

WATER PERMIT NO. 6170-3

Name of Applicant: Concrete Materials

Address: PO Box 84140, Sioux Falls SD 57118-4140

Phone: 605 357-6000

Amount of Water Claimed: 0.222 cfs (100 gpm)

Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: industrial use

County: Yankton

Type of Waste Disposal System:

Location: 3 miles northeast of Yankton

PRIORITY Date Received: 1-3-00

Fee: \$225

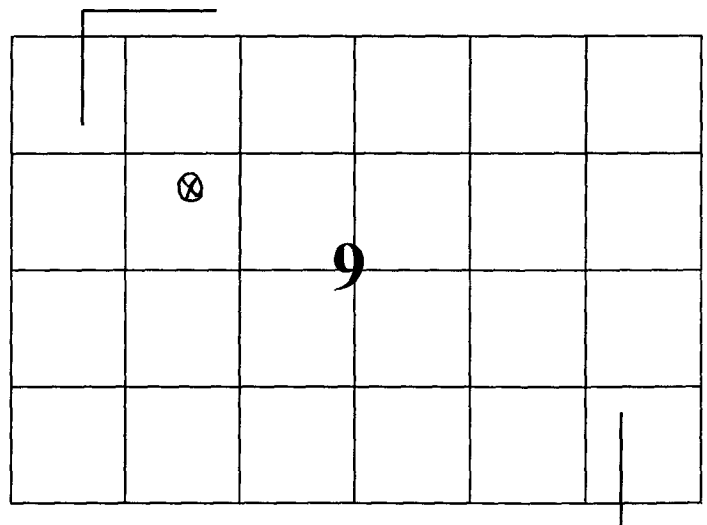
Corrected Application Received:: 1-20-00

Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: SW ¼ NW ¼ Sec 9-T93N-R55W

Land to be Irrigated: NA



Depth of Well: 100 feet deep

Well Driller:

Remarks:

Type of Map: plat

Prepared by: Nathan A Barton PE

Reviewed and the Number Assigned on: 1-20-00

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 6170-3**

Date of first receipt of application January 3, 2000.

Date of return to applicant for corrections, amendments or changes January 4, 2000.

Date of receipt of corrected application January 20, 2000.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6170-3 to Concrete Materials, PO Box 84140, Sioux Falls SD 57118-4140 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. 6170-3 appropriates 0.222 cubic feet of water per second (100 gallons per minute) from one well (Missouri:Elk Point Aquifer) 100 - 130 feet deep located in the SW ¼ NW ¼ Section 9-T93N-R55W.
2. The water appropriated shall be used for the purpose of supplying water to the Central Ready Mix Plant and may not exceed the amount of water needed for beneficial use for industrial 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. 6170-3 is March 13, 2000.
5. The date from which applicant may claim right is January 3, 2000.
6. One-fifth of the construction is to be completed on or before September 13, 2002.
7. All construction is to be completed on or before March 13, 2005.
8. Water is to be put to beneficial use on or before March 13, 2009.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The 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.
2. The well authorized by Permit No. 6170-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.

WATER MANAGEMENT BOARD

By: Garland Erbele
Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAR 27 2000

date



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

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6170-3</u>	(office use only) Hydrologic Unit <u>10170101</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>Daily Press & Dakotan, Yankton, SD</u>	



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

Check use(s) of water:

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

Type of Application: ☒ 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.) _____

- Name of Applicant Concrete Materials Phone (605) 357-6000
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address PO Box 84140, Sioux Falls State S. D. 57118-4140
(Street, RR. or Box) (Zip Code)
- Amount of water claimed 0.222 *CFS or 100 **GPM est. 46 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply Alluvial aquifer associated with Missouri River
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 well in NW 1/4 of Section 9
T93N, R55W (Yaggies 3rd Edition, 2210 Alumax Road, Yankton) (SW 1/4 NW 1/4)
County Yankton
- County or counties where water will be used Yankton
- Annual period during which water is to be used Year round Jan 1 - Dec 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Well will provide water for Central Mix Ready Mix Plant, including water for concrete, maintenance, equipment and vehicle cleanup, dust control and general use on site.

STATE OF SOUTH DAKOTA)
County of Minnehaha) SS

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)

I, G.P. Sweetman, President of Concrete Materials, 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 G.P. Sweetman

Subscribed and sworn to before me this 17th day of December 19 99

Mary Ellen Eklund
Notary Public

My Commission Expires 2-16-04

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 12" Depth 100'
- b) Casing Type PVC Diameter 8" Thickness SDR 17
- c) Screen Type PVC Diameter 8" Thickness SDR 17
- d) Gravel Pack 3/8 pea Length of Gravel Pack APPROX 40'
- e) Depth to Top of Water Bearing Material APPROX 60'
- f) Depth to Water (ground surface to water level) APPROX 25'
- g) Distance to nearest existing domestic well:
- On applicants property NONE On property owned by others 600'

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) SEPTIC WITH DRAIN FIELD
- b) System Capacity (gallons) 5000 GALS Year Constructed TO BE CONSTRUCTED
- c) Connected to the City of NONE Sanitary System _____

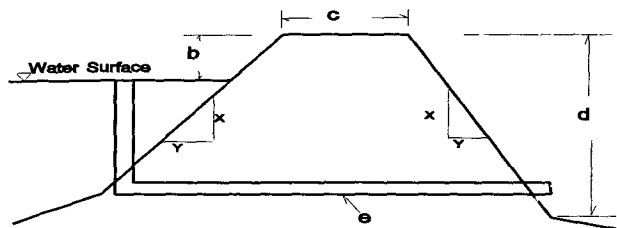
3. Dugout Information

- 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



Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

- a) Drill Hole Diameter 12 inches Depth max 130 feet, planned 100 feet
- b) Casing Type PVC Diameter 8 inch Thickness SDR17
- c) Screen Type none planned Diameter _____ Thickness _____
- d) Gravel Pack planned Length of Gravel Pack planned 40 feet
- e) Depth to Top of Water Bearing Material at surface
- f) Depth to Water (ground surface to water level) estimated 60 feet
- g) Distance to nearest existing domestic well: 520 feet to north, 1070 feet to east-southeast
- On applicants property No On property owned by others Yes

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) Septic system with drain field
- b) System Capacity (gallons) planned 5,000 gallons Year Constructed to be constructed
- c) Connected to the City of N/A 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 _____

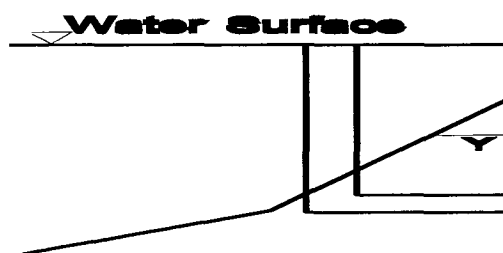
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



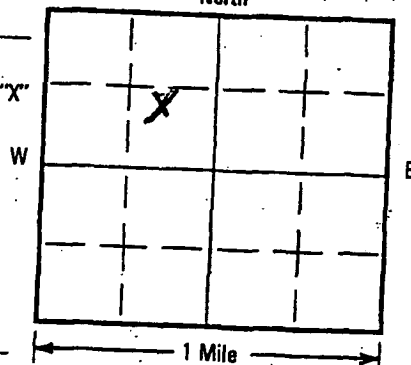
6170-3
07-92

YANKTON

Please mark well location with an "X"

Well Completion Date

MAY 25 '00



LOCATION: VARIANCE PROVIDED BY STATE
Distance from nearest potential pollution source (septic tank, abandoned well,
feed lot, etc.): 80 ft. from ADDITIVE CONTAINER (Identify source).

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

FORWARD MUD ROTARY

CASING DATA: ☐ Steel ☒ Plastic ☐ Other:

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
200 LB/FT	8 IN	0 FT	75 FT	12 IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

Grout Type CEMENT No. of Sacks 15 Grout Weight From 8 ft. To 50 ft.
lb./gal _____
lb./gal _____ ft. _____ ft.

Describe grouting procedure: THROUGH TREMIE

SCREEN: ☒ Perforated pipe ☐ Manufactured

Diameter 8 IN Length 10 FEET

Material PVC
Slot Size 1/8" Set From 68 Feet to 78 Feet

Other information

WAS A PACKER OR SEAL USED? ☒ YES ☐ NO

so, what material? 3/8 PEA ROCK GRAVEL PAC
describe packer(s) and location? AROUND PERFORATION

DISINFECTION: Was well disinfected upon completion?

