

1. Considered: OCT 7, 1981 Water Right No. 4792-3
2. Name of Applicant MYRL AND ROY'S PAVING INC.
3. Post Office Address 1500 E 39th ST. N. SIOUX FALLS 57104
4. Amount of Water Claimed 1.00 (Non-Consumptive) maximum acre feet
5. Source of Water Supply 63' WELL
6. Water to be used for COM acres to be irrigated
7. County MINNEHAHA about 1 E miles of Sioux Falls
8. PROOF OF PUBLICATION: Received (WP) 8-31-81 HLT Received
- APPLICATION: Approved 10-7-81 Subject to WI -
- Not Approved Action Deferred

PRIORITY Dated Received 4-10-80 Application complete-yes no FEE 150⁰⁰

7-23-81 Remarks NEED LOG

Description of operation under Appl. in file

Corrected Application received LOG-7-23-81 Period of Annual Use JUNE - NOV.

WATER QUALITY N/A Received yes no APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application-yes no Remarks

Disapproved Returned

					*

Diversion Point

NW⁴ SE⁴ 11-101-49

Land to be irrigated

N

WELL LOG Driller LACY Licensed - (yes) no

Depth 63' DEEP

Remarks

MAP Map No. 4001-3 Map located in Water Right X Map file _____
 Type of Map DRAWN Prepared by ENGR - PE

+++++

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:

August 5, 1981

B. J. Wiseman
 (Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date _____
 F.F. & C. Final Decision, including F.F. & C. of Law were adopted _____
 OF LAW, Date _____
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision was
 DECISIONS adopted _____
 ETC. Remarks _____

No. 4792-3Map No. 4001-3 Water Division No. 3 JAMES RIVER District

Above for Office Use

10170203

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New ☒ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

 1. Name of Applicant Myrl & Roy's Paving, Inc Phone _____
 Post Office Address 1500 East 34th St NW, Sioux Falls State South Dakota 57104
 (Street, RR, or Box) (Town) (Zip Code)
If a corporation show date and place of incorporation South Dakota December 31, 19662. Method of accomplishing work (contract, employment of others, or by direct labor) Contract3. Name of diversion work WATER MYRL & ROYS4. Amount of water claimed (cubic feet per second) 500 gal per minute 1.00 CFS5. Source of water supply Well6. Location of point of diversion 11th2305' NORTH & 1809' WEST OF SE CORNER - 11-101-49NW 4 SE 4 11-T101N-R49W County MINNEHAHA7. Annual period or periods during which water is to be used June to November8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Wash plant9. For irrigation use, _____ Total number of acres to be irrigated NA

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 1 month years. Additional time required to complete application of water to the proposed beneficial use _____ years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Argus Leader

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. NoneB. Works proposed to transport water to place of use. NoneC. Works proposed to apply water to beneficial use. water lines to sand plant
SEE ATTACHMENTEstimated Total Cost \$?

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

STATE OF SOUTH DAKOTA)

County of Minnehaha) ss.I, Myrl Klingeborn 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.X Signed Myrl KlingebornSubscribed and sworn to before me this 3 day of April, 1980

Notary Public (or other qualified officer,

WATER RIGHT APPLICATION APPROVAL

The Board of Water Management hereby approves Water Right Application No. 4792-3

MYRL E ROY'S PAVING INC. 1500 E. 39th ST. N. SIOUX FALLS
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57104 With the following qualifications.
 (State)

The well approved under this Permit will be located near domestic wells and other ~~existing~~ 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 ~~existing~~ wells having prior water rights.

Date of first receipt of application APRIL 10, 1980
 Date of return to applicant for correction, amendments or changes required APRIL 15, 1980
 Date of receipt of corrected application JULY 23, 1981
 Approved OCTOBER 7, 1981, Recorded in Book 22 Page 291

WATER RIGHT PERMIT NO. 4792-3

The Board of Water Management hereby grants and issues this Water Right Permit No. 4792-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JULY 23, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before OCTOBER 23, 1981
3. The whole of said work is to be completed on or before NOVEMBER 7, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 7, 1981
5. The water appropriated shall be used for the purpose of COMMERCIAL USE
WASH PLANT
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 1.00 (NON-CONSUMPTIVE) 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 uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 acre-feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied USED FOR COMMERCIAL PURPOSES
~~for irrigation~~ on or before NOVEMBER 7, 1981; said water to be used during the following described annual period. JUNE - NOVEMBER

