

Considered: _____

WATER PERMIT NO. 5133-3

MAP No. same

Name of Applicant Concrete Materials

Post Office Address P.O. Box 84140, Sioux Falls, SD 57118

Amount of Water Claimed 0.04 cfs Total Acres NA

Source of Water Supply ground water 1 well

Water to be used for office & restroom facilities County Minnehaha

About _____ miles _____ of Sioux Falls.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received April 6, 1987 Fee 50.00 Remarks _____

Corrected Application Received _____ Period of Annual Use _____

WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point well: W 1/2 NE 1/4 section 11 -

T101N-R49W

Land to be Irrigated NA

		⊗			
		11			

Well Log: Driller Lacey Licensed YES ☒ NO _____

Depth of Well 30 feet REMARKS _____

Type of Map Topo PREPARED BY Walter Sweetman Reviewed and the Number

assigned on April 28, 1987 By Ron D. Swall

No. 5133-3 Hydrologic Unit 10170203
 Map No. same Basin Big Sioux River
 Newspaper Argus Leader, PO Box 5034 (daily)

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

Check use of water: Industrial ☐ Commercial ☒ Municipal ☐ Other Common Distribution System ☐
 Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
 Domestic ☐ (above 18gpm) Other ☐

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐☐ Amend Permit No. _____ with old priority date retainedChange diversion point(s) ☐ Add diversion point(s) ☐ Other ☐ _____☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____☐ Construction to use water reserved by Future Use Permit No. _____

- Name of Applicant CONCRETE MATERIALS Phone No. (605) 336-2928
 Post Office Address Post Office Box 84140, Sioux Falls State South Dakota Zip Code 57118
(Street, RR or Box)
- Amount of water claimed (c.f.s) 0.04
- Source of water supply well
- Location of point of diversion NE 1/4 Section 11; T101N-R49W
 _____ County Minnehaha
- Counties where water will be used Minnehaha County
- Annual period during which water is to be used All year around. January 1 - December 31
- Give a brief description of proposed 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)

To supply small office building for restroom facilities.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA)
 County of MINNEHAHA)^{ss}

I, JERRY T. NUSBAUM, AGGREGATE DIVISION MGR., CONCRETE MATERIALS the applicant, certify that I have read the foregoing application, 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 Jerry T. NusbaumSubscribed and sworn to before me this 30th day of MARCH 19 87

Richard M. Johnson
 Notary Public (or other qualified officer)
 RICHARD M. JOHNSON, NOTARY
 MY COMMISSION EXPIRES OCTOBER 18, 1991.

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. _____

(Applicant)

(Post Office Address)

(State)

(Zip Code)

With the following qualifications.

SEE ATTACHED SHEET

Date of first receipt of application _____, 19____.

Date of return to applicant for correction, amendments or changes required _____, 19____.

Date of receipt of corrected application _____, 19____. Approved _____, 19____.

The Water Management Board hereby approves this Water Permit No. _____ authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is _____, 19____.
2. The equivalent of at least one-fifth of the specified work is to be completed on or before _____, 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 _____, 19____.
5. The water appropriated shall be used for the purpose of _____

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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed _____ 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 to which water is actually and beneficially applied for _____ on or before _____, 19____; said water to be used during the following described annual period: _____

WATER MANAGEMENT BOARD

By: _____

Chief Engineer

Division of Water Rights
Dept. of Water and Natural Resources

_____, 19____

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 5133-3

Concrete Materials

(Applicant)

P.O. Box 84140

(Street, RR or Box)

Sioux Falls, South Dakota 57118

(City)

(State)

(Zip Code)

With the following qualifications.

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.

Date of first receipt of application April 6, 1987

Date of return to applicant for correction, amendments or changes required _____, 19____

Date of receipt of corrected application _____, 19____. Approved September 9, 1987

The Water Management Board approved this Water Permit No. 5133-3 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is April 6, 1987
2. The equivalent of at least one-fifth of the specified work is to be completed on or before March 9, 1990
3. The whole of said work is to be completed on or before September 9, 1992
4. The limit of time for proof of beneficial use of water appropriated in accordance herewith is September 9, 1996
5. The water appropriated shall be used for the purpose of commercial use to supply a small office building
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 unlawfully impaired by this appropriation.
7. The amount of the appropriation granted shall not exceed 0.04 cubic feet per second; neither shall it exceed the amount of water needed for the beneficial uses served and to which water is actually and beneficially applied for commercial use on or before September 9, 1996. The water is to be used during the following described annual period: January 1 - December 31

WATER MANAGEMENT BOARD

By: _____

John Hatch
Chief Engineer

JOHN HATCH

Division of Water Rights

Dept. of Water and Natural Resources

NOV 3 1987

_____, 19____

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth 30 feet
- b) Casing Type Plastic Diameter 8 inch Thickness _____
- c) Screen Type Plastic Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth of Water (ground surface to water level) 20 feet
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

2. Dugout Information Estimates

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

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should 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) Outlet Dimensions:
Pipe diameter _____

