

Assigned on: 3-30-95 By: Karen Schlaak

**SOUTH DAKOTA
WATER PERMIT NO. 2334-2**

Date of first receipt of application March 24, 1995.

Date of return to applicant for corrections, amendments or changes March 24, 1995.

Date of receipt of corrected application March 31, 1995.

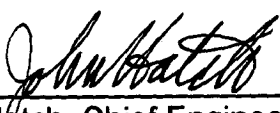
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2334-2 to GLM Land Corp., 141 E Omaha St, Rapid City 57701 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2334-2 appropriates 42 gallons per minute (0.09 cubic feet of water per second) from one well (Inyan Kara Formation) 1810 feet deep located in the SW 1/4 NW 1/4 Section 28-T2N-R8E.
2. The water appropriated shall be used for the purpose of supplying water for a rural water system and may not exceed the amount of water needed for beneficial use for rural water system 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. 2334-2 is June 29, 1995.
5. The date from which applicant may claim right is March 24, 1995.
6. One-fifth of the construction is to be completed on or before December 29, 1997.
7. All construction is to be completed on or before June 29, 2000.
8. Water is to be put to beneficial use on or before June 29, 2004.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

WATER MANAGEMENT BOARD

By: 
John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

SEP 5 1995

date

FORM 2: Application for uses other than irrigation
(type or print)

Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. 2334-2 Hydrologic Unit 10120111
Basin Upper Cheyenne
Newspaper Rapid City Journal, PO Box 450
(office use only)



Application For Permit To Appropriate Water Within The State Of South Dakota

Check use of water:

☐ Municipal ☐ Suburban Housing ☐ Recreational ☐ Institutional
☒ Rural Water System ☐ Commercial ☐ Fish & Wildlife ☐ Geothermal Heat
☐ Domestic ☐ Industrial ☐ Other _____
(over 18 gpm)

Type of Application: ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

1. Name of Applicant GLM LAND CORP. Phone 605-342-9362
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address 141 E. Omaha St Rapid City State SD 57701
(Street, RR, or Box) (City) (Zip Code)

2. Amount of water claimed 0.09 *CFS or 40-42 **GPM _____ ***AF _____
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply ~~Lakota~~ well

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 2N-08E Sec 28, UNPLATTED
(WELL LOT) SW1/4 NW1/4

County Pennington

5. County or counties where water will be used Pennington

6. Annual period during which water is to be used Jan through Dec. 31

7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

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)

STATE OF SOUTH DAKOTA)

County of Penn ss

I, GLM Land Corp., 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.

Signed [Signature]

Subscribed and sworn to before me this 23 day of March 1995

[Signature] 10-10-98
Notary Public

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth 1810'
b) Casing Type Steel Diameter 4" Thickness 3/8
c) Screen Type _____ Diameter _____ Thickness _____
d) Gravel Pack Thickness _____ Length of Gravel Pack _____
e) Depth to Top of Water Bearing Material ?
f) Depth to Water (ground surface to water level) 60 ft
g) Distance to nearest existing domestic well:
On applicants property NONE On property owned by others 1 1/2 mile

2. Wastewater Disposal System Information

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

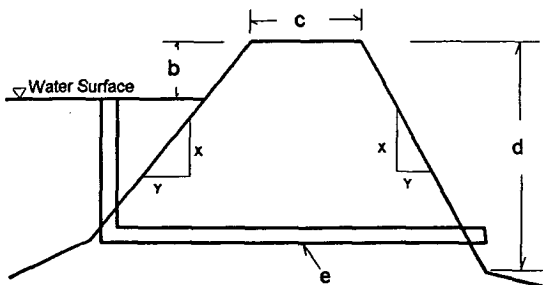
3. Dugout Information

- 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:

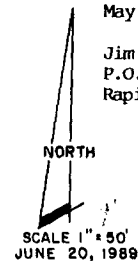


- b) Freeboard _____
c) Crest Width _____
Crest Length _____
d) Height _____
e) Primary Outlet Capacity _____
If pipe, diameter _____
f) Secondary Spillway Capacity _____
Spillway Width _____
g) X & Y Slope
Upstream _____
Downstream _____
h) Surface Area of Impoundment _____
i) Storage _____ Acre Feet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



NOTICE OF HEARING
May Be Sent To:

Jim Meier
P.O. Box 4016
Rapid City, SD 57701



- - Indicates found survey monument as noted
- ⊙ - Indicates set 5/8" rebar with survey cap marked "Davin-Atkins & Assoc. #3095"
- - Indicates set 5/8" rebar with no cap
- (R) - Indicates recorded in previous survey
- (M) - Indicates measured this survey

SECTION LINE

33' WIDE SECTION LINE R.O.W.