Witness my hand this 14th day of OCTOBER, 1981

THE BOARD OF WATER MANAGEMENT

By: John H. Smith
 Chief Engineer, Water Rights

Certificate of Const. action issued _____, 19____

Water License Issued _____, 1981

SD Dept of Water and Natural Resources
500 Foss Building
Pierre, SD

Myrl & Roy's Paving, Inc.
2509 Costello Rd.
Sioux Falls, South Dakota 57105
Telephone 334-3204



Water Right Permit

5-16-80

Enclosed is the information you requested in your letter dated April 15, 1980: 1. Attached is a map showing exact location of the pump. 2. The pump will pump 1 CFS, 3. See attached map 4. Water is pumped from the well to the sand plant. It is sprayed over the sand, then collected and drained to holding ponds where it settles away.

REPLY TO

REPLY

If more information is needed, please contact me.



Alvin Koppertop
334-3204

SIGNED

SEND PARTS 1 AND 3 INTACT. PART 1 WILL BE RETURNED WITH REPLY

FRAN: 87

RETURN TO ORIGINATOR

6/60

Water Level Information:
 Static water level 5.6 below land surface
 If flowing: closed in pressure _____ PSI
 rate of flow _____ GPM
 Controlled by:
☒ Valve ☐ Reducers ☐ Other
 If other; specify _____

Well Test Data:

☐ Pumped
☐ Bailed Describe: _____
☐ Other _____

Pumping Level Below Land Surface			
_____ ft.	After	_____ Hrs.	pumped _____ GPM
_____	" "	" "	" "
_____	" "	" "	" "

Well Log:

[illegible]

(Use Back if Necessary)

Date Completed: 5-29-79

Driller: F.H. C. Adams 111
 Driller's or Firm's Name License NO.
PO 786 T. - 1st St
 Address

Signed By

Date _____

Remarks:

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

D. Well Information

- (1) Drill Hole, Diameter 14", Depth 63'
- (2) Casing, Type Steel (wood, concrete, steel, etc), Diameter 14", Thickness 1/4"
- (3) Screen, Type Johansen, Low Carbon, Diameter 14", Length _____
- (4) Gravel Pack, Thickness 1/4 x 1/8 Rock, Length of gravel pack 15'

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

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

(1) Water Bearing Materials. (Attach a copy of test well log)

- Depth to top of water bearing material 34'
- Depth to bottom of water bearing material 62'
- Depth to water (ground surface to water level) 34'

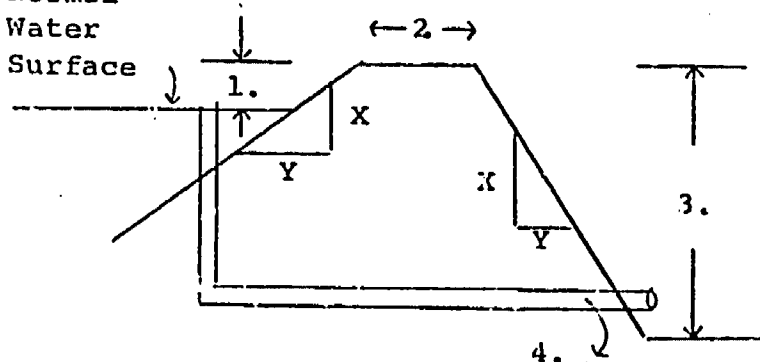
(2) Distance to nearest existing household or livestock watering well.

- On same owner's property 1/4 mile rds.
- On property owned by others 1/2 mile 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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.