Spillway width _____

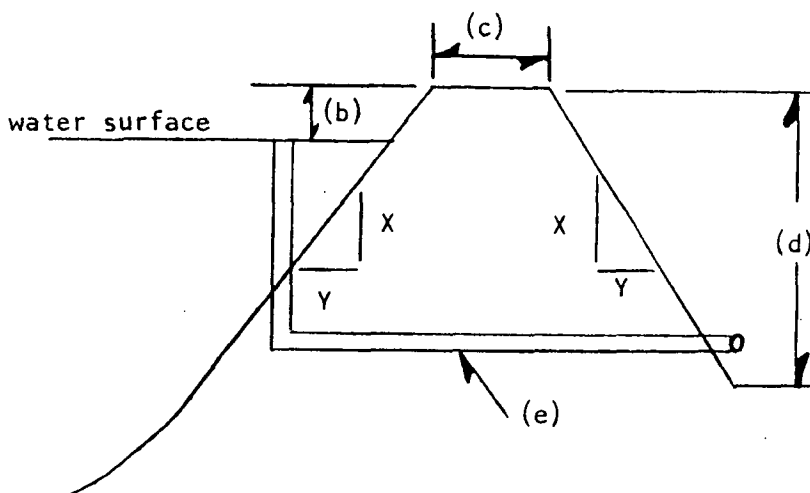
f) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



X

Signature of Applicant

In Water Since 1946

LACEY WELL DRILLING

Box 796

Trent, South Dakota 57065

Telephone 428-5686 or 428-5979

Pumps

Water Specialists

Water Source Heat Pumps

Wells
Best Drilling
Irrigation Supplies

1-24-87

John-

HERE'S A LOG ON THE WELL AT THE
SCALE AT THE BRADEN ROAD PLANT.

Dug 8-11-86
0-5' Fill gravel, 5-20 clayey sand,
20-24 sand, 24-27 mudlens-27-30 coarse
gravel, 30' HARD BLUE CLAY. Finished with
A slotted PVC casing & 1" pitless adapter & lid
Also furnished 24" steel casing to protect
well,

Thanks

Jim
Lacey

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

SE 1/4 SE 1/4 Sec 2 Twp 101N Rg 49W

Well Owner:

Name

Address

Well Log:

Depth

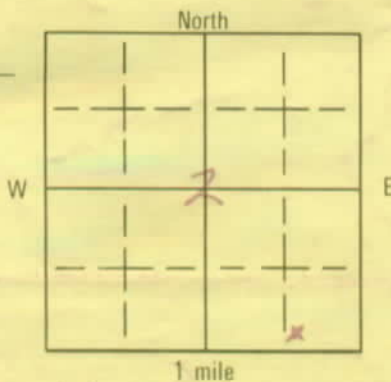
Formation

From

To

Fill Gravel	0	5
Clayey Sand	5	20
Fine Sand	20	24
Mud lens (Brown)	24	27
Coarse Gravel	27	30
Hard Blue Clay	30	

Please mark well location with an "X"



Well Completion Date

PROPOSED USE:

- ☒ Domestic ☐ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT DIAMETER FROM TO HOLE DIAMETER

LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUT:

Was the well grouted? ☒ YES ☐ NO

To what depth? 20' FEET

What is grouting material? Clay + bentonite

If cement, number of sacks?

Describe grouting procedure

What was grout weight? LB/GAL

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter 8" IN Length 4' FEET

Material Slotted plastic

Slot Size Set From Feet To Feet

Slot Size Set From Feet To Feet

Slot Size Set From Feet To Feet

Other information

Was a packer or seal used? ☐ YES ☒ NO

If so, what material?

Describe packer(s) and location?

Was well disinfected upon completion? ☒ YES ☐ NO

Explain chlorinated packer backfill

Bacteriological analysis ☐ YES ☒ NO

Laboratory sent to

STATIC WATER LEVEL 20' Feet

If flowing: closed in pressure PSI

GPM flow through inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other: specify

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped☐ Bailed

Describe:

☐ Other

Pumping Level Below Land Surface

25 ft. After 3 Hrs. pumped 30 GPM

ft. After Hrs. pumped GPM

ft. After Hrs. pumped GPM

REMARKS:

protected casing with
piece of 24" steel
casing set around
it due to traffic

This well was drilled under license # 111

And this report is true and accurate.