33.125'

1324.98'

145.62'

828.11'

WITNESS CORNER 33' EAST OF
NW COR. OF SW1/4 OF NW1/4
SEC. 28, T2N, R8E, S.H.M.
FND 5/8" REBAR W/CAP MRKD.
"FRANCIS MEADOR 1019"

N89°59'08"E 630.21'

N1/2 of S1/2 of NW1/4 of SW1/4 of NW1/4 of Section 28, T2N, R8E, B.H.M.

TOTAL AREA = 2.40 Ac. ±
WELL LOT = 0.01 Ac. ±
BALANCE = 2.39 Ac. ±

20' WIDE ACCESS EASEMENT

245.01'

245.00'

800°01'08"W 20.00'

20.00'

20.00'

20.00'

365.22'

630.22'

89°58'52"W 20.00'

900°01'08"E 20.00'

WELL LOT

400 Sq. Ft.
0.009 Ac.

NORTH

20.00'

828.11'

FND. WITNESS COR.
2 1/2" PIPE W/CAP MRKD.
"SEC. 1/4 COR. 33"

SCALE 1" = 50'

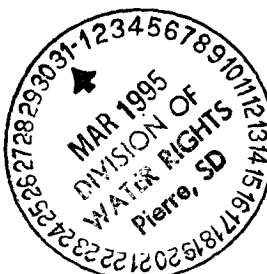
JUNE 20, 1989

NORTH

900°00'11"E 165.67'

SEC. 29, T2N, R8E, B.H.M.
SEC. 28, T2N, R8E, B.H.M.

My Commission Expires: Nov. 16th, 19



2334-2



PENNINGTON COUNTY EQUALIZATION
315 SAINT JOSEPH ST
RAPID CITY, SD 57701-2872
REAL ESTATE ASSESSMENT NOTICE

YEAR: 1995

FORMULAS & ASSESS CORRECTION REQUESTED

TYPE OF PROPERTY	CLASS	VALUE
Agricultural	AG	
Exemption		
Discretionary formula	AG	
Balance Assessed	NON-AG	
Residential and/or Other	NON-AG	
Commercial		
Discretionary formula		
Balance Assessed	NON-AG	
Agricultural	AG	
Residential	NON-AG	
Commercial		
TOTAL ASSESSED VALUE	AG	100
	NON-AG	100

Municipality/Township
School District
Notice Date

RAPID CITY
RAPID CITY SCHOOL DISTRICT
02/24/95

BOARD APPEAL DEADLINE: LOCAL: MAR 16 COUNTY: APR 18 OAH: MAY 19

Board Dates **

Local 03/20/95 - 03/24/95 BY APPT
County 04/11/95 - 04/23/95 BY APPT
OAH 05/19/95

** Read important notice on reverse side!

LEGAL DESCRIPTION (VALUATION PURPOSE ONLY)
2N-09E SEC 28, UNPLATTED
WELL LOT

PIN 21 28 100 008
Tax ID 43304

ACRES: .009

GLA LAND CORP
141 E CHERRY ST
RAPID CITY, SD 57701-2934

THIS IS NOT A TAX BILL

PRESORTED FIRST-CLASS MAIL
POSTAGE & FEES PAID BY
PENNINGTON COUNTY
PERMIT NO. 3024

RECEIPT

414450

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ March 30, 19 95

RECEIVED OF G.L.M. Land, 141 E. Omaha St, Rapid City, SD 57701

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

Fee for Application for Permit No. <u>2334-2</u> to Appropriate Water, to construct and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