Normal
Water
Surface



1. Freeboard _____
2. Crest width _____
3. Height of Dam _____
4. Outlet dimensions:
Pipe diameter _____
Spillway width _____
- X & Y slope:
Upstream _____
Downstream _____
Surface area of impoundment _____
- Drainage area above dam _____

Wm. J. Hylman
Signature Applicant

No. 4792-3

Publish first publication, on or before August 21, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 6, 1981

Notice is hereby given that Myrl & Roy's Paving Inc.

whose post office

address is Sioux Falls, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 1.00 (non-consumptive) cubic feet of water per second of time from groundwater

(one well) through the Myrl & Roy's wash plant, the point of diversion of which is (see) to be located in the W&S

of Section 11, Twp. 101N, Range 49W. Said water to be used for the purpose of providing ~~irrigation on portions of the following described land:~~
water supplies for commercial use

This Application No. 4792-3 will be considered by the Water Management Board at the Starline Inn, STAUROLITE Brookings, South Dakota upon the 7th day of October, 1981 at 10 A. M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Myrl & Roy's Paving Inc.
1500 E 39th St North
Sioux Falls SD 57105

BETTY WESTLUND
Water Rights Specialist

WNR-806A-7/79 Notice of Intent to Appropriate Water
GROUNDWATER

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

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Minnehaha) ss.

I, David Licko hereby

certify that the annexed printed copy of Intent to Appropriate

Water was taken from the Argus Leader

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 Sioux Falls of _____

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

Friday, August 23, 1981

Friday, August 28, 1981

(Signature)

Controller

(Title)

August 28, 1981

(Date Signed)

Cost of Printing: _____

104" @ \$3.61/inch = \$37.00

State Notices

NOTICE OF HEARING ON APPLICATION TO APPROPRIATE WATER

Notice is hereby given that Myrli & Roy's Paving Inc. whose post office address is Sioux Falls, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-1 thru 46-2-11, 46-2-12; 46-3-1 thru 46-3-9; 46-4-1 thru 46-4-22, 46-4-41; 46-5-1, 46-5-2, 46-5-3, 46-5-4, 46-5-5, 46-5-6, 46-5-10, 46-5-14 and Board Rules ARSD 22:01-01; 22:01-02 for a permit to appropriate for beneficial use 1.00 (non-consumptive) cubic feet of water per second of time from groundwater (the well) through the Myrli & Roy's wash plant, the point of diversion of which is to be located in the NW 1/4 SE 1/4 of Section 11, Twp. 101N, Range 47W. Said water is to be used for the purpose of providing water supplies for commercial use.

This Application No. 4792-3 will be considered by the Water Management Board at the Staurpilte Inn, Brookings, South Dakota upon the 7th day of October, 1981 at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-24 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD
BETTY WESTLUND
Water Rights Specialist
222 AUG. 21 & 26, 1981



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7455

PIERRE, April 14

1920

RECEIVED OF Myrl & Roy's Paving Inc, 1500 E 39 St N, Sioux Falls SD 58104

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

Fee for Application for Permit to Appropriate Water No. 4702-3 (examination, processing, recording and filing)	150	00
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	15	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH kw

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

Post Office _____

Date 11-17-81

TO: Water Rights Commission
Joe Foss Building
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 maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No. _____.

Water Right Permit No. 4792-3 states that the diversion system is to be constructed by Ed Lacey & Sons, and that the water is put to beneficial use by Myer & Roy's Paving.

The diversion system was completed on 5-29-79. Applying the water to beneficial use was completed on 6-29-79.

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.

Myer & Roy's Paving
(Signature)

**South Dakota Department of
Water & Natural Resources**

Joe Foss Building Water Rights, Water Management Division
Pierre, South Dakota 57501 (605) 773-3352

November 23, 1981

Myri & Roy's Paving Inc.
1500 E 39th St N
Sioux Falls SD 57104

Dear Sirs:

Your Notice of Completion of Works and/or Application of
Water to Beneficial Use under Water Right Permit No. ~~4792-3~~

dated November 17, 1981 was received November 20, 1981.

We will endeavor to schedule an inspection of your project
as soon as possible. However, because of prior work
commitments there may be a considerable interval of time.

You have thus far complied with all of the requirements and
the intervening time between your notifying this office and the
performance of the inspection will not affect the completing
of your Water Right.

Should you have future questions, please feel free to contact
this office.

Sincerely,

KAREN SCHLAACK
Administrative Secretary

NOTE: The enclosed Permit No. 4792-3 is for your records.