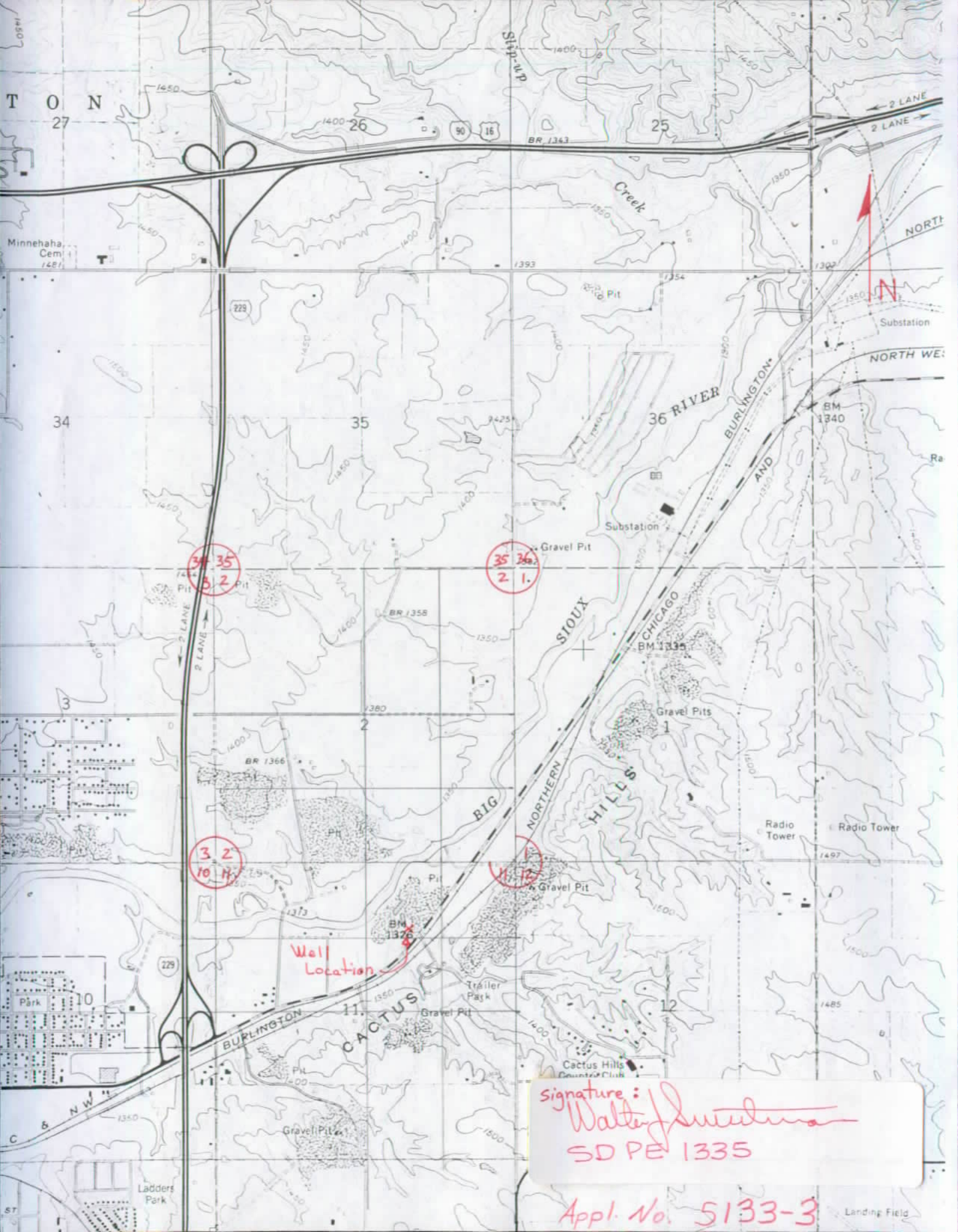
Drilling firm LACEY Well Drilling

Signature of License Representative:

Signature of Well Owner:

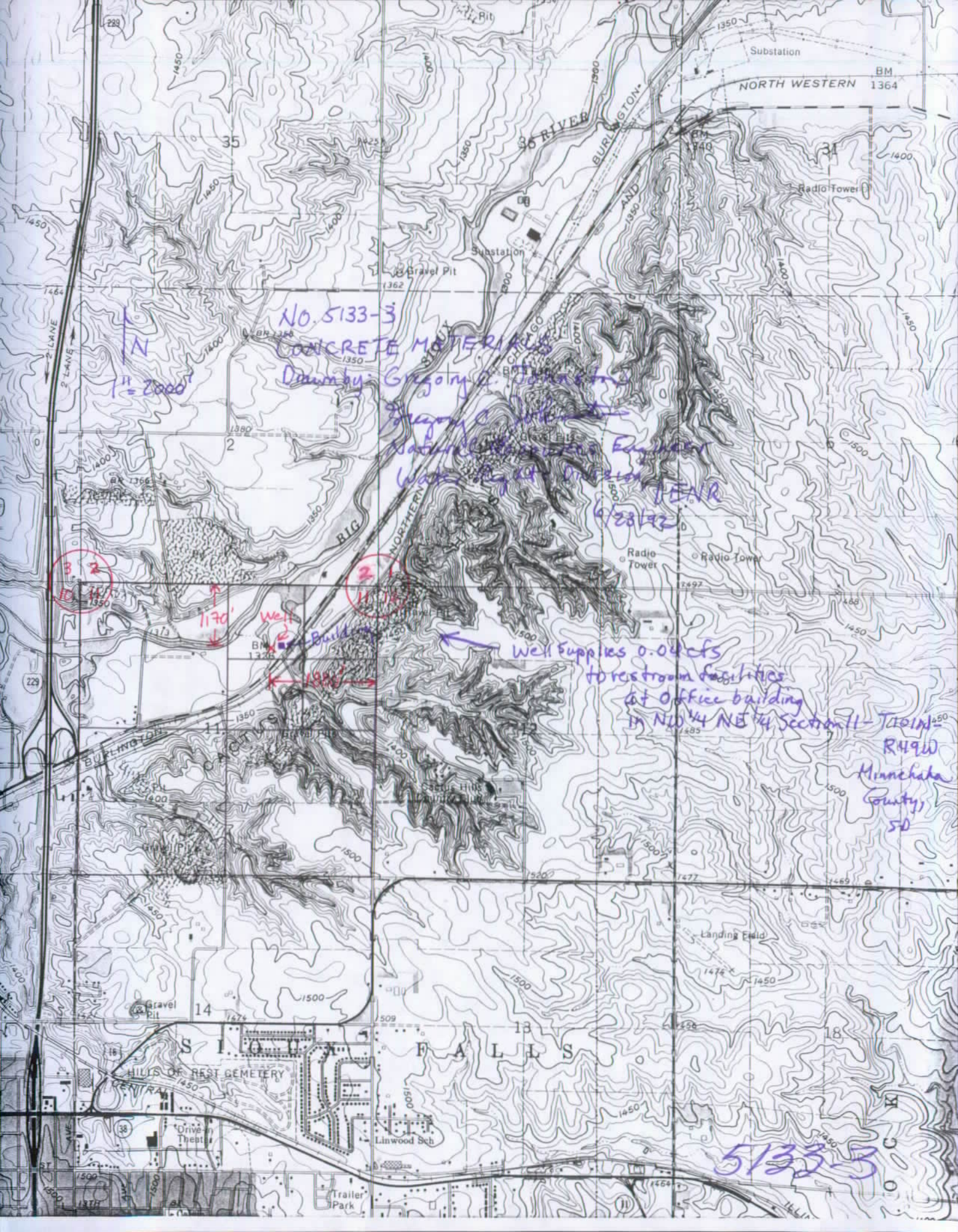
Date

9-2-86



Signature: *Walter J. Smith*
SD PE 1335

Appl. No. 5133-3



NO. 5133-3

CONCRETE MATERIALS

Donor by Gregory C. Johnson

Gregory C. Johnson
Natural Resources Engineer
Water Rights Division DENR
6/28/12

Well Supplies 0.04 cfs
to restroom facilities
at office building
in NW 1/4 NE 1/4 Section 11 - T10N
R49W
Minnehaha
County,
SD

5133-3

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410807

Pierre, April 6, 19 87

RECEIVED OF Sweetman Construction Co. PO Box 84140, Sioux Falls SD for Concrete Materials

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

Fee for Application for Permit No. <u>5133-3</u> to Appropriate Water, to construct works 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 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

JOHN HATCH

KS



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

*used for sanitation purposes
in a cabin office
need permit*

*spoke to Vern Bultje
mail room*

September 2, 1986

SD 5710 4

Concrete Materials Co. 336-2928
1201 W. Russell
Sioux Falls, South Dakota 57101

21

Dear Sir:

A well drillers report filed with this office by Lacey Well Drilling indicates you have recently completed a new well. The well driller is required by South Dakota Compiled Laws (SDCL 46-6-11) to file a well construction report within 30 days of completion. The purpose of this letter is to provide general information and to inform you, the well owner, of the responsibilities you have incurred.

1. If your new well was drilled as a replacement well and if you do not plan to use the old well, the old well is considered abandoned and must be plugged pursuant to SDCL 46-6-27. Other abandoned wells must also be plugged.
2. If the old well is not to be abandoned, or will be used, the well must still be sealed or capped at the surface pursuant to SDCL 46-6-27.

General Information. The following is being provided to all new well owners for information purposes and may not apply to you.

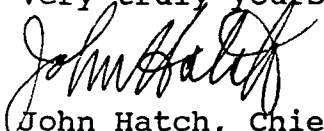
1. If a well will be allowed to flow or will be pumped more than 18 gallons per minute (gpm) or if a person intends to use more than 18 gpm or more than 26,000 gallons per day (average of 18 gpm) for domestic use, a water permit is required pursuant to SDCL 46-1-6(4) and (6), 46-1-15, 46-5-8 and Water Management Board Rules 74:02:01:01(1) and 74:02:01:03. A pump larger than 18 gpm may be used as long as the total daily domestic use does not exceed 26,000 gallons per day (gpd). Water for geothermal heating and/or cooling for a home is domestic use, and may be used without a water permit, if the use is no more than 18 gpm.
2. State laws require all flowing wells to be controlled to prevent waste. No matter what the flow of the well, the well must be controlled to produce only the amount of water needed. This is a continuing responsibility of the well owner pursuant to SDCL 46-6-10, 46-6-14 and 46-6-21.
3. Any common distribution system such as a city, town, subdivision or rural water system that pumps or diverts more

than 18 gpm is required by SDCL 46-5-8.2 to have a water permit.

4. A water permit is required pursuant to SDCL 46-1-15 to use water for commercial business operation, industrial purposes, mining or irrigation of more than 1/2 acre.

Please feel free to contact us if you have questions, need information or water permit application forms.

Very truly yours,



John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

cc: Well Driller

S514.wr

SOUTH Dakota Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

November 25, 1986

Vern Bultje
Concrete Materials Company
1201 W Russel
Sioux Falls SD 57104

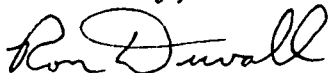
Dear Mr. Bultje:

This letter is in response to our telephone conversation on November 20, 1986 regarding the construction of a well in August of 1986 for use in a scale office.

Enclosed are water permit application forms and an instruction sheet. A map also needs to be submitted with the permit application. The enclosed map covers the area of the well location according to the well log description. Mark the well location with an "X" and have the map signed according to the enclosed instructions.

Please complete the application forms with the map and return with the application fee. Contact us if you have any questions.

Sincerely,



RON DUVALL
Natural Resources Engineer

RD:ks

enclosures

REPORT ON APPLICATION NO. 5133-3
CONCRETE MATERIALS
MAY 12, 1987

This application proposes to appropriate 0.04 cfs from one well 30 feet deep located in the W 1/2 NE 1/4 of Section 11, T101N, R49W. The water is used to supply a small office building owned by Concrete Materials.