YES. How: Chlorox

laboratory sent to for water
quality analysis:

Well Owner: CONCRETE MATERIALS
Business Name: SWEETMAN CONSTRUCTION CO
Address: 2210 ALUMAY ROAD
YANKTON, So. DAK 57078

[illegible]

STATIC WATER LEVEL 9' Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can we be completely shut in? _____ GPM

☒ Pumped
☐ Bailed
☐ Other

Describe: WITH AIR LIFT

Pumping Level Below Land Surface
120 ft. After 4 Hrs. pumped 550 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate 150 GPM

REMARKS ROUGH DRILLING DEEPER

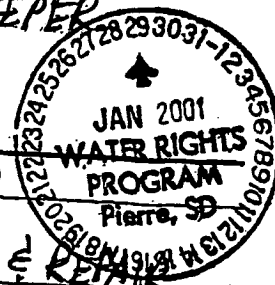
This well was drilled under license # 590

And this report is true and accurate.

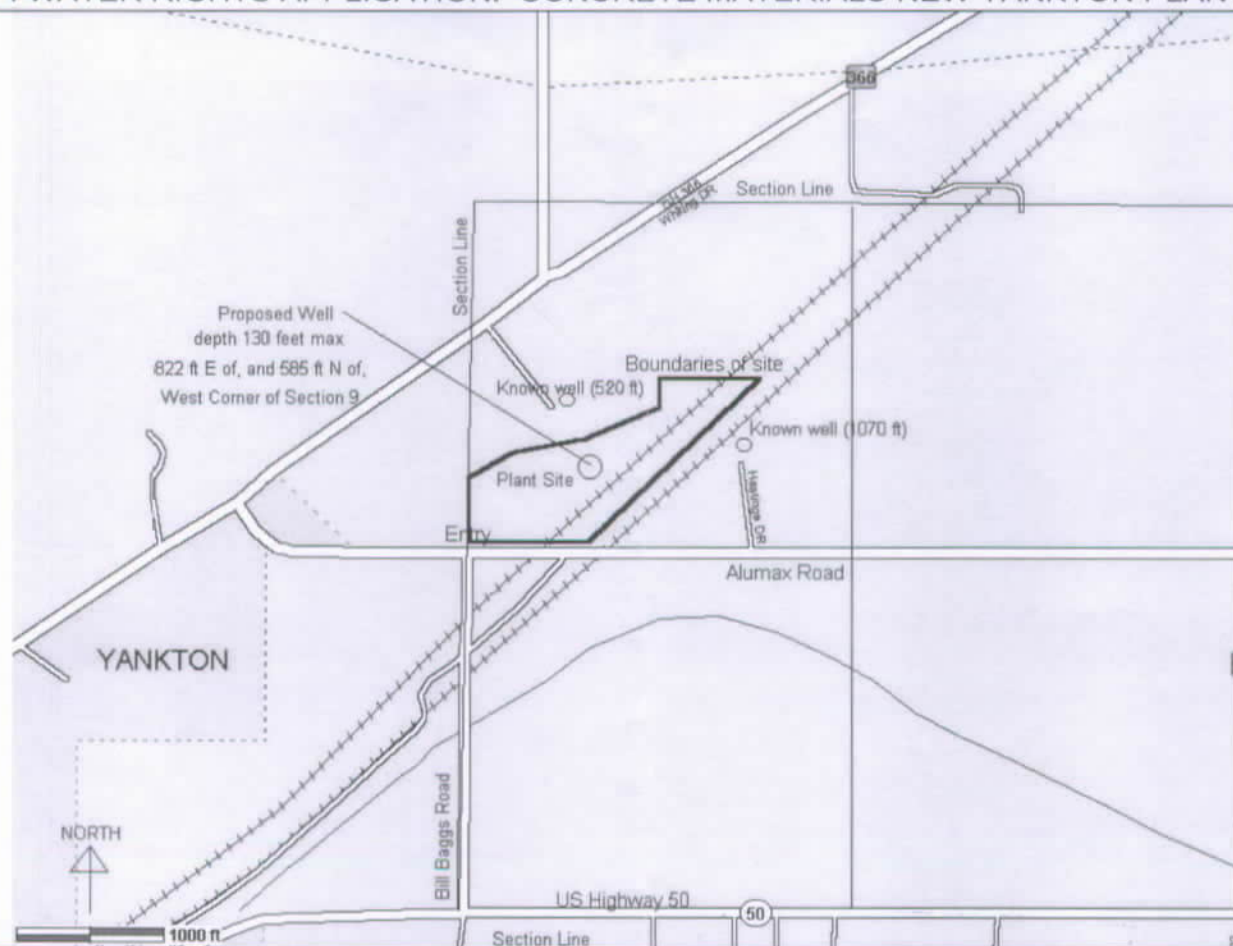
Drilling firm WELL DOCTOR & SONS

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

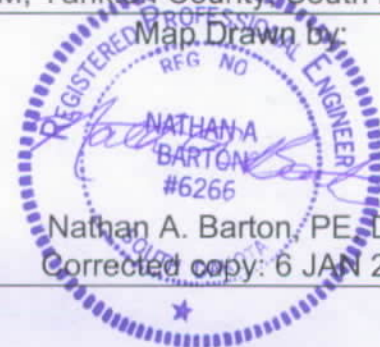


MAP: WATER RIGHTS APPLICATION: CONCRETE MATERIALS NEW YANKTON PLANT SITE



well in NW 1/4 of Section 9, T93N, R55W, BHM, Yankton County, South Dakota

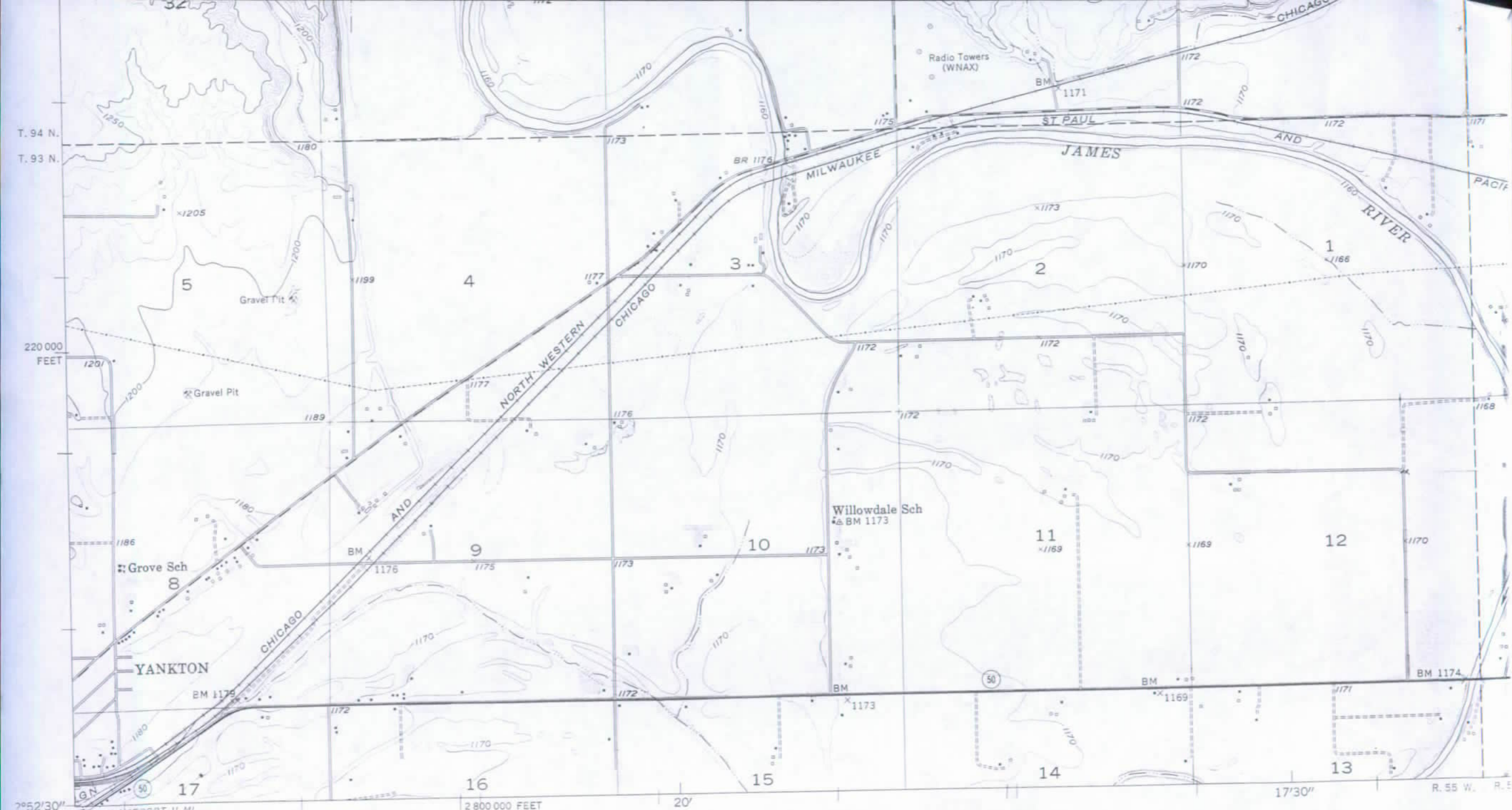
LOCATION IS APPROXIMATE: Well is not yet in location. Map taken from Precision Mapping Version 2.0 © 1994, and USDA NRCS Soil Survey of Yankton County, SD, 1979. Yaggies 3rd Edition, 2210 Alumax Road, Yankton