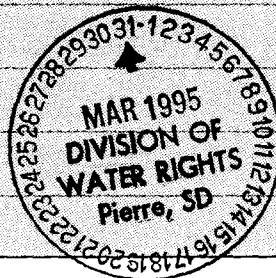
(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer

GLM LAND

141 EAST OMAHA STREET

RAPID CITY, SD 57701



RAPID MEMO

TO: KAREN SCHLAACK
DEPT. OF ENVIRONMENT & NATURAL RESOURCES
523 EAST CAPITOL
PIERRE, SD 57501-3181

DATE: MARCH 28, 1995

SUBJECT: WELL LOG

KAREN:

I HAVE ATTEMPTED TO GET A LOG FROM VINNEYCAMP DRILLING, WHO IS NO LONGER IN BUSINESS. WE HAVE TRIED TRACKING DOWN ANY RECORDS ON THE WELL, BUT HAVEN'T HAD ANY LUCK.

WE KNOW THAT THE CASING IS 6" FOR THE FIRST SECTION AND THEN GOES TO 4".

THE PUMP SETTING IS APPROXIMATELY 280 FEET.

SHOULD YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME.

THANK YOU.

BILL GIKLING

605-342-9362

JUL 9 1973

STATE WATER RESOURCES COMM
SIOUX FALLS, SOUTH DAKOTA

WELL CONSTRUCTION

Location of well: SK 1/4 4th 1/4 11th Section: 28 Township: 2 Range: 5E

Well owner: Darrell Anderson (Name) Repair City (Address)

Date well drilling completed: 1-28 Purpose of well: Industrial (domestic, irrigation, municipal, industrial, other)

[illegible]

Depth to top of water producing aquifer 15 94 ft.
Depth to static water level 60 ft.
Name of producing aquifer (if known) La Brea
Total depth of drill hole 1648 ft.
Depth to bottom of casing 1648 ft.

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

Wills Vene-Kang
Name of Drilling Contractor

PUMP INSTALLATION

Company name and size of pump Burley HP 1 1/2

Type of pump Sub Capacity of installed pump 50 G.P.M.

Depth of pump placement 186 ft., Date of pump installation 6-30-73

asuring tube, when installed _____ ft., tube diameter _____.

Name of Pump Installation Contractor

This log appears
to be in the same
quarter & drilled
by same driller

ORIGINAL DOCUMENTS. IT IS FURTHER CERTIFIED THAT THE ABOVE-REPRODUCED DOCUMENTS MEET THE REQUIREMENTS OF THE FEDERAL RECORDS MANAGEMENT ACT, 1950, AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS. REPRODUCTION DATE: 1981



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

March 15, 1995

Arlin Stratmeyer
GLM Land
141 East Omaha
Rapid City, SD 57701

Dear Mr. Stratmeyer:

I am contacting you regarding the possibility that you may need a permit to appropriate water for use in your facility. We have reviewed our records after receiving information from the Office of Drinking Water and can not locate a water permit for your facility.

Pursuant to South Dakota Codified Laws 46-1-15 and 46-5-10, a water permit is required to use water from any water source, except for private domestic use. Examples of commercial use that require permits for private water supplies are: truckstops, motels, restaurants, tourist attractions, bars, clubs, campgrounds and any other business operation. Examples of noncommercial use that require permits for private water supplies are: churches, hospitals and nursing homes (any amount of water) and schools that pump more than 18 gallons per minute or use water outside of the school building. A vested water right can be claimed for water uses beginning on or prior to February 28, 1955, for ground water or March 2, 1955, for surface water.

A business or an institution without a required water permit has no legal right to the use of water. Water users without a water permit are not protected if their water use is interfered with by someone who has a water right. If you believe you have a permit issued under another name, please contact us.

Enclosed are water permit application forms and an instruction sheet. Please complete and return the application with the required fee to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501" by April 14, 1995. If you have questions or need assistance contact Barry McLaury, Environmental Scientist (605-773-3352).