Aquifer - Big Sioux South (BS:S)

The Big Sioux South Aquifer consists of alluvium mantled Pleistocene aged outwash (sand and gravel). The aquifer probably averages 30 feet in thickness in this area and is under water table conditions. The aquifer is in hydraulic connection with the Big Sioux River. The aquifer underlies 17,200 acres, confined primarily to the area of the floodplain, and has approximately 20,640 acre-feet of water in storage (Hedges, 1982). Water Rights monitors an observation well MA-80AA which is located less than 1/2 mile from this application (Water Rights, 1987). Water levels taken from the well reflect the general climatic conditions and the stage of the Big Sioux River.

Review of Existing Water Rights

There are 3 water permits in this same section for water from the BS:S Aquifer (1618-3, 1908-3, 4792-3). Two of these are for gravel washing and the other for commercial use (a trailer court). The diversion rate is small for this application and interference will not be a problem.

Conclusions

1. Water is available from the Big Sioux South Aquifer.
2. Interference will not be a problem. Drawdowns caused by pumping from the Big Sioux Aquifer are minimal. Also, this diversion rate is very small.
3. The well construction is adequate although a variance should have been requested to complete a well in this manner.
4. I would suggest periodic testing of the well water because this is in an industrial area and contamination could be a problem.


JAMES A GOODMAN
Hydrologist

Bibliography

Hedges, L.S., S. L. Burch, D. L. Iles, R. A. Barari, R. A. Schoon, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, For US Army Corps of Engineers, DWNR, SDGS, Vermillion SD 57069.

Water Rights Division, 1987, Observation Well MA-80AA, DWNR, Division of Water Rights, Joe Foss Building, Pierre SD 57501.

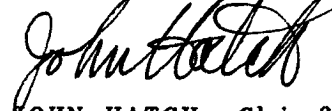
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5133-3

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 5133-3, Concrete Materials, PO Box 84140, Sioux Falls SD.

The Chief Engineer is recommending APPROVAL of Application No. 5133-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) 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 the attached report for additional information.



JOHN HATCH, Chief Engineer
May 26, 1987



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
(605) 773-3352

May 28, 1987

NOTE:

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

Concrete Materials
PO Box 84140
Sioux Falls, South Dakota 57118

Dear Sir:

Your Application No. 5133-3 for a permit to appropriate water for

office & restroom facilities use, has been examined and found to
comply with the South Dakota Water Laws and applicable rules. A notice of
your intent to appropriate water has been sent to the Publisher of the

Argus Leader printed at Sioux Falls,

South Dakota. For your information, a copy of this notice, the recommendation
of the Chief Engineer and a report on the application are enclosed. Please
review this notice prior to publication and notify this office, if you have
any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION
OF YOUR NOTICE OF INTENT TO APPROPRIATE WATER 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 at least twenty days before the board
meeting. We must receive Proof of Publication before the application can be
considered by the Water Management Board.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ron Duvall".

RON DUVAL
Natural Resources Engineer

enclosures



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol

Pierre, South Dakota 57501-3181

Water Rights Division
605 773-3352

May 28, 1987

Argus Leader
P.O. Box 5034
Sioux Falls, South Dakota 57117

Dear Sir:

Enclosed is a Notice of Intent to Appropriate Water by Concrete Materials
Application No. 5133-3, in Minnehaha County, South Dakota. Please
publish this notice once each week for two consecutive weeks in your paper. The
first publication should be on, or before June 4, 1987.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you
make the first publication. The applicant is to pay the cost of publication and
should make the necessary arrangements with you to pay these costs.

A copy of BOTH publications must be sent to the Water Rights Division. IMMEDIATELY
after the FIRST publication, return a copy of the notice with the FIRST Publication
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 before the second
notice is published.

Please be sure the SECOND publication is returned with the enclosed Proof of
Publication form. The permit application cannot be considered by the Water
Management Board until proof of publication has been received.

Thank you for your assistance.

Sincerely,

RON DUVALL
Natural Resources Engineer

cc: applicant

***** CUT HERE *****

FIRST
Publication
Transmittal

No. _____ Date _____
TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

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

NAME _____ NEWSPAPER _____

Equal Opportunity Employer

No. _____

Instruction to Newspaper - Publish first publication of the following Notice on or before June 4, 1987 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5133-3 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that Concrete Materials whose mailing address is P.O. Box 84140, Sioux Falls, South Dakota has made an application for a permit to appropriate 0.04 cubic feet of water per second from one well (Big Sioux-South) located in the W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 11-T101N-R49W. Water is used to supply a small office building owned by Concrete Materials.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5133-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, July 8 1987 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by June 26, 1987. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~ 46-5-38 thru 46-5-40; ~~(transfer lands)~~ 46-5-30.4, 46-5-33 thru 46-5-35; ~~(10,000 AFA)~~ 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, ~~(future use)~~ 74:02:01:24 thru 74:02:01:25; ~~(10,000 AFA)~~ 74:02:01:15.02 thru 74:02:01:15.05.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNr, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by June 26, 1987.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

WATER RIGHTS DIVISION
(605) 773-3352

June 30, 1987

Jerry T. Nusbaum, Aggregate Division Manager
Concrete Materials
P.O. Box 84140
Sioux Falls, South Dakota 57118

Dear Mr. Nusbaum:

This letter is to inform you that Water Permit Application No. 5133-3 will not be considered at the Water Management Board meeting on July 8, 1987. Notice of hearing was not published in an official county newspaper as required by law. A staff member of the Argus Leader stated that the newspaper was not instructed to advertise the legal notice. The applicant (Concrete Materials) is to authorize publication of the legal notice by contacting the newspaper. Enclosed are copies of the legal notice and the letters sent to the Argus Leader and Concrete Materials.