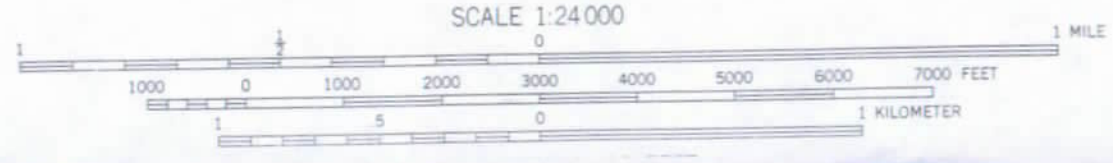
Nathan A. Barton, PE, DEE
Corrected copy: 6 JAN 2000



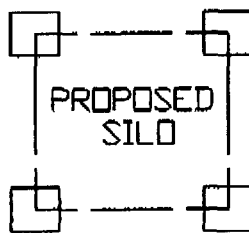
6170-3



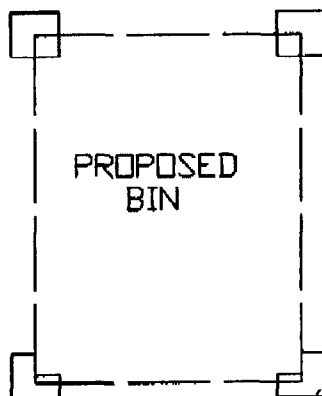
Mapped, edited, and published by the Geological Survey
as part of the Department of the Interior program
for the development of the Missouri River Basin
Control by USGS and USC&GS



MAXIM



⊕*2



NOTE: BORINGS LOCATED AND
ELEVATED BY OTHERS.

⊕ - DENOTES APPROXIMATE SOIL BORING LOCATIONS

JOB NO. 99-12916

SCALE: NONE

DRAWN BY: AWJ

CHECKED BY *KES*

PAGE 05

JOB NO. 99-12916 VERTICAL SCALE 1" = 4' BORING NO. 1 CONTINUED
PROJECT PROPOSED READY MIX PLANT, YANKTON, SOUTH DAKOTA

PROJECT PROPOSED READY MIX PLANT, TANKTON, SOUTH CAROLINA												
DEPTH IN FEET	DESCRIPTION OF MATERIAL	GEOLOGIC ORIGIN	N or CR	WL	SAMPLE		LABORATORY TESTS					
					NO.	TYPE	W	D	LL	PL	QU or RQD	
	SAME AS PREVIOUS PAGE	TILL	104		17	SB	11	128				
			68		18	SB						
			48		19	SB						
78.0	SAND, fine to medium grained, with gravel, gray, waterbearing, very dense (SP)	COARSE ALLUVIUM	41		20	SB						
			46		21	SB						
			55		22	SB						
91.0	END OF BORING											
MAXIM												

12/13/1999 16:37 6053328488

MAXIM SIOUX FALLS

PAGE 06

LOG OF TEST BORING
 JOB NO. 99-12916 VERTICAL SCALE 1" = 4' BORING NO. 2
 PROJECT PROPOSED READY MIX PLANT, YANKTON, SOUTH DAKOTA

DEPTH IN FEET	DESCRIPTION OF MATERIAL SURFACE ELEVATION <u>1177.1'</u>	GEOLOGIC ORIGIN	N OF CR	WL	SAMPLE		LABORATORY TESTS				
					NO.	TYPE	W	D	LL	PL	QU or RQD
	FILL , mixture of LEAN CLAY, ORGANIC LEAN CLAY and SILTY SAND, dark brown and brown	FILL									
			8		1	SB					
			11		2	SB					
			5		3	SB					
9.0	SILT , brown mottled, medium to soft (ML)	FINE ALLUVIUM	5		4	SB					
			3		5	SB					
14.5	SILTY CLAY , brown mottled, soft (CL/ML)		3		6	SB					
18.0	SILTY CLAY , gray, soft (CL/ML)										
			4		7	SB					
23.0	ELASTIC SILT , gray, soft (MH)		3		8	SB					
BORING CONTINUED ON NEXT PAGE											

WATER LEVEL MEASUREMENTS							START	10-7-99	COMPLETE	10-7-99
DATE	TIME	SAMPLED DEPTH	CASING DEPTH	CAVE-IN DEPTH	BAILED DEPTHS	WATER LEVEL	METHOD	2:08		
10-7	7:45	13.5'	12'	13.5'		11.5'	3 1/4" HSA 0-44 1/2', DM 44 1/2'-95'			
							CREW CHIEF	R. HANSON		

MAXIM

12/13/1999 16:37 6053328488

MAXIM SIOUX FALLS

PAGE 07

LOG OF TEST BORINGJOB NO. **99-12916**VERTICAL SCALE **1" = 4'**BORING NO. **2** CONTINUEDPROJECT **PROPOSED READY MIX PLANT, YANKTON, SOUTH DAKOTA**

PROJECT: PROPOSED READY MIX PLANT, LANNON, SOUTH DAKOTA												
DEPTH IN FEET	DESCRIPTION OF MATERIAL	GEOLOGIC ORIGIN	N or CR	WL	SAMPLE		LABORATORY TESTS					Qu or RQD
					NO.	TYPE	W	D	LL	PL		
	SAME AS PREVIOUS PAGE	FINE ALLUVIUM	1 1/2		9	SB	59	68				700
			1 1/2		10	SB						
38.0	SAND, fine to medium grained, with gravel, gray, waterbearing, dense (SP)	COARSE ALLUVIUM	19		11	SB						
44.0	SAND, medium to coarse grained, with gravel, brown, waterbearing, dense to medium dense to very dense, cobbles at 52' (SP)		27		12	SB						
			17		13	SB						
			16		14	SB						
			43		15	SB						
61.5	CLAYEY SAND, fine to medium grained, with a little gravel, gray, waterbearing, very dense, a lens of gravel at 68' (SC)	MIXED ALLUVIUM										

MAXIM

12/13/1999 16:37 6053328488

MAXIM SIOUX FALLS

PAGE 08

LOG OF TEST BORINGJOB NO. **99-12916**VERTICAL SCALE **1" = 4'**BORING NO. **2** CONTINUEDPROJECT **PROPOSED READY MIX PLANT, YANKTON, SOUTH DAKOTA**

PROJECT PROPOSED READY MIX PLANT, YANKTON, SOUTH DAKOTA												
DEPTH IN FEET	DESCRIPTION OF MATERIAL	GEOLOGIC ORIGIN	N OF CR	WL	SAMPLE		LABORATORY TESTS					QU OF ROD
					NO.	TYPE	W	D	LL	PL		
	SAME AS PREVIOUS PAGE	MIXED ALLUVIUM	79		16	SB						
			61		17	SB						
73.0	SAND, fine to medium grained, with gravel, gray, waterbearing, very dense (SP)	COARSE ALLUVIUM	50		18	SB						
			36		19	SB						
			34		20	SB						
			53		21	SB						
96.5	END OF BORING											
MAXIM												

MAXIM

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

No 416326

Pierre, January 4, 2000

RECEIVED OF Concrete Materials, P201 Box 84140, Sioux Falls, SD 57118
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>6170-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	225	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	225 00

By John Hatch
Chief Engineer



January 4, 2000

G.P. Sweetman
Concrete Material
PO Box 84140
Sioux Falls SD 57118-4140

Dear Mr. Sweetman:

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

- We have received the \$225 application filing fee. In addition to the application filing fee, the Water Rights Program now collects the \$50 licensing fee at the time of filing. Please submit \$50 for the licensing of the water permit.
- A well log signed by a South Dakota Licensed well driller must accompany the application.
- Enclosed is the map submitted with the application. The location identified on the map does not correspond with the location identified on the application. Please make the necessary correction.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

c: Nathan A Barton, Wasteline Inc.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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



RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

Nº 416354

Pierre, January 19, , 2000

RECEIVED OF Concrete Materials, PO box 84140, Sioux Falls SD 57118
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. 6170-3

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By

Garland Erbele

Chief Engineer

WASTELINE INC.