Permit No. 4792-3

Big Sioux Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

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

I have this day made a thorough examination of the water use system constructed by Myrl and Roy's Paving of 1500 E. 34th St. N, Sioux Falls, SD 57104 holder of Permit No. 4792-3, bearing the priority of July 23, 1981 authorizing the diversion of 1.0 cu. ft. per second ~~and/or the storage of acre-feet of~~ of the waters of Big Sioux Aquifer for commercial purposes, in Minnehaha County.

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

A. Works used to divert the water:

One Well - 63' deep with unknown length of 14" steel casing and 14" CSI .050 slot-sized screen; Deming Vertical Turbine pump, unknown No of stages, Model No. 4700, 8", 450 GPM, Pressure unknown; US Motor, Model No. 364UP, 40 HP.

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

600' of 8" PVC pipe

C. Works used to apply water to beneficial use:

Water is pumped to sand plant and sprayed over sand then drained to 2 separate settling ponds where water infiltrates into the ground.

The system is in the following condition fair. The point of diversion is located 1809'W and 2305'N of the SE corner of Section 11-T101N-R49W, Minnehaha County, SD. The works are capable of diverting and conveying to the place of use 1.0 cu. ft. per second of water ~~and/or storing acre-feet of water~~ which is to be used for commercial use in sand plant.

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

Section 11-T101N-R49W:

Well and sand plant located in NW1/4 SE1/4 Section 11-T101N-R49W

and the license should be issued for 1.0 cfs ~~and/or acre-feet of storage~~

Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are: None Date 1/22/92

Gregory C. Johnston
Natural Resources Engineer
DENR, Water Rights Division

Gregory C. Johnston

LICENSE FOR PERMIT NUMBER 4792-3

1. Legal location of wells: 1809'W and 2305'N of the SE corner of Section 11-T101N-R49W, Minnehaha County, SD

Dams and Structures 2 Settling Ponds in NW1/4 SE1/4 11-101N-R49W

2. Well Information: Well Drilling Firm Lacey Drilling

Completion Report? Yes X No No. of Wells 1 Depth(s) 63 feet

Casing a) diameter 14 inches Screen a) type LCS (.050 s' c size)

b) length Unknown feet b) length Unknown feet

c) type Steel Static Water Level 34 feet

Pump a) make Deming Motor a) make US Motor

b) model 4700 Vert. Turbine b) model no. 364UP

c) size 3" c) horsepower rating 40

d) capacity 450 GPM d) serial no. Unknown

e) turbine pump - no. of stages Unknown

f) operating PSI Unknown

3. Distribution lines or canals

a) size 8 inches

b) type PVC

c) length 600 feet

4. System Type:

Water used to wash sand and then is pumped to two settling ponds where it is allowed to infiltrate back into aquifer.

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project

Yes	No	Check Items
<u>N/A</u>		1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
<u>X</u>		2. Special qualifications to permit being abided by?
<u>X</u>		3. All structures, wells and lands on map?
<u>N/A</u>		4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
<u>N/A</u>		5. Is chemigation used?
<u>N/A</u>		6. If yes, does equipment comply with chemigation rules?

REMARKS:



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 22, 1992

4792-3

Myrl & Roy's Paving
1300 N Bahnson
Sioux Falls, SD 57103-3442

Dear Sirs:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 4792-3, has been completed. Your final water right document, the Water License, can now be issued.

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

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, _____ May 12, 19 92

RECEIVED OF Myrl & Roy's Paving, 1300 N. Robinson Ave. Sioux Falls, SD 57103-3442
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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. <u>4792-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By

John Hatch
Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4792-3

(1) Myrl & Roy's Paving of 1300 N. Bahnson Ave., Sioux Falls, SD 57103-3442 made Application No. 4792-3, April 10, 1980 for a water permit to appropriate 1.00 cubic feet of water per second from groundwater (one well), Minnehaha County, South Dakota for commercial purposes. Permit No. 4792-3 with a priority date of July 23, 1981 was approved April 10, 1980 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before November 7, 1981 and for the application to beneficial use of said water on or before November 7, 1981.

(2) It is certified that the applicant 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 1.0 cubic feet of water per second for beneficial use. The location of the diversion point is: 1809'W and 2305'N of the SE corner of Section 11, T101N, R49W (NW 1/4 SE 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use. The water is used in a commercial sand and gravel washing plant located in the NW 1/4 SE 1/4 Section 11, T101N, R49W.