The advertising deadline for the July Board meeting was on June 18, 1987. Therefore, another notice will be sent to Concrete Materials and the Argus Leader for publication. The next scheduled Board meeting is on September 9, 1987. Please contact us if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Ron Duvall".

Ron Duvall
Natural Resources Engineer

RD:ms
Enc.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
605 773-3352

July 1, 1987

Sioux Falls Argus Leader
P.O. Box 5034
Sioux Falls, South Dakota 57117

Dear Sir:

Enclosed is a Notice of Intent to Appropriate Water by Concrete Materials
Application No. 5133-3, in Minnehaha County, South Dakota. Please
publish this notice once each week for two consecutive weeks in your paper. The
first publication should be on, or before July 10, 1987.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you
make the first publication. The applicant is to pay the cost of publication and
should make the necessary arrangements with you to pay these costs.

A copy of BOTH publications must be sent to the Water Rights Division. IMMEDIATELY
after the FIRST publication, return a copy of the notice with the FIRST Publication
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 before the second
notice is published.

Please be sure the SECOND publication is returned with the enclosed Proof of
Publication form. The permit application cannot be considered by the Water
Management Board until proof of publication has been received.

Thank you for your assistance.

Sincerely,

RON DUVALL
Natural Resources Engineer

cc: applicant

***** CUT HERE *****

FIRST Publication Transmittal No. _____ Date _____
TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

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

NAME _____ NEWSPAPER _____

Equal Opportunity Employer



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
(605) 773-3352

July 1, 1987

NOTE:

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

Concrete Materials
P.O. Box 84140
Sioux Falls, South Dakota 57118

Dear Sir:

Your Application No. 5133-3 for a permit to appropriate water for

office & restroom facilities use, has been examined and found to
comply with the South Dakota Water Laws and applicable rules. A notice of
your intent to appropriate water has been sent to the Publisher of the

Argus Leader

printed at Sioux Falls,

South Dakota. For your information, a copy of this notice, the recommendation
of the Chief Engineer and a report on the application are enclosed. Please
review this notice prior to publication and notify this office, if you have
any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION
OF YOUR NOTICE OF INTENT TO APPROPRIATE WATER 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 at least twenty days before the board
meeting. We must receive Proof of Publication before the application can be
considered by the Water Management Board.

Sincerely,

RON DUVAL
Natural Resources Engineer

enclosures

No. 5133-3

Instruction to Newspaper - Publish first publication of the following Notice on or before July 10, 1987 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5133-3 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that Concrete Materials whose mailing address is P.O. Box 84140, Sioux Falls, South Dakota has made an application for a permit to appropriate 0.04 cubic feet of water per second from one well (Big Sioux-South) located in the W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 11-T101N-R49W. Water is used to supply a small office building owned by Concrete Materials.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends

APPROVAL of Application No. 5133-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota September 9, 1987 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by August 28, 1987. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2 46-5-30.4, 46-5-31; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~ 46-5-38 thru 46-5-40, ~~(transfer lands)~~ 46-5-30.4, 46-5-33 thru 46-5-35; ~~(10,000 AFA)~~ 46-5-20.1, 46-5-8.1, and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, ~~(future use)~~ 74:02:01:24 thru 74:02:01:25; ~~(10,000 AFA)~~ 74:02:01:15:02 thru 74:02:01:15:05.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by August 28, 1987.

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Minnehaha) ss.

I, Mary J. Devish hereby

certify that the annexed printed copy of Notice 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:

Saturday, July 11, 1987

Saturday, July 18, 1987

Mary J. Devish
(Signature)

Assistant Controller

(Title)

7/20/87

(Date Signed)

Cost of Printing: 77.08

NOTICE OF HEARING
on Application No. 5133-3 to
Appropriate Water

Notice is hereby given that Concrete Materials whose mailing address is P.O. Box 84140, Sioux Falls, South Dakota has made an application for a permit to appropriate 0.04 cubic feet of water per second from one well (Big Sioux-South located in the W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 11-T101N-R49W. Water is used to supply a small office building owned by Concrete Materials.

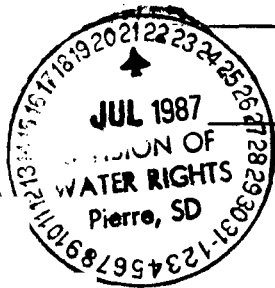
Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5133-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota September 9, 1987 at 10:00 am. The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by August 28, 1987. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner. The legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13, thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74-02:01:01 thru 74-02:01:15.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre, SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by August 28, 1987.





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

NOV 3 1987

Concrete Materials
PO Box 84140
Sioux Falls, South Dakota 57118

Dear Sir:

Enclosed herewith is your Water Permit No. 5133-3 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 5133-3.