P.O. Box 3471 Rapid City, SD 57709-3471 (605)348-0244 FAX (605) 343-6232
E-mail: WASTELINE6@aol.com



20 JAN 2000

Eric Gronlund/Karen Schlaak
DENR Water Rights Program
Joe Foss Building, 523 East Capitol
Pierre, SD 57501-3181



Dear Eric and Karen:

This letter will clarify my letter of the 7th, and follows up my call with Eric earlier today. The well for which the application has been submitted has not yet been drilled. I am sending the logs from the two test holes drilled as part of the geotechnical investigation of the site, as I discussed with Eric.

In the application, the 130 foot depth is indicated as a maximum, and is based at the depth to bedrock; it is likely that the wells will produce adequate water at a much shallower depth, as you can see from these logs.

Assuming that you need them, the well log will be submitted separately when the well has been drilled. When we originally prepared the application, the application was given to the well-driller so that he could submit the application when the well was drilled, with the additional information. Instead, he just forwarded it immediately, and was under the impression that we needed to wait to obtain the water rights before the well could be drilled. That was not our intent, and resulted in all this confusion.

A further note of clarification on the map. The numbers by the wells on adjacent properties are the distances that those wells are from the proposed well, not the depths of those wells. Those wells are around 50-100 feet deep, according to information provided locally, and are in the same alluvial strata as the proposed well will be. The information was provided to show that the proposed well was more than 500 feet from adjacent wells not on this property.

Thanks for the help on this, and all your work.

FOR WASTELINE, INC.

NATHAN A. BARTON, PE, DEE
Comptroller

REPORT ON WATER PERMIT APPLICATION NO. 6170-3
for Concrete Materials
January 31, 2000

Application No. 6170-3 proposes to appropriate 0.22 cfs (100 gpm) from one well approximately 100 to 130 feet deep located in the SW 1/4 NW 1/4 of Section 9, T93N-R55W in Yankton County. The water is for industrial use at the Central Ready Mix Plant.

AQUIFER - MISSOURI ELK POINT (M-EP)

The Missouri Elk Point is an alluvium mantled outwash which is under water table conditions in this area. The aquifer underlies 45,000 acres and contains an estimated 675,000 acre feet of recoverable water in storage in Yankton County (Hedges, 1982). The aquifer extends into Clay County to the east, blends into the Lower James Missouri aquifer to the north and is hydraulically connected to the James and Missouri Rivers.

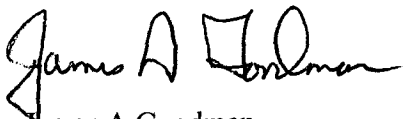
The test well logs filed with the application indicate alluvium, sand and gravel with some clays to a depth of 91 to 96 feet with a static water level 10 to 15 feet below land surface. The Water Rights Program does monitor two observation well located within a four mile radius of this application completed into the Missouri Elk Point aquifer. Water levels for these wells show good correlation between wet and dry climatic conditions, that is, rising water levels during wet years and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2000). Hydrographs for observation wells YA-57C and YA-57D are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is an existing Water Right No. 316-3 for irrigation of land in this immediate area. This well for this application appears to be about 520 feet southwest of the location for the irrigation well. Interference is not a concern. Drawdown created by pumping is not significant and will not cause adverse effects. Records from the file for Water Right No. 316-3 indicate that the irrigation well was capable of producing 1280 gpm with 14 feet of drawdown (specific capacity of about 91 gpm/ft of drawdown).

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. The aquifer is probably under water table conditions in this area. Drawdown created by pumping should not be significant. Interference is not a concern.
3. There is an existing Water Right No. 316-3 in this immediate area. Approval of this permit will require an inspection of Water Right No. 316-3 to determine any changes in irrigated acres.
4. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
5. Wastewater will be disposed of on site through a septic system and drain field.



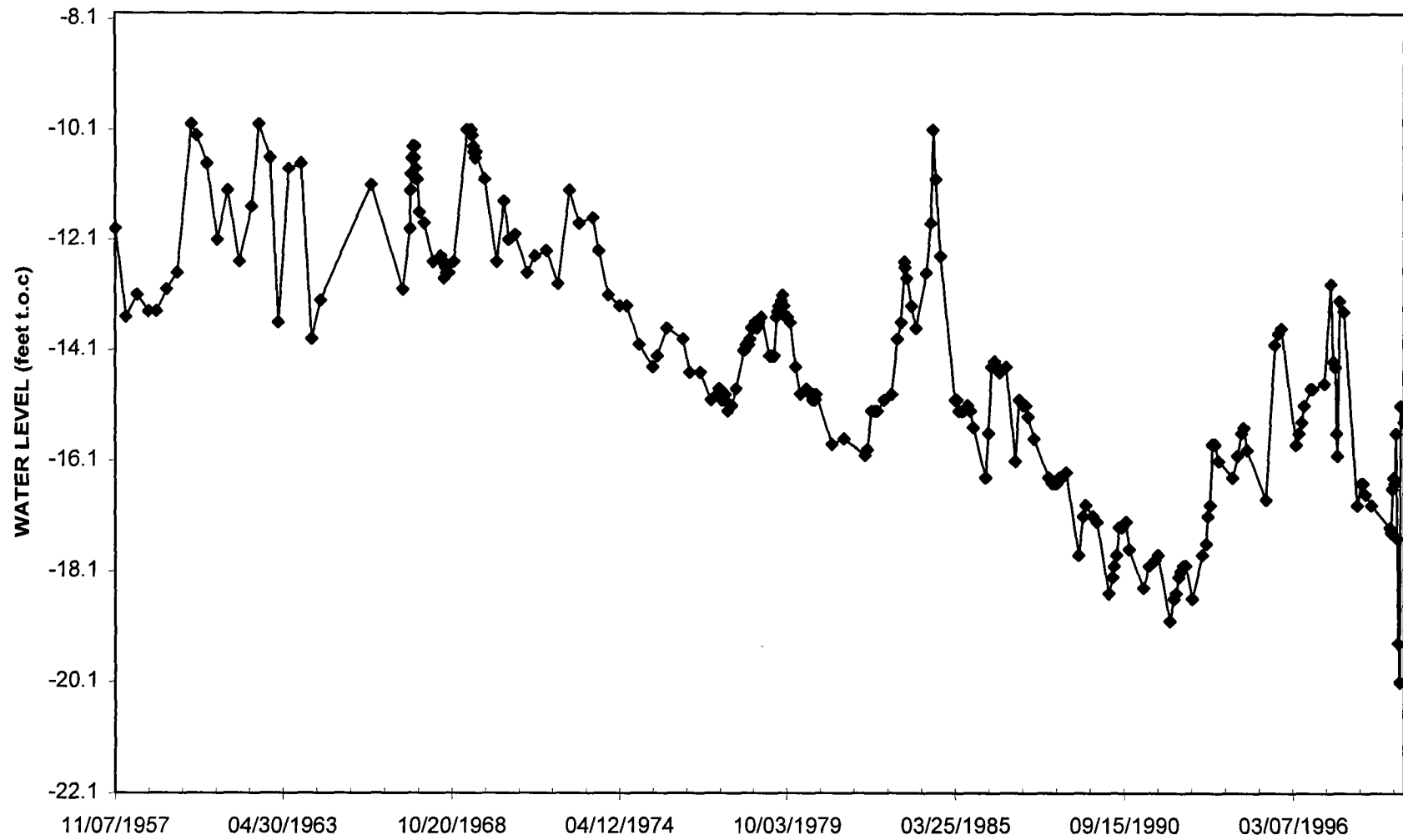
James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