(4) Pursuant to Section 46-5-30.1 Myrl & Roy's Paving of 1300 N. Bahnson, Sioux Falls, SD 57103-3442 the holder(s) and/or owner(s) of Water Permit No. 4792-3 is issued a license to appropriate water, the right to use 1.0 cubic feet of water per second from groundwater (one well) with a priority date of July 23, 1981 from the location specified in (2) of this license. The water is for the purpose of commercial sand and gravel washing. This license is subject to any limitations or qualifications listed in Water Permit No. 4792-3 and subject to South Dakota State Law.

 **AUG 7 1982**
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources



AUG 7 1992

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

4792-3

Myrl & Roy's Paving
1300 N. Bahnson
Sioux Falls, SD 57103-3442

Dear Sirs:

Enclosed is Water License No. 4792-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413207 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SD2L 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 4792-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

enclosures

NOT TO SCALE

NO. 4792-3

MYRL & ROY'S PAVING

SIoux FALLS, SD

DRAWN BY:

Gregory C. Johnston

Gregory C. Johnston

Natural Resources Engineer

Water Rights Division

Pierre, SD

2/20/92

NW 1/4 SE 1/4
Section 11-
101N-R49W

Holding Ponds

Well

Wash
Plant

1809'

(108)

2305'

36.2

Dropped

① T 2239

T 2123

T 2240 01-49

T 2235

T 29
87.4

3.7

6.8

N

1" = 730'