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 your Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

A handwritten signature in black ink that reads "John Hatch". The signature is written in a cursive style with a large, looped "J" and a stylized "H".

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure

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 5-17-92

TO: Water Rights Division, DWNR
Joe Foss Building
Pierre SD 57501-3181

FROM: Concrete Materials P.O. Box 84140 Sioux Falls
name address city

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. _____.

Water Permit No. 5133-3 states that the diversion system is to be constructed by Jim Lacey, and that the water it put to beneficial use by Concrete Materials.

The diversion system was completed on 12-88.
Applying the water to beneficial use was completed on 11-88.

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

Kevin B. Jones
signature

Permit No. 5133-3

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

Concrete Materials of P.O. Box 84140 Sioux Falls, SD 57118 holder of Permit No. 5133-3, bearing the priority of April 6, 1987 authorizing the diversion of 0.04 cu. ft. per second of the waters of Big Sioux South 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 - 30 feet deep with 26' of 8" Class 160 Plastic casing and 4' of 8" Slotted plastic screen; 5 stage submersible Meyers pump, Model No. S2-J, 18GPM @ 18 PSI, 2"; 1/3 HP

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

100 feet of 3/4" PVC pipe

C. Works used to apply water to beneficial use:

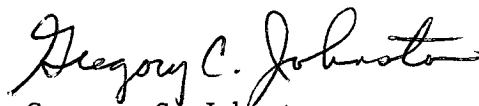
15 gallon storage tank to supply water for restrooms at office building at Concrete Materials

The system is in the following condition excellent. The point of diversion is located 1880' W and 1170' S of the NE corner of Section 11-T101N-R49W. The works are capable of diverting and conveying to the place of use 0.04 cu. ft. per second of water which is to be used for commercial use - restroom facilities at office building. Water has been put to beneficial use.

The license should be issued for 0.04 cfs. Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: None

Date 5/23/92



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

REPORT ON INSPECTION OF PERMIT NUMBER 5133-3

DATE 5/23/92

Other permit(s) associated with the project None

DIVERSION POINT LEGAL LOCATION: 1880' W and 1170' S of the NE corner of Section 11-T101N-R49W,
Minnehaha County, SD

WELL INFORMATION: Well Drilling Firm Lacey Well Drilling

No. of Wells 1 Depth(s) 30'

- a) Casing: 1) diameter 8 inches b) Screen: 1) type 8" Slotted Plastic
2) length 26 feet 2) length 4 feet
3) type Class 160 plastic c) Pump 1) make Meyers
d) Static Water Level 20 feet 2) model S2-J
e) Motor: 3) size 2 inches
1) make Meyers 4) capacity 18 GPM
2) model No. S2-J 5) turbine pump - No. of stages 5
3) horsepower rating 1/3 hp 6) operating pressure 18 PSI

DISTRIBUTION LINES OR CANALS:

- a) type PVC b) size 3/4 inches c) length 100 feet

System Type:

- a) Water Supply to restroom - Water pumped to 15 gallon storage tank for restrooms at office building at Concrete Materials

CHEMIGATION EQUIPMENT:

- a) does chemigate N (Y/N)
b) main line check valve (Y/N) c) inspection port/air relief (Y/N)
d) low pressure drain (Y/N) e) discharge is 20' from source (Y/N)
f) interlock type g) injection pump type
h) injection check valve (Y/N) i) injection line check valve or positive displacement pump (Y/N)
j) all chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules (Y/N)
k) comments :

PERMIT QUALIFICATIONS AND REGULATIONS:

- a) Soil and water permit lands agree with lands being irrigated and lands listed on

permit N/A (Y/N)

b) Special qualifications to permit being abided by Y (Y/N)

c) All structures, wells and lands on map Y (Y/N)

d) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period N/A (Y/N)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 17, 1992

5133-3

Concrete Materials
P.O. Box 84140
Sioux Falls, SD 57118

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. 5133-3, 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,

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

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

RECEIPT

413332

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, July 23, 19 92RECEIVED OF Sweetman Construction, PO Box 84140, Sioux Falls, SD 57111

the following amount in fees for services rendered as provided for by law: (for Concrete Materials)

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>5133-3</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

Chief Engineer

JOHN HATCH

gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 6 1992

5133-3

Concrete Materials
P.O. Box 84140
Sioux Falls, SD 57118

Dear Sirs:

Enclosed is Water License No. 5133-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413332 in the amount of \$50.00 which you paid for the inspection 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. 5133-3, 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

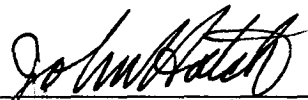
STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5133-3

(1) Concrete Materials of P.O. Box 84140, Sioux Falls, SD 57118 made Application No. 5133-3, April 6, 1987 for a water permit to appropriate 0.04 cubic feet of water per second from groundwater, Minnehaha County, South Dakota for commercial purposes. Permit No. 5133-3 with a priority date of April 6, 1987 was approved September 9, 1987 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before September 9, 1992 and for the application to beneficial use of said water on or before September 9, 1996. The permit holder submitted a "Notice of Completion of Works and Application of Water to Beneficial Use" which stated the diversion system was completed and water applied to beneficial use in December, 1988.