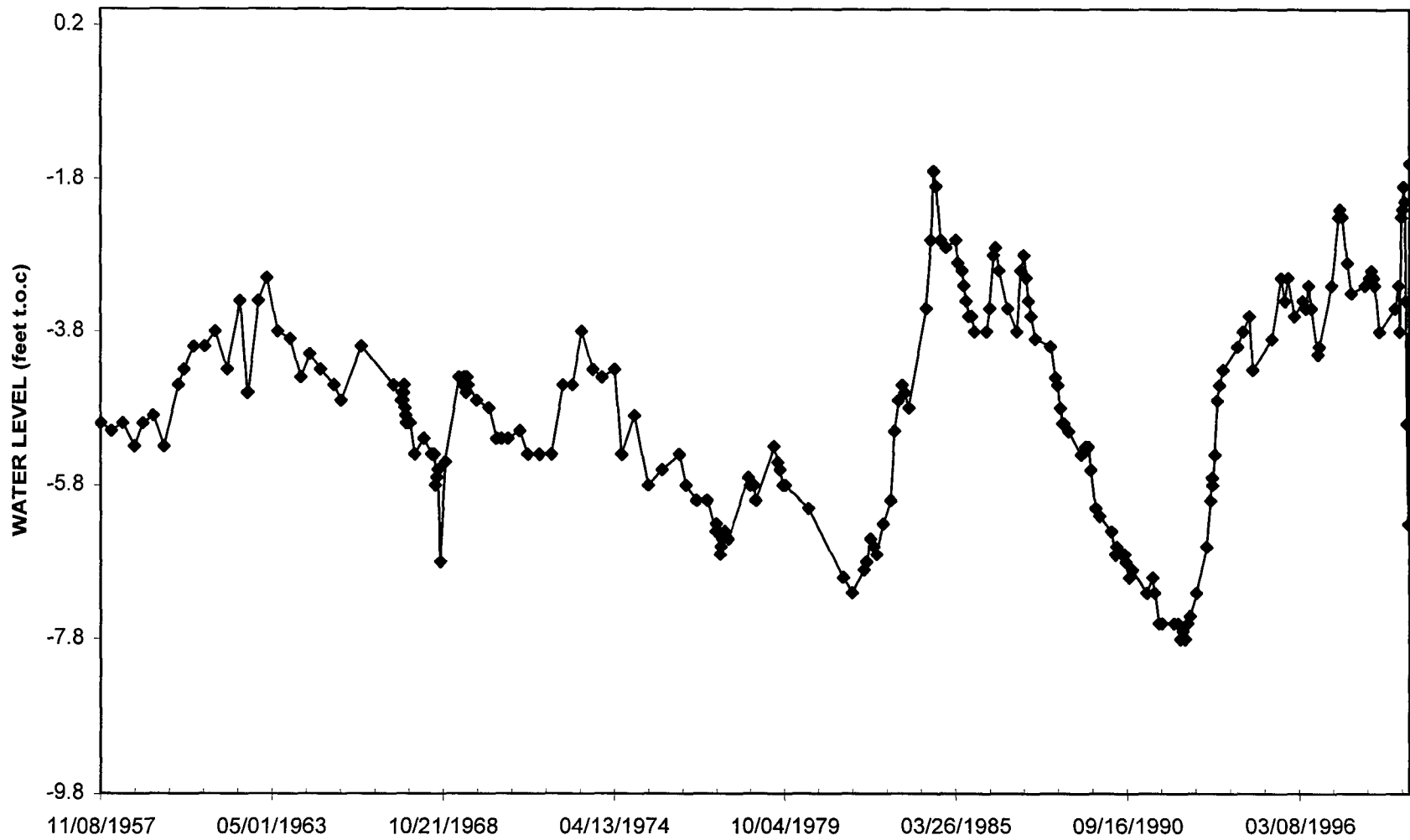
Hedges, L.S., etal, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2000, Unpublished Observation Well Data for Yankton County, SD DENR, Division of Environmental Services, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL
YA-57D**



**WATER RIGHTS' OBSERVATION WELL
YA-57C**



RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6170-3, Concrete Materials

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6170-3, Concrete Materials, c/o G. P. Sweetman, PO Box 84140, Sioux Falls SD 57118-4140.

The Chief Engineer is recommending APPROVAL of Application No. 6170-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The 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.
2. The well authorized by Permit No. 6170-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.

See report on application for additional information.



Garland Erbele, Chief Engineer
February 11, 2000



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

February 15, 2000

Concrete Materials
%G. P. Sweetman, President
P.O. Box 84140
Sioux Falls, SD 57118-4140

Dear Mr. Sweetman:

Water Permit Application No. 6170-3 for industrial 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 Daily Press & Dakotan printed at Yankton, SD (Ph # (605) 665-7811). 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
Natural Resources Engineer
(605) 773-3352

enclosures

c: Nathan Barton, Wasteline, Inc., P.O. Box 3471, Rapid City, SD 57709-3471

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
www.state.sd.us/denr

February 15, 2000

Daily Press & Dakotan
P.O. Box 56
Yankton, SD 57078-0056

ATTENTION: Legal Public Notice

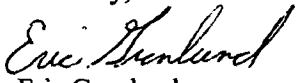
Enclosed is a Notice of Hearing on Application No. 6170-3 to Appropriate Water to be published twice. Please publish the first notice on February 23, 2000, with the second publication 7 days later.

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 Concrete Materials, %G. P. Sweetman, President, P.O. Box 84140, Sioux Falls, SD 57118-4140 (Ph # (605) 357-6000.).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CU T HERE-----

No. 6170-3

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

Date _____

We are in receipt of your letter of February 15, 2000, enclosing Notice of Hearing to Appropriate Water by Application No. 6170-3 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 February 23, 2000, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6170-3 to Appropriate Water

Notice is given that Concrete Materials, PO Box 84140, Sioux Falls SD 57118-4140 has filed an application for a water permit to appropriate 0.222 cubic feet of water per second (100 gallons per minute) from one well (Missouri:Elk Point Aquifer) 100 - 130 feet deep located in the SW ¼ NW ¼ Section 9-T93N-R55W. Water is for industrial use at the Central Ready Mix Plant.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6170-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on 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 Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 13, 2000.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

Affidavit of Publication



2+23&3+1

NOTICE OF APPLICATION NO. 6170-3
to Appropriate Water

Notice is given that Concrete Materials, PO Box 84140, Sioux Falls SD 57118-4140 has filed an application for a water permit to appropriate 0.222 cubic feet of water per second (100 gallons per minute) from one well (Missouri:Elk Point Aquifer) 100 - 130 feet deep located in the SW 1/4 NW 1/4 Section 9-T93N-R55W. Water is for industrial use at the Central Ready Mix Plant.

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STATE OF SOUTH DAKOTA

SS.

COUNTY OF YANKTON

ADRIAN PRATT being first duly sworn says: That he is the PUBLISHER of the Yankton Printing Company, a corporation, the printer and publisher of the Yankton Daily Press and Dakotan, a daily newspaper of general circulation, printed and published in the City and County of Yankton, South Dakota; that he has personal knowledge of all the facts stated in this affidavit; and that the advertisement captioned NOTICE OF APPLICATION

a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper, and not in a supplement, once each WEEK

for TWO successive WEEKS, the first publication being made on the 23rd day of FEBRUARY, XX 2000, and the last publication being made on the 1st day of MARCH, XX 2000.

The first publication being made on the 23rd day of FEBRUARY

The second publication being made on the 1st day of MARCH

The third publication being made on the day of

The fourth publication being made on the day of

The fifth publication being made on the day of

The sixth publication being made on the day of

The seventh publication being made on the day of

The eighth publication being made on the day of

The ninth publication being made on the day of

The tenth publication being made on the day of

That said newspaper is a legal newspaper, and has a bona fide circulation of more than two hundred copies daily and has been published in the English language within the said County of Yankton for more than one year next prior to the first publication of said notice, and is printed in Yankton in an office maintained in Yankton, South Dakota, the place of publication of said newspaper. That the full amount of the fee paid for the publication of the annexed notice is \$ 61.20, which inures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any person, and that no part thereof has been agreed to be paid to any person whomsoever.

