground water

in the County of Pennington and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at Well #1-N.68°44'34" W., 2430.93 ft.;
Well #2-N.50°03'00" W., 2997.26 ft.; Well #3-N.81°05'47" W., 3373.75 ft.,
& Well #4-N.75°53'51" W., 2110.33 ft., all from the SE Corner, Section 21,
T2N, R7E

and ~~conduct to and upon~~ conducted through the quarry operation and lime
manufacturing process

for the purpose of industrial use

Subject to any limitations listed in Water Right Permit No. 1279-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 20th day of April A. D.
Nineteen Hundred and Seventy-six

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer **JOHN HATCH**

Form 6. - Notice of Intent to Appropriate Water

No. 1279-2

Publish first publication, on or before

September 2, 1975

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 28, 1975

Notice is hereby given that Pete Lien & Sons, Inc.

whose post office address is Rapid City, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use .68 cubic feet of water per

second of time from ~~the~~ ground water through the Lien Wells 1, 2, 3 & 4, the points of diversion of which ~~is~~ ^{are} to be located in the W $\frac{1}{2}$ SE $\frac{1}{4}$

of Section 21, Twp. 2N, Range 8E. Said water to be used for ~~the purpose of providing irrigation on the following described land:~~

use in limestone quarry operation and production of lime.

This application No. 1279-2 will be considered by the Water Rights Commission at the Burgundy Room at the Skyline Motel, Yankton, SD upon the 10th day of September, 1975 at 2:30 P.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bw

cc: Pete Lien & Sons, Inc.
P.O. Box 440
Rapid City, SD 57701

ues Sept 2, 9

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. _____

2187

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Pennington) ss.

I, George Michalov hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Rapid City Journal

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

City _____ of Rapid City

County of Pennington and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

September 2, 1975 & September 9, 1975

George Michalov
(Signature)

Vice Pres.

(Title)

September 11, 1975

(Date Signed)

Sept. 2, 9 1187
NOTICE OF INTENT
TO APPROPRIATE WATER
Pierre, South Dakota 57501
August 26, 1975
Notice is hereby given that Pete Lien &
Sons, Inc. whose post office address is
Rapid City, South Dakota, has made an
application in accordance with the provi-
sions of the water laws of South Dakota
for a permit to appropriate for beneficial
use .60 cubic feet of water per second of
time from ground water through the Lien
Wells 1, 2, 3 & 4, the points of diversion of
which are to be located in the W1/4SE1/4 of
Section 25, Twp. 13N, Range 8E. Said
water to be used for use in limestone
quarry operation and production of lime.
This application No. 1279-2 will be con-
sidered by the Water Rights Commission
at the Burgundy Room at the Skyline
Motel, Yankton, S.D. upon the 10th day of
September, 1975 at 2:30 P.M. All inter-
ested persons may appear and be heard.
WATER RIGHTS COMMISSION
By BURTON F. JONES,
Water Rights Specialist

Form 10.

1279-2

NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE

Post Office _____

Date 9-14-75

TO: **WATER RIGHTS COMMISSION**
State Office Building No. 2
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 1279-2

Water Right Permit No. 1279-2 states that the diversion system is to be constructed by N/A, 19____ and that the water is to be put to beneficial use by in use now, 19____.

The diversion system was completed on _____, 19____. Applying the water to beneficial use was completed on in now, 19____.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

K.C. Marsden
(Signature)

Permit No. 1279-2Water Division 2 Rapid Creek Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Pete Lien
& Sons, Inc. of Rapid City, South Dakota holder
of Permit No. 1279-2, bearing date of priority of August 28, 19 75
authorizing the diversion of .68 cu. ft. per second of the waters of ground water
for industrial purposes, in Pennington County.

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

The Water Use System consists of,

A. Works used to divert the water:

See Attachment

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

700 feet of 1 inch copper line

C. Works used to apply water to beneficial use.

Cooling system of lime plant and domestic useThe system is in the following condition: goodThe point of diversion is located See AttachmentThe works are capable of diverting and conveying to the place of use 1.0cu. ft. per second of water which is to be used for industrial & domesticWater has been put to beneficial use to the maximum extent as follows: quarry operation
and domestic use.

comprising a total of _____ acres of land.

C. 2-18-76
Thomas A. Gardner
(Signature)
Thomas A. Gardner
Water Resources Engineer

ATTACHMENT

Works used to divert the water:

- Well No. 1: 100 foot - 4 inch steel cased well, 2 H.P. Reda
- Well No. 2: 430 feet deep, 220 feet of 8 inch casing (steel)
100 feet of 7 inch casing (steel), 20 H.P. Sta-Rite
- Well No. 3: 320 feet deep, 273 feet 4 inch steel casing
5 H.P. pump.
- Well No. 4: 180 feet deep, 6 inch steel casing, $\frac{1}{2}$ H.P. pump at
90 feet.

Points of Diversion:

- Well No. 1: N 68° 44' ~~feet~~ 34" ~~inches~~ west, 2430.93 feet
- Well No. 2: N 50° 08' ~~feet~~ 50" ~~inches~~ west, 2997.26 feet
- Well No. 3: N 51° 05' ~~feet~~ 47" ~~inches~~ west, 3373.75 feet
- Well No. 4: N 75° 53' ~~feet~~ 51" ~~inches~~ west, 2110.33 feet

All from the SE corner, Section 21, Township 2N, Range 7E, BHM