Sincerely,

Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

March 24, 1995

GLM Land Corp.
Kenneth Lipzito
141 E Omaha St.
Rapid City SD 57701

Dear Mr. Lipzito:

In regard to the water permit application received on March 24, 1995, for GLM Land Corp, the following information needs to be submitted in order to process the application.

1. A map showing the location of the diversion point (place where the well is located) in relation to a government section corner or quarter corner by direction and distance. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local SCS or ASCS office).
2. A well log or driller's test log signed by a South Dakota licensed well driller must accompany the application.
3. Enclosed is the check submitted for \$150.00. An application to use 45 gallons per minute or less of water requires a filing fee of \$50.00.

Upon receipt of the above, further processing of your application will continue. If you have any questions, please contact this office.

Sincerely,

Karen Schlaak
Environmental Scientist
605 773-3352

enclosure

REPORT ON WATER PERMIT APPLICATION NO. 2334-2
for GLM Land Corporation
May 22, 1995

Application No. 2334-2 proposes to appropriate 42 gpm (0.09 cfs) from one well approximately 1810 feet deep located in the SW 1/4 NW 1/4 of section 28, T2N R8E in Pennington County. The water is for rural water system use.

AQUIFER - INYAN KARA (INKR)

The Inyan Kara consists of interbedded sandstone, siltstone and shale which is approximately 250-300 feet thick in this area (Allen, 1984). The Inyan Kara consists of the Fall River, Fuson and Lakota Formations in descending order (Cattermole, 1972). The aquifer underlies 1.245 million acres and contains an estimated 23.35 million acre feet of recoverable water in storage in Pennington County alone (Allen, 1984). The aquifer is confined and under artesian conditions. The aquifer is areally extensive around the entire Black Hills and is hydraulically connected into Meade County to the north and into Custer County to the south.

There is no driller's log submitted with the application but there is a well log available for the immediate area. It is possible that this log is for the same well. The driller is the same but the reported depth is not the same.

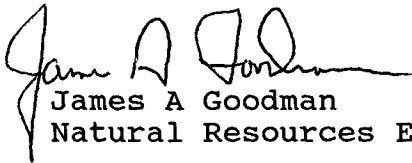
The Division of Water Rights does not monitor any observation wells completed into the Inyan Kara in this area. Information concerning historical water levels is limited but the USGS has obtained some water level information on either the well for this application or a well in the immediate area, at least the legal description is the same. The record is inconclusive but records from 1982 to 1987 would indicate a decline of 10 to 15 feet (Winter, 1994). The Division of Water Rights is planning on installing two observation wells in the Inyan Kara in the Rapid City area this year.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are four existing water permits/rights Nos. 2051-2, 2268-2, 1790-2 and 2225-2 which authorize 6 wells all from the Inyan Kara and all located within a two mile radius of this application. Interference is occurring. Drawdown caused by pumping would overlap among the permits. This does not appear to be adverse. These permits/rights have been in use for many years with no apparent problems. The nearest existing permitted diversions from this application are 1 mile, east, northwest and southwest. The spacing between wells should be sufficient to minimize any potential impacts from pumping, however, the major concern is the possible general decline in water levels regionally.

CONCLUSIONS

1. Water is available from the Inyan Kara.
2. The aquifer is confined and under artesian conditions. Pumping will create drawdown. Interference will probably occur, however, there is no information which indicates that this is a concern. In fact, these wells have been in existence for many years with no apparent problems.
3. Information provided with this application is not sufficient to determine if this well is constructed in accordance with SD Well Construction Standards.
4. Water level records for the Inyan Kara aquifer indicate that water levels may be declining in this area.
5. This application is for an existing well and there is an existing well log in Water Right Well Files for a well in this location. It is possible that this is the same well but the depths are different.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Allen, J.C., D.L. Iles, A.K. Petres, 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Cattermole, J.M., 1972, Geologic Map of the Rapid City East Quadrangle, Pennington County, South Dakota, Map GQ-986, 1:24000.
- Winter, D.R., 1994, Water Levels Through 1989 in Bedrock Aquifers in South Dakota, Open File Report 94-320, USGS, Rapid City, SD, 57702.