Subscribed and sworn to before me this 10th day of FEBRUARY, XX 2000

Notary Public, South Dakota

My Commission Expires 8-19-2003

Publication Fees \$

Received Payment,



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 27 2000

Concrete Materials
%G. P. Sweetman, President
P.O. Box 84140
Sioux Falls, SD 57118-4140

Dear Mr. Sweetman:

Enclosed is Water Permit No. 6170-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

c: Nathan Barton, Wasteline, Inc., P.O. Box 3471, Rapid City, SD 57709-3471

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

Date September 14, 2000

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



FROM: Concrete Materials

(name)

PO Box 84140

(address)

Sioux Falls, SD 57118-4140

(city, state, zip)

605-357-6000

(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 6170-3 states that the water use system is to be constructed by

March 13, 2005 , and water is to be put to beneficial use by March 13, 2009
(date) (date)

The water use system was completed on July 2000

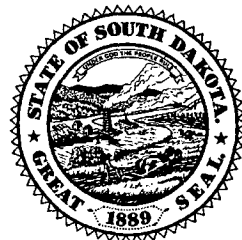
(date)

Applying the water to beneficial use was completed on July 2000

(date)

You may schedule an investigation so that the water license may be issued.

Kevin M. Mc
(signature)



REPORT ON INSPECTION OF PERMIT NO. 6170-3

DATE OF INSPECTION: June 18, 2002

Other permit(s) associated with the project: none

Contact Person & Address: Kevin Moore, Concrete Materials, PO Box 84140, Sioux Falls SD 57118-4140

DIVERSION POINT LEGAL LOCATION: One Well located approximately 950 feet east and 750 feet north of the W ¼ corner (SW¼ NW¼) of Section 9, T93N, R55W (Lat N42.8892 Lon W-97.3537).

WATER SUPPLY Source: Missouri:Elk Point Aquifer

Well Information:

- 1) Well Drilling Firm: Well Doctor 2) No. of Wells One
3) Depth(s) 78 feet 4) Well log is available Yes

Casing:

- 1) Diameter 8 inches 2) Length 78 feet
3) Type plastic

Screen:

- 1) Type PVC 2) Length 10 feet
3) Static water level 9 feet

Pump:

- 1) Make Grundfos 2) Model 150S100-5
3) Size 10 HP 4) Capacity 100 GPM

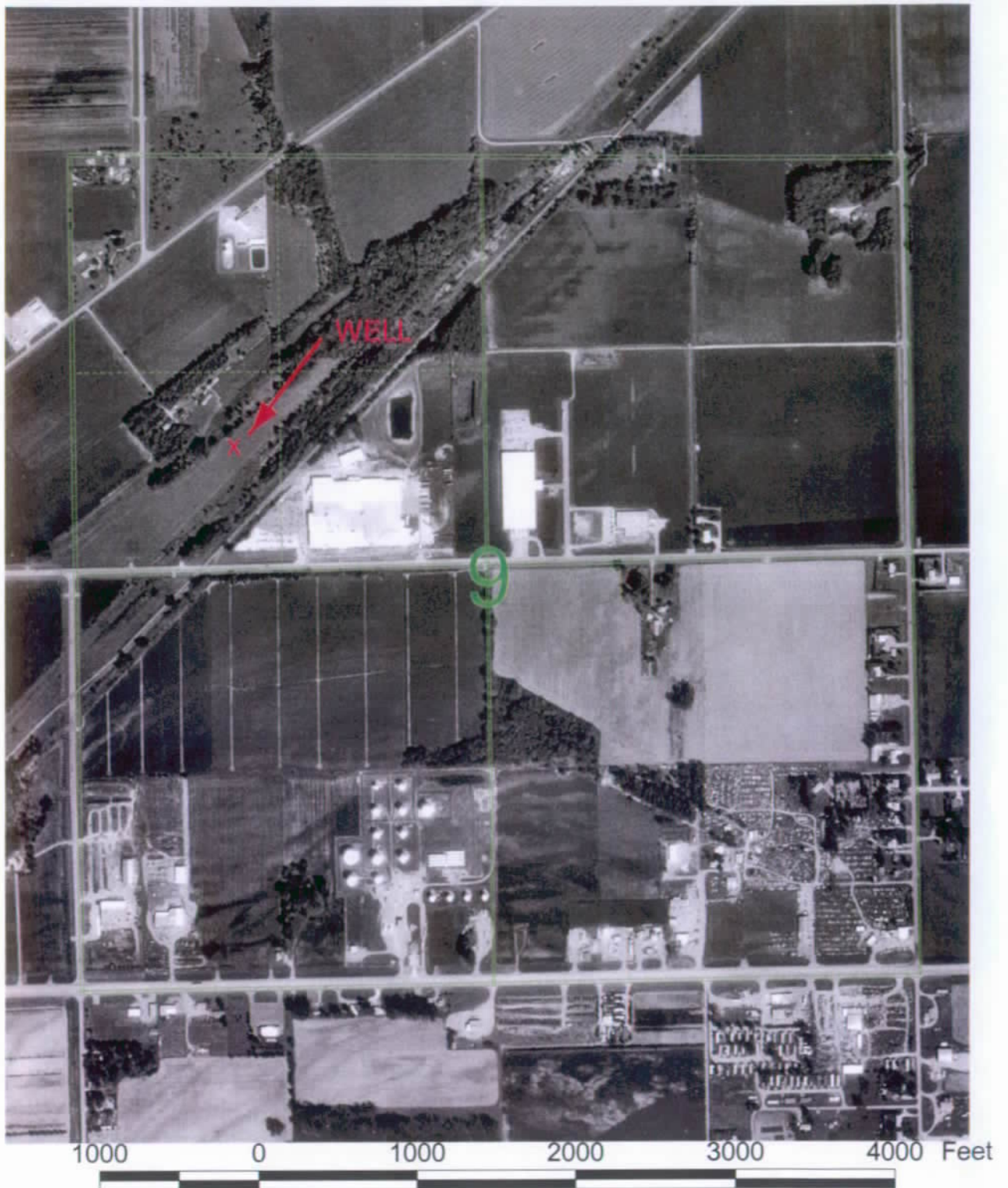
PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
2) All structures, wells and lands on map yes
2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period not applicable

NOTES:

- Licensing investigation was conducted with plant manager Paul Schaefer. Correspondence for licensing should be sent to Kevin Moore at Concrete Materials' Sioux Falls office
- Well located with a Garmin GPS unit
- Information on submersible pump obtained via telephone from the Well Doctor on July 30, 2002

WATER PERMIT No. 6170-3, CONCRETE MATERIALS



Well in located in the SW 1/4 NW 1/4 Section 9, T93N, R55W
- approximately 950 east and 750 north of W1/4 corner of Section 9
Latitude - N 42.8892 (decimal degrees)
Longitude - W -97.3537 (decimal degrees)
Concrete Material building not shown on orthoquad



Eric Gronlund
Eric Gronlund
Water Rights Program

STATE OF SOUTH DAKOTA

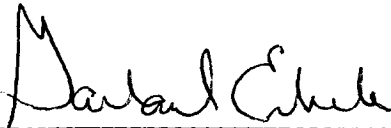
WATER LICENSE NO. 6170-3

(1) Concrete Materials, Box 84140, Sioux Falls SD 57118-4140 made Application No. 6170-3, January 3, 2000 for a water permit to divert 0.222 cubic feet of water per second from groundwater (one well), Yankton County, South Dakota for industrial use purposes. Permit No. 6170-3, with a priority date of January 3, 2000 was approved March 13, 2000 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 13, 2005 and for the application to beneficial use of said water on or before March 13, 2009.

(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 0.222 cubic feet of water per second for beneficial use. The location of the diversion point is 950 feet east and 750 feet north of the W ¼ corner of Section 9-T93N-R55W (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.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Concrete Materials, Box 84140, Sioux Falls SD 57118-4140 the holder and/or owner of Water Right No. 6170-3 is issued a license to appropriate water, the right to use 0.222 cubic feet of water per second from groundwater (one well) with a priority date of January 3, 2000 from the location specified in (2) of this license the industrial use purposes. This license is subject to any limitations or qualifications listed in Water Right No. 6170-3 and subject to South Dakota State Law.