9.8

T 2234

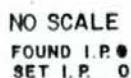
T 2224

T 2196

Well
3305' N
1809' W of
SE corner

4792-3

MYRL & BOYS PAVING

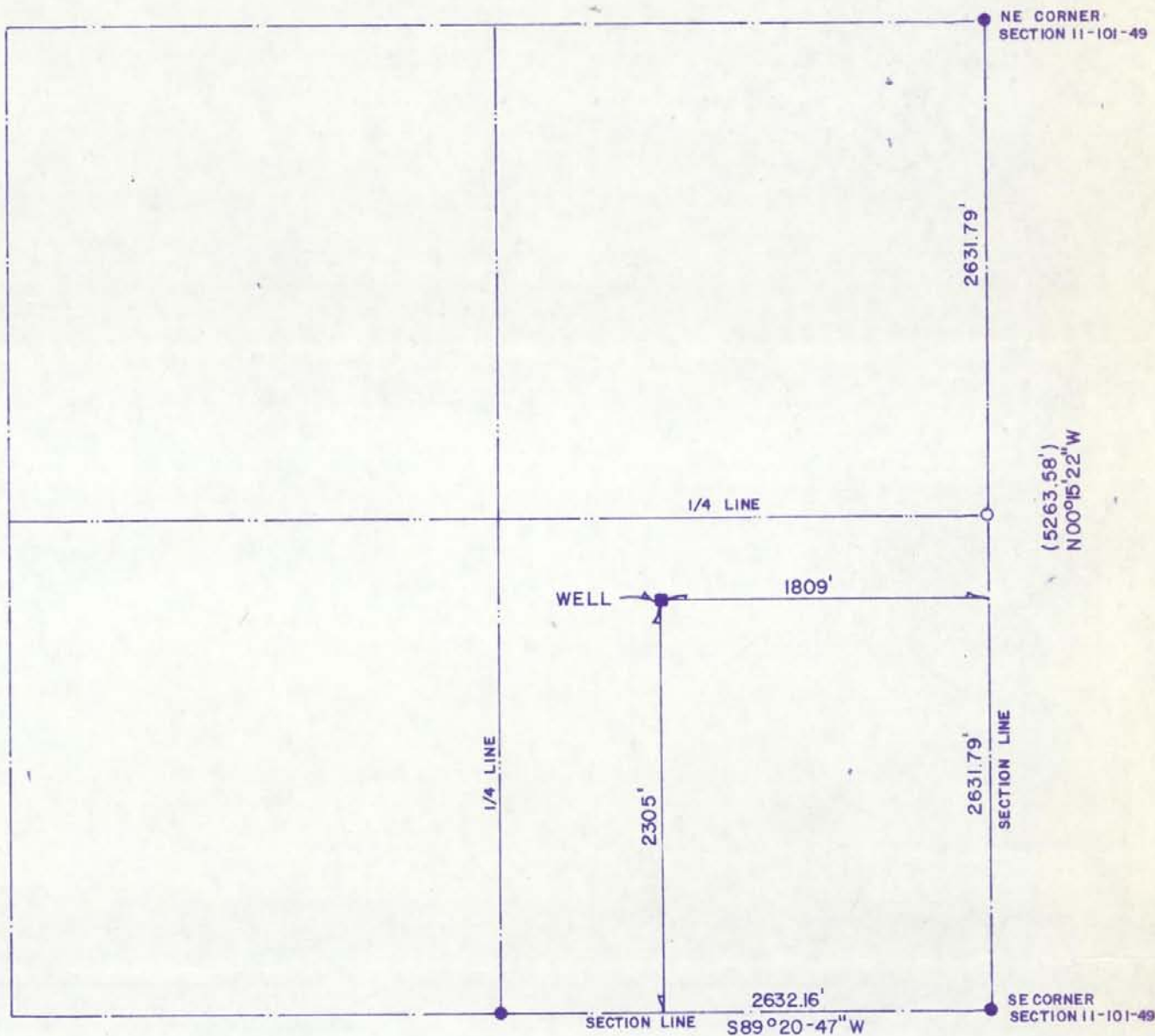


~~Nguyen, [unclear]~~ APPL # 4792-3

BY D.A.N. DATE 5-9-80
CHKD BY DAN DATE 5-9-80

SUBJECT WELL LOCATION SE 1/4 11-101-49
MINNEHAHA COUNTY, SOUTH DAKOTA.

SHEET NO. 1 OF 1
JOB NO. 80224
MYER & BOYS PAVING



NO SCALE
FOUND I.P. 0
SET I.P. 0



Map No. 4001-3 APPL # 4792-3

NOTICE OF TRANSFER OF OWNERSHIP

PAID

FEB - 3 2020

For assistance call (605) 773-3352

RECEIVED

Ck# 231795

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

FEB 03 2020

WATER RIGHTS
PROGRAMWater Right/Permit No. 4792-3Date: January 8, 2020I/We request that Water Right/Permit No. 4792-3 formerly owned by:Myrl & Roy's Paving Inc.

be transferred to:

New Owner Name: L. G. Everist, Inc.Address: 350 S Main Ave, Suite 400City, State, Zip Sioux Falls SD 57104 Telephone No. 605-334-5000

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

L. G. Everist, Inc. has purchased Myrl & Roy's Paving Inc.

☒ I understand that the validity of Water Right/Permit No. 4792-3 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, Chris Klein, 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 and the water used, the permit becomes a right. A water right may be lost for three reasons:

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

4792-3

RECEIPT

WATER RIGHTS PROGRAM
 South Dakota Department of Environment and Natural Resources

Date February 3, 2020RECEIVED OF L G Everist Inc. 350 S Main Ave, Suite 400 Sioux Falls SD 57104

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>4792-3</u>	\$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 Janne Goodman
 Chief Engineer
 dm

4792-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 2020

4792-3
5996-3
7201-3
7787-3

Chris Klein
L G Everist Inc
350 S Main Ave Suite 400
Sioux Falls SD 57104

Dear Mr. Klein:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership in Water Right Nos. 4792-3 & 5996-3 and Water Permit Nos. 7201-3 & 7787-3.

The ownership changes have been completed. The above listed water rights and water permits formerly held by Myrl & Roy's Paving Inc are now listed under L G Everist Inc.

Enclosed for your records are receipts for the filing fees that were paid. If I can answer any questions for you, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Genny McMath', is written over a horizontal line.

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

FILE NO. 4792-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: LG Everist Inc., c/o Chris Klein, 350 S Main Ave Suite #400, Sioux Falls, SD 57104

DATE: 09/24/2026

TELEPHONE: 605-334-5000

RE: Cancellation of Permit No. 4792-3

COMMENTS:

Water Rights Program Staff received an email from Chris Klein regarding Water Right No. 4792-3. She stated that they had mined through the location of the well and it doesn't exist anymore therefore they would like to cancel this water right.

Shannon Konst

Shannon Konst
Water Rights Program