(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 0.04 cubic feet of water per second for beneficial use. The location of the diversion point is: 1880'W and 1170'S of the NE corner of Section 11, T101N, R49W (NW 1/4 NE 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

(4) Pursuant to Section 46-5-30.1 Concrete Materials of P.O. Box 84140, Sioux Falls, SD 57118 the holder(s) and/or owner(s) of Water Permit No. 5133-3 is issued a license to appropriate water, the right to use 0.04 cubic feet of water per second from groundwater (one well) with a priority date of April 6, 1987 from the location specified in (2) of this license. The water is to be used for the purpose of commercial use (restroom facilities at office building). This license is subject to any limitations or qualifications listed in Water Permit No. 5133-3 and subject to South Dakota State Law.


AUG 6 1992
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources



1500 N. Sweetman Place
Sioux Falls, SD 57107

RECEIVED

APR 04 2022

WATER RIGHTS
PROGRAM

5133-3
RECEIVED

APR 04 2022

DRINKING WATER PROGRAM

March 29, 2022

South Dakota Dept of Agriculture and Natural Resources
Joe Foss Building
ATTN: Water Rights, Eric Gronlund
523 E Capitol
Pierre, SD 57501

Dear Mr. Gronlund,

As of April 1, 2022, Concrete Materials Company will be doing business as Knife River. This name change reflects the purchase of Sweetman Const. Co. by Knife River Corporation in October 2018. The purpose of this letter is to inform you that the following permits issued by SDDANR will be subject to this change.

Facility	Permit Type	Permit#
Rice Street Operations	Water Diversion System and Beneficial Use of Water Permit	1618-3
Rice Street Operations	Water Diversion System and Beneficial Use of Water Permit	5133-3
Brandon/Corson Operations	Water Diversion System and Beneficial Use of Water Permit	6388-3
Brandon/Corson Operations	Water Diversion System and Beneficial Use of Water Permit	6387-3
Yankton Ready Mix	Water Diversion System and Beneficial Use of Water Permit	6170-3
Yankton Gravel-Vellek Pit	Water Diversion System and Beneficial Use of Water Permit	8283-3

If there is further information or notification required, please let me know. If you should have any questions, please contact me at (712)279-7570.

Sincerely,

Brooke Muhlack
Environmental Manager

STATE OF SOUTH DAKOTA
Doing Business As (DBA)
Fictitious Business Name Registration

Knife River
ID: UB223693

The address where the main office of the above listed business is to be maintained:

Physical Address:
1500 N. SWEETMAN PLACE
SIOUX FALLS, SD 57107

Mailing Address:
ATTN: LEGAL DEPARTMENT
1200 WEST CENTURY AVENUE
BISMARCK, ND 58503

The owner of the above listed business is:

Name	Address
SWEETMAN CONST. CO.	Physical: 1500 N. SWEETMAN PLACE, SIOUX FALLS, SD 57107, USA
	Mailing: 1150 West Century Ave, Bismarck, ND 58503, USA

The DBA/Fictitious Business Name registered above has a filing date of March 29, 2022, and is effective for a term of 5 years and will expire on March 29, 2027.

Steve Barnett
SD Secretary of State



5133-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

April 7, 2022

Brooke Muhlack, Env Mgr
Knife River Corporation
1500 N Sweetman Pl
Sioux Falls SD 57107

RE: Water Permit or Right Nos. 8479-3, 8458-3, 8412-3, 6388-3, 6387-3, 6170-3, 5133-3,
4556-3 and 1618-3

Dear Ms. Muhlack:

In follow-up to your letter and our phone conversation, enclosed are nine partially completed "Notice of Transfer of Ownership" forms for all permits and licenses listed under Concrete Materials.

Please review to ensure accuracy and complete as needed. Upon completion, please sign and return the forms to our office with a required filing fee of \$50 each (total of \$450). The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you or if I have missed anything on the forms, please let me know.

Sincerely,

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

enclosures

PAID

MAY 12 2022

Ck# 462009089

Rec't# _____

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

MAY 12 2022

WATER RIGHTS
PROGRAM

No. 5133-3

Date: _____

I/We request that Water Right No. 5133-3

formerly owned by: Concrete Materials

be transferred to: (name & address) Knife River

1500 N Sweetman Pl

Sioux Falls, SD 57107 Telephone No. 605 336 5776

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

One well for commercial use in an office building – NW ¼ NE ¼ Section 11, T101N, R49W

I/We understand that the validity of Water Right No. 5133-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

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

Andy Haas

(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date May 12, 2022

RECEIVED OF Knife River 1500 N Sweetman Pl., Sioux Falls SD 57107

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>5133-3</u>	\$ <u>50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	\$ <u>50.00</u>

By Eric Gronlund
Chief Engineer
me



5133-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

May 17, 2022

Brooke Muhlack
Knife River
1500 N Sweetman Pl
Sioux Falls SD 57107

RE: 8479-3, 8458-3, 8412-3, 6388-3, 6387-3, 6170-3, 5133-3, 4556-3, 1618-3

Dear Ms. Muhlack:

Thank you for following up on the ownership changes for the above listed water permits and water rights.

The ownership changes have been completed. Nos. 8479-3, 8458-3, 8412-3, 6388-3, 6387-3, 6170-3, 5133-3, 4556-3, 1618-3 formerly held by Concrete Materials are now listed under Knife River.

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

Sincerely,

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

enclosures