GARLAND ERBELE, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

SEP 20 2002

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

SEP 20 2002

6170-3

Concrete Materials
% Kevin Moore
Box 84140
Sioux Falls SD 57118-4140

Dear Mr. Moore:

Enclosed is Water License No. 6170-3. This is the final water right document completing your process of obtaining a Water Right.

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. 6170-3, 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.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

RECEIVED

FEB 12 2018

WATER RIGHTS
PROGRAM

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>6170-3</u> (office use only)
	Hydrologic Unit _____
	Basin _____
	Newspaper _____

Application For Permit To Appropriate Water Within The State Of South Dakota**Check use(s) of water:**

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

Type of Application:
(check one)

☐ New	☐ Vested Right (Use predates Mar 2, 1955)	☐ Future Use Reservation
☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____		
☒ Amendment/Correction to Permit No. <u>6170-3</u>		

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

Change diversion point (existing well deteriorated to unusable), by drilling new well within same quarter of quarter section, to same aquifer with no increase of water claimed and no change of water use.

1. Name to Appear on Water Permit Concrete Materials Company, Inc.

Mailing Address PO Box 84140 Sioux Falls SD 57118-4140
 (Address) (City) (State) (Zip Code)

Phone 605-357-6000 Mobile 605-660-8452 Email _____

2. Amount of water claimed .222 *CFS or 100 **GPM and ***AF or _____ Gallons
 Flow rate and volume are both required. (*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use)

3. Source of water supply Missouri: Elk Point Aquifer

4. Location of point of diversion 1 well in SW 1/4 of NW 1/4, sec. 9-T93N-R55W County Yankton
 (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

If not a public water supply (e.g. municipal), will water be used outside of the area described above? ☐ Yes ☒ No

If "Yes," where will water be used? _____

(example - NW1/4 section 12-T104N-R53W)

5. County or counties where water will be used Yankton County6. Annual period during which water is to be used Jan 1-Dec 31, annually

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)

Supply water to Ready Mix Plant and associated uses.

I, Angela _____, the applicant, certify under
 Name of Person Title (if applicable)

penalty of perjury that I have read this application, examined the attached map, and that the matters stated are true. I further certify, if acting on behalf of an entity or individual other than myself, that I am authorized to submit this application.

Supplemental Information

(type or print)

1. Well Information (check one or both as applicable) ☒ Drilling new well(s) ☐ Using existing well(s)a) If new wells, how many 1 Have test holes been drilled ☐ Yes ☒ No Drilled by _____
(if yes, please provide copies of logs)b) If existing wells, how many 1 Provide copy of log(s), if available. Drilled by Well Doctor (Lic 590)

For either Existing or Proposed Wells:

c) Well Depth (required) 100' Depth to Top of Water Bearing Material 62' Depth to Water from Surface 9'd) Distance to nearest domestic well on applicant's property NA Property owned by others >2500'**2. Wastewater Disposal System Information**

a) Type of System (i.e. septic tank, drain field) _____

b) System Capacity (gallons) _____ Year Constructed _____

c) 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 (e.g. 3 to 1 is a typical slope)

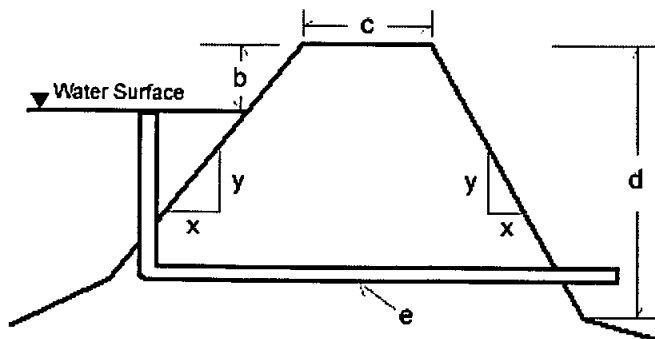
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres

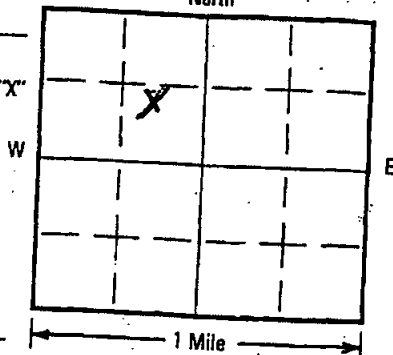


SOUTH DAKOTA WATER WELL COMPLETION REPORT

6170-3
07-92

Location SE 1/4 NW 1/4 Sec 9 Twp 93 Rg 55
County YANKTON

Please mark well location with an "X"



Well Completion Date

MAY 25 '00

LOCATION: VARIANCE PROVIDED BY STATE
Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 80 ft. from ADDITIVE CONTAINER (Identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

FORWARD MUD ROTARY

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT DIAMETER FROM TO HOLE DIAMETER
200 LB/FT 8 IN 0 FT 78 FT 12 IN
____ LB/FT ____ IN ____ FT ____ FT ____ IN
____ LB/FT ____ IN ____ FT ____ FT ____ IN

GROUTING DATA

Grout Type CEMENT No. of Sacks 15 Grout Weight ____ lb./gal From 8 ft To 50 ft
____ lb./gal ____ ft ____ ft

Describe grouting procedure: THROUGH TREMIE

SCREEN: ☒ Perforated pipe ☐ Manufactured

iameter 8 IN Length 10 FEET

aterial PVC
ot Size 1/8" Set From 68 Feet to 78 Feet
her information _____

AS A PACKER OR SEAL USED? ☒ YES ☐ NO

o, what material? 3/8 PEA ROCK GRAVEL PAC
scribe packer(s) and location? AROUND PERFORATION

INFECTIO: Was well disinfected upon completion?

YES, How: CLOROX

ratory sent to for water
ity analysis: _____

Well Owner: CONCRETE MATERIALS
Business Name: SWEETMAN CONSTRUCTION CO
Address: 2210 ALUMAY ROAD
YANKTON, SO. DAK 57078

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>FILL DIRT</u>	<u>0</u>	<u>5</u>
<u>SANDY GREY CLAY</u>	<u>5</u>	<u>50</u>
<u>SAND</u>	<u>50</u>	<u>62</u>
<u>ROUGH GRAVEL</u>	<u>62</u>	<u>78</u>

STATIC WATER LEVEL 9' Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: WITH AIR LIFT
☐ Bailed
☐ Other

Pumping Level Below Land Surface
60 ft. After 4 Hrs. pumped 550 GPM
____ ft. After ____ Hrs. pumped ____ GPM

If pump installed, pump rate 150 GPM

REMARKS ROUGH DRILLING DEEPER

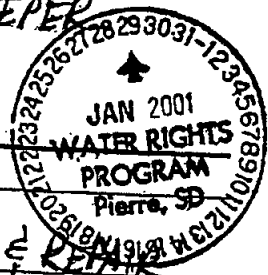
This well was drilled under license # 590

And this report is true and accurate.