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2334-2, GLM Land Corporation**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 2334-2, GLM Land Corporation, c/o Ken Lipzito, 141 East Omaha Street, Rapid City, SD 57701.

The Chief Engineer is recommending APPROVAL of Application No. 2334-2 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) in the public interest with the following qualification:

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

See report on application for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", written in a cursive style.

JOHN HATCH, Chief Engineer
May 25, 1995



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

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

June 5, 1995

Lipzito, Ken
Ken Lipzito
GLM Land Corporation
141 East Omaha Street
Rapid City, SD 57701

Dear Mr. Lipzito:

Water Permit Application No. 2334-2 for rural water system use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Rapid City Journal printed at Rapid City, SD (Ph # 605-394-8300). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has 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
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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

June 5, 1995

Rapid City Journal
PO Box 450
Rapid City, SD 57709-0450

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2334-2 to be published twice. Please publish the first notice on June ⑧ 1995, with the second publication 7 days later.

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 GLM Land Corporation, c/o Ken Lipzito, 141 East Omaha Street, Rapid City, SD 57701 (Ph # 605-342-9362).

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on June 12, 1995, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2334-2 to Appropriate Water

Notice is given that GLM Land Corporation, 141 East Omaha Street, Rapid City, SD 57701 has filed an application for a water permit to appropriate 42 gallons per minute (0.09 cubic feet of water per second) from one well (Inyan Kara Formation) 1810 feet deep located in the SW 1/4 NW 1/4 Section 28-T2N-R8E. The water is for rural water system use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2334-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 29, 1995.

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 Division address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Pennington) ss



I, Helena M. Bauer

certify that the attached printed Notice was

taken from the Rapid City Journal

printed and published in Rapid City

County of Pennington and State of

South Dakota. The notice was published in
 the newspaper on the following two dates:

June 12, 1995

June 19, 1995

Cost of Printing: 6.375 inch A 5.31 per inch

for 2 times \$67.70

Helena M. Bauer
 (Signature)

Bookkeeper

(Title)

June 20, 1995

(Date Signed)

June 12, 1995 L1007

NOTICE OF APPLICATION
 NO. 2334-2

TO APPROPRIATE WATER

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2334-2 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 the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is Water Rights Division, Foss Building, 323 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 June 29, 1995.

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 Grohlund at the above Water Rights Division address to request copies of information pertaining to this application.

Nettie H. Myers
 Secretary
 Department of Environment
 and Natural Resources



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

SEP 5 1995

Ken Lipp
GLM Land Corp
141 E Omaha Street
Rapid City, SD 57701

Dear Mr. Lipp:

Enclosed is Water Permit No. 2334-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
605 773-3352

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.



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

Date Sept. 11, 1995

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

FROM: GLM Land Corp. 141 E Omaha St.
(name) (address)
Rapid City SD 57701 605-342-9362 Bill
(city) (state) (zip) (phone) 605-343-1877 Ken

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 2334-2

Water Permit No. 2334-2 states that the diversion system is to be constructed by completed, and that the water is put to beneficial use by
(date)

(date)

The diversion system was completed on _____
(date)

Applying the water to beneficial use was completed on _____
(date)

You may schedule an inspection so that the Water License may be issued.

Kenneth A. Papp, its Pres.
(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

October 19, 1999

2334-2

GLM Land Corp.
%Jim Meier
141 E. Omaha St.
Rapid City, SD 57701

Dear Mr. Meier:

The investigation of your water use system was conducted on October 5, 1998, by Ken Buhler, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 2334-2. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the investigation and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 416238

Pierre, November 1, 1999

RECEIVED OF G. L. M. Land, 141 E. Omaha St., Rapid City, SD 57701
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. 2334-2

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By

John Hatch
Chief Engineer

Permit No. 2334-2
Upper Cheyenne 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 5, 1998**, made a thorough examination of the water use system constructed by **GLM Land Corp. of 141 E. Omaha St. Rapid City, SD 57701** holder of Permit No. **2334-2**, bearing the priority of **March 24, 1995** authorizing the diversion of **0.09** cu. ft. per second of the waters of **groundwater** for **rural water system** purposes, in **Pennington** County.

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

A. Works used to divert the water:

Water is diverted from a well 1810 feet deep located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28, T2N-R8E with a 7 $\frac{1}{2}$ horsepower, submersible, Berkley Pump powered by a Franklin Motor, capable of diverting 30 gallons per minute.

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

Water is transported to place through approximately 1 $\frac{1}{2}$ miles of a buried pipeline consisting of 4-inch diameter PVC and 2-inch diameter polyethylene pipe.

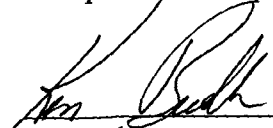
C. Works used to apply water to beneficial use:

Water is applied to beneficial use in nine businesses and for domestic use.

The system is in the following condition **good**. The point of diversion is located **1690 feet south and 170 feet east of the northwest corner of Sec. 28, T2N-R8E**. The works are capable of diverting and conveying to the place of use **0.067** cu. ft. per second of water which is to be used for **rural water system use**. The license should be issued for **0.067** cfs.

Applicable permit qualifications have been complied with: **yes**

Exceptions to compliance are: **na**



Ken Buhler
Natural Resources Engineer
DENR, Water Rights Program

10/13/99

Date

REPORT ON INSPECTION OF PERMIT NO. 2334-2

Other permit(s) associated with the project: na

NAME & ADDRESS OF INSPECTION CONTACT Jim Meier

141 E. Omaha St.

Rapid City, SD 57701

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: partner

NAME & ADDRESS OF PERMIT HOLDER: GLM Land Corp

141 East Omaha Street

Rapid City, SD 57701

DATE OF INSPECTION: October 5, 1998

DIVERSION POINT LEGAL LOCATION: 1690 feet south and 170 feet east of the north west corner of Sec. 28, T2N-R8E, (SW¹/₄NW¹/₄SW¹/₄NW¹/₄ Sec. 28, T2N-R8E)

WELL INFORMATION:

1) Well Drilling Firm: VeneKamp

2) No. of Wells one

3) Depth(s) 1810 feet

4) Well log is available no

Casing:

1) Diameter 6&4 inches

2) Length 1810 feet

3) Type steel

Screen:

1) Type unknown

2) Length unknown feet

3) Static water level 60 feet

Pump:

1) Make Berkley

2) Model submersible

3) Size 7.5 horsepower

4) Capacity 30 GPM

Motor:

1) Make Franklin

2) Horsepower rating 7.5 hp

DISTRIBUTION LINES OR CANALS:

1) Type PVC 2) Size 4 inches 3) Length 2500 feet

1) Type Polyethylene 2) Size 2 inches 3) Length 5300 feet

SYSTEM:

Well is pumped to an 80 gallon pressure tank at the well. The pressure tank supplies 1.5 miles of pipeline which serves nine businesses (two Goodyear buildings, Imperial Signs, Import Salvage, A&H Truck Salvage, J&J Asphalt, Fischer Larson Auto Body, Black Hills Molding, Glassworks Fiberglass,) and two or three houses and a couple of horses.

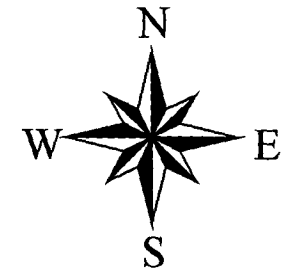
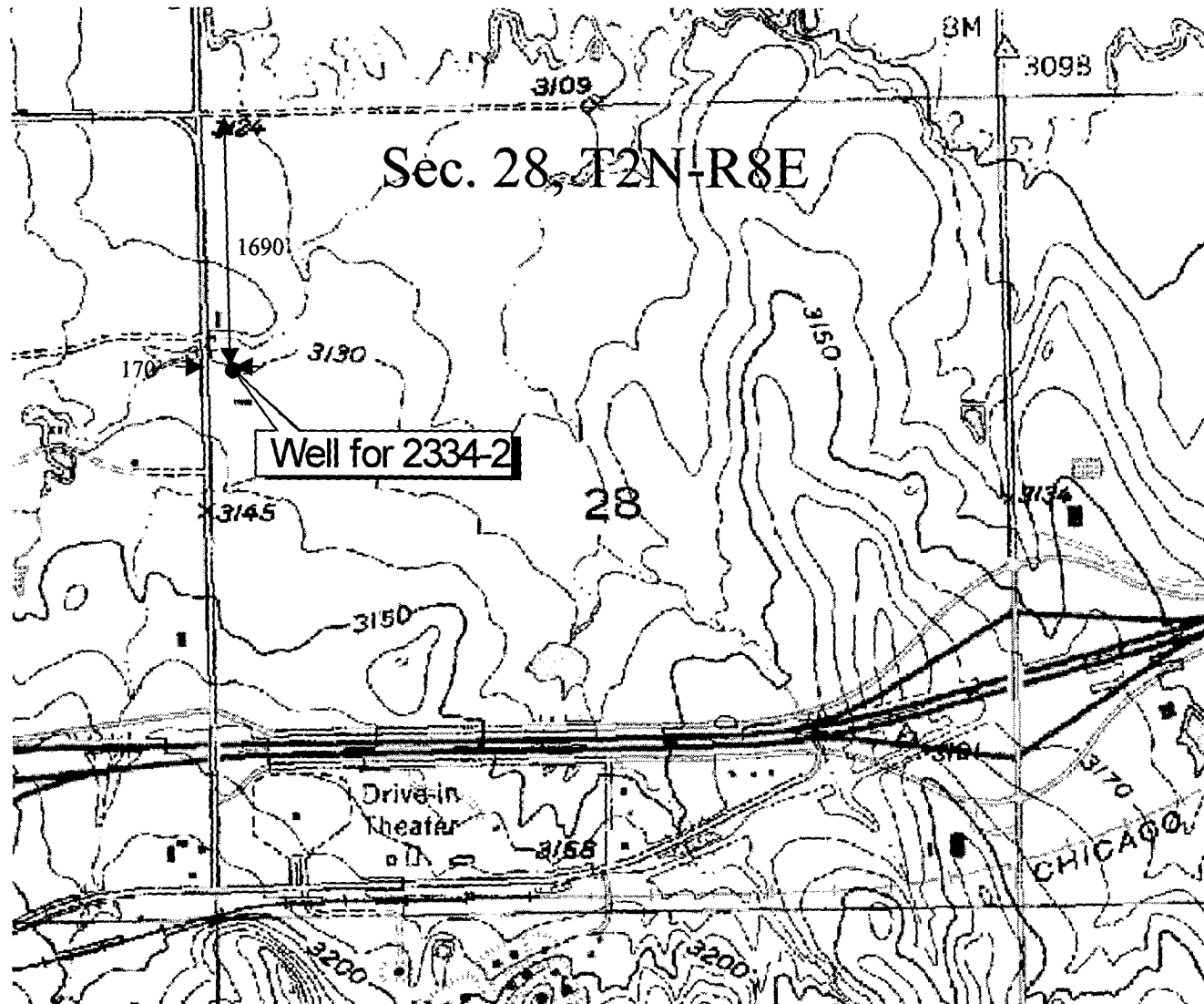
PERMIT QUALIFICATIONS AND REGULATIONS:

1) Special qualifications to permit being abided by yes

2) All structures, wells and lands on map yes

3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period na

Water Right No. 2334-2



0.5 0 0.5 1 Miles


Ken Buhler
Natural Resources Engineer
Water Rights Program



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2334-2

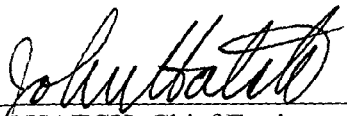
(1) GLM Land Corp., 141 E Omaha St, Rapid City SD 57701 made Application No. 2334-2, March 24, 1995 for a water permit to divert 0.09 cubic feet of water per second from groundwater (one well), Pennington County, South Dakota for rural water system purposes. Permit No. 2334-2, with a priority date of March 24, 1995 was approved June 29, 1995 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 29, 2000 and for the application to beneficial use of said water on or before June 29, 2004.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on September 12, 1995. The *Notice* stated the diversion system was completed.

(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 0.067 cubic feet of water per second for beneficial use. The location of the diversion point is 1,690 feet south and 170 feet east of the northwest corner of Section 28-T2N-R8E (SW ¼ NW ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to serves users in Pennington County.

(4) Pursuant to South Dakota Water Law 46-5-30.1 GLM Land Corp., 141 E Omaha St., Rapid City SD 57701 the holder and/or owner of Water Right No. 2334-2 is issued a license to appropriate water, the right to use 0.067 cubic feet of water per second from groundwater (one well) with a priority date of March 24, 1995 from the location specified in (2) of this license for rural water system purposes. This license is subject to any limitations or qualifications listed in Water Right No. 2334-2 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

DEC 3 1999

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

DEC 3 1999

2334-2

GLM Land Corp.
%Jim Meier
141 E. Omaha St.
Rapid City, SD 57701

Dear Mr. Meier:

Enclosed is Water License No. 2334-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416238 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

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. 2334-2, 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.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

ks
enclosures

2334-2

Dewell, Amanda

From: Blood, Sammi
Sent: Thursday, January 2, 2025 4:18 PM
To: Dewell, Amanda
Subject: Permit 2334-2

Amanda,

The well belonging to GLM Land Corp (Permit #2334-2) was sold to Croell Redi Mix. One of the owners of the corporation, Bill Gikling, stated the well didn't produce as consistently as they expected so many of the businesses and homes originally intended to be on this permit have connected to Rapid City water. He believed Croell Redi Mix used the well industrially for maxing concrete. Bill's number is 605-219-7045 and he would have more information regarding the purchaser of the well if this needs to be updated for the permit.

Thanks,
Sammi

Croell Redi Mix
PO Box 430
New Hampton IA 50659

cc: GLM Land Corp, 141 E Omaha St, Rapid City
SD 57701



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

May 22, 2025

2334-2

Croell Redi Mix
PO Box 430
New Hampton IA 50659

To whom it may concern:

I am writing today in regard to South Dakota Water Right No. 2334-2, currently held by GLM Land Corporation. Water Right No. 2334-3 authorized the diversion of 0.067 cubic feet of water per second (30 gpm) from a single well located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28, T2N, R8E, for use in a rural water system (copy of license enclosed).

In recent conversation between Office of Water staff and GLM Land Corp representative, Bill Gikling, it was stated that the well had been sold to Croell Redi Mix and was now being used for industrial purposes at the mixing site. If this is the case, ownership of Water Right No. 2334-2 would need to be transferred, and the water right amended to allow for this use.

For your convenience I have included two partially completed forms for you to review, complete, and return for processing; the first being a "Notice of Transfer of Ownership" form, for which there is a \$50 fee, and the second an "Application to Amend Water Right No. 2334-2", for which the fee is \$300. Payment may be remit in the form of a check (payable to SD Water Rights) or by calling our Fiscal Office (605) 773-5559.

If you have any questions or concerns regarding ownership of the well or the application, I would be happy to assist.

Sincerely,

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

enclosures

Cc: GLM Land Corp, 141 E Omaha St, Rapid City SD 57701

2334-2

RECEIVED

JUN 16 2025

OFFICE OF
WATER

PAID

JUN 13 2025

Ck# 306453

Rec't#

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

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

Water Right/Permit No. 2334-2

Date: 6-2-25

I/We request that Water Right/Permit No. 2334-2 formerly owned by:
GLM Land Corp - Rapid City SD

be transferred to:

New Owner Name: Croell, Inc.

Address: P.O. Box 1352

mobile: 307-283-2221

City, State, Zip Sundance WY 82729

email: bill.baxendale@croell.com

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

1 well - SW 1/4 NW 1/4 Section 28-T2N-R8E

☒ I understand that the validity of Water Right/Permit No. 2334-2 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, Brian Marchant, the new owner, certify that the above information is true and correct.

 6M West Croell
(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.

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date June 16th, 2025

RECEIVED OF Croess Inc PO Box 1352 Sundance WY 82729

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 #2334-2	\$50.00
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	\$50.00

By Mark Mauph
Chief Engineer