Drilling firm WELL DOCTOR & RETAIL

Signature of License Representative: Robert Anderson

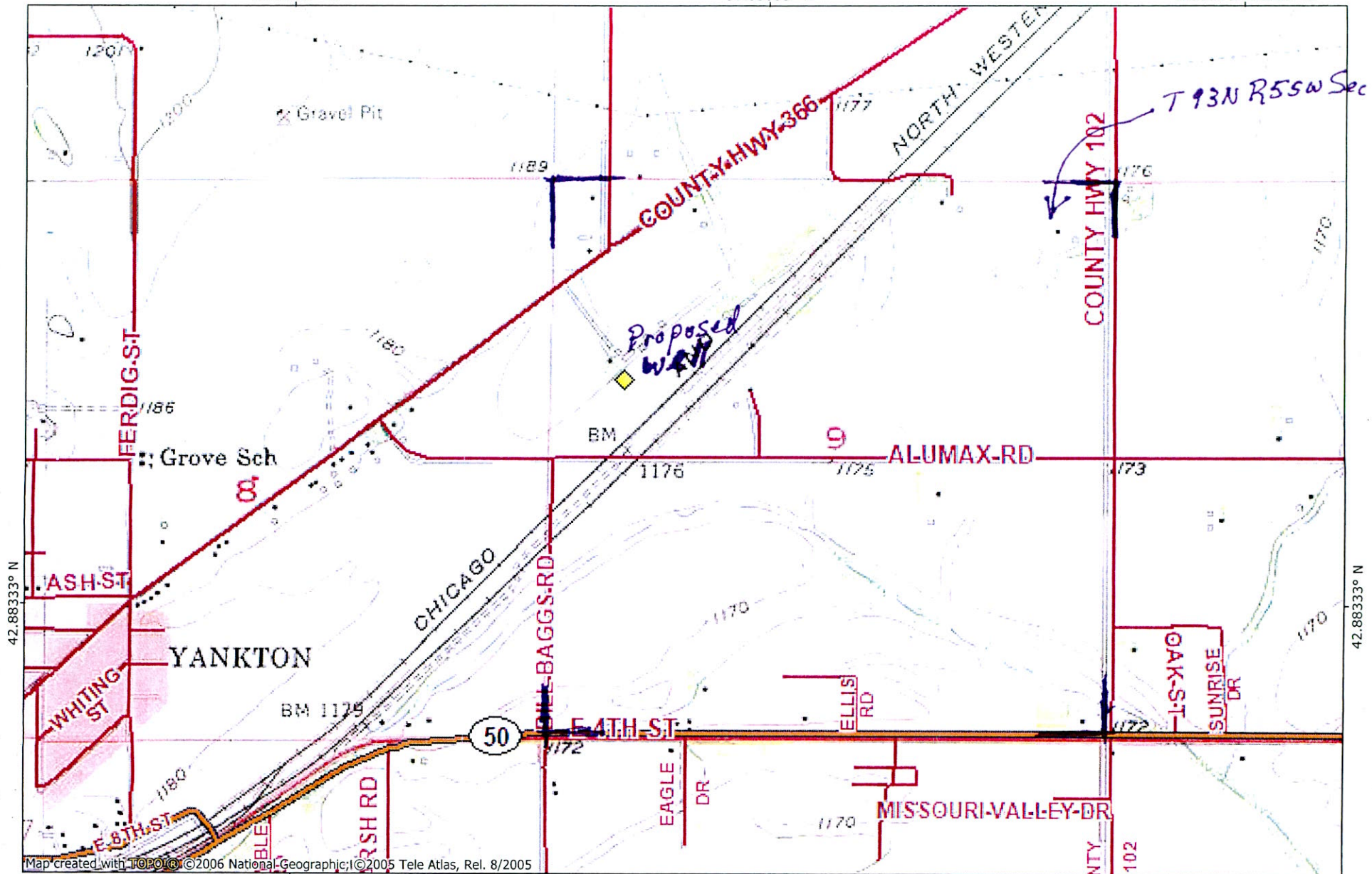
Signature of Well Owner or Equitable Property Holder: _____



RECEIVED

FEB 12 2018

WATER RIGHTS
PROGRAM



PA Annual
CP 6 8272

Conc Mat'ls detail

70' n. of building
150' n/nw of old well
290' n. of septic system
Same aquifer/depth as old well
Old well to be abandoned.
Shaded area NW 1/4 of sect 9

Flowing well

ConcMatlsProposed well

ConcMatlsExist well

Septic Tank

Hastings Dr

Alumax Rd

Bill Baggs Rd

15th St

RH and CP 827



1000 ft

Google Earth

© 2018 Google

Request for Change of Diversion Point

NAME: Concrete Materials

ADDRESS: PO Box 84140, Sioux Falls, SD 57118-4140

DATE: February 22, 2018

COUNTY: Yankton

TELEPHONE: 605-357-6000

BACKGROUND:

Water Right No. 6170-3 appropriates 0.222 cubic feet of water per second (cfs) from one well completed into the Elk Point management unit of the Missouri aquifer for industrial purposes. This well is completed to a depth of 78 feet and is located in the SW ¼ NW ¼ Section 9, T93N R55W.

An application was submitted to the South Dakota DENR Water Rights Program requesting the change of the diversion point to a new well that is to be constructed. The application states that the existing well has deteriorated and is unusable for their needs. This new well will be a replacement of the existing well. The proposed well is located approximately 150 feet to the north-northwest of the existing well and remains in the SW ¼ NW ¼ Section 9, T93N R55W. The proposed well is expected to be completed to an estimated depth of 100 feet and encounter the Missouri: Elk Point aquifer at a depth similar to that of the existing well.

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be permitted provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source**

The water source authorized by Water Right No. 6170-3 is the Missouri: Elk Point aquifer. The existing well is completed to a depth of 78 feet. The proposed replacement well will be completed to an estimated depth of 100 feet. Nearby wells indicate that the replacement well will also be in the Missouri: Elk Point aquifer at the estimated completed depth.

- **No additional water appropriated**

No additional appropriation of water is requested. This request is for a change in the location of the diversion point. Water Right No. 6170-3 currently appropriates 0.222 cfs (100 gpm) for industrial use from one well. The proposed replacement well does not increase the appropriation of Water Right No. 6170-3.

Review of Existing Diversions

The well completion report and water rights databases were reviewed for the nearest domestic wells and water rights/permits on file. The nearest domestic well on file and completed into this

aquifer is approximately 0.5 miles northeast of the current diversion and the proposed diversion locations. The distance to the nearest domestic wells has decreased. The nearest water right/permits completed into this aquifer are located approximately 0.6 miles south-southwest from the location of the current well and the proposed well location. Based upon the small change in distance from other users in the Missouri: Elk Point aquifer; interference is not expected to be a concern.

Observation Well Data

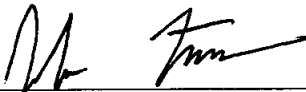
The Water Rights Program has 37 observation wells completed into the Missouri: Elk Point aquifer. The nearest observation well completed into this aquifer (YA-57D) is located approximately 3.6 miles east of the well sites. Historic water levels in YA-57D show that the groundwater surface has gradually declined approximately 10 feet since the well was constructed in 1957. This decline is likely due to the entrenchment of the Missouri River below Gavins Point Dam and does not indicate that the aquifer is being overused.

CONCLUSION

- The change in location of the diversion point does not propose to appropriate additional water.
- The water source continues to be the Missouri: Elk Point aquifer.
- Unlawful impairment of existing water rights/permits and domestic wells is not expected to occur.

RECOMMENDED ACTION

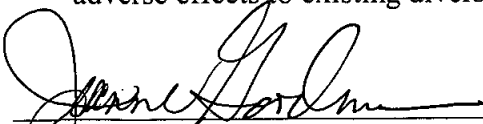
Based on the above criteria, it is recommended that the change in location of the diversion point under Water Right No. 6170-3 should be approved.



John Farmer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

The change in location of this diversion point does not increase the potential for adverse effects to existing diversions.



Jeanne Goodman, Chief Engineer
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 22, 2018

Concrete Materials
c/o Andy Haas
PO Box 84140
Sioux Falls SD 57118-4140

To Mr. Haas:

Water Permit No. 6170-3 appropriates 0.222 cubic feet of water per second (cfs) from one well completed in the Missouri: Elk Point aquifer in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 9, T93N R55W in Yankton County.

You filed a request to change the location of the diversion point for Water Permit No. 6170-3. The proposed well is expected to be located approximately 150 feet north-northwest from the existing well, and is also located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 9, T93N R55W.

The existing well was granted a variance due to the proximity of the well to a pollution source. The replacement well will need to be constructed according to South Dakota well construction standards and a variance may be needed depending upon the distance to nearby sources of pollution as outlined in ARSD 74:02:04:24.

Upon review of the request and pursuant to SDCL 46-5-13.1, the change in location of the diversion point for Water Permit No. 6170-3 is authorized without application or publication of a notice of hearing pursuant to SDCL 46-2A-4. No increase in the authorized diversion rate or appropriation has been requested or approved. Any well that is abandoned must be plugged in accordance with South Dakota well construction standards.

If you have any questions, please contact John Farmer at (605) 773-3352.

Sincerely,


Jeanne Goodman, Chief Engineer
Water Rights Program

6170-3

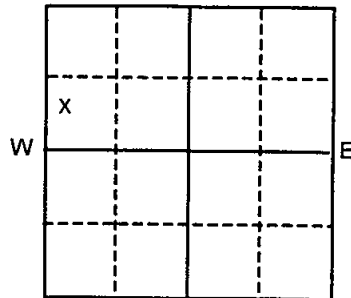
SD EForm - 1621LD V1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SW ¼ NW ¼ Sec 9 Twp 93N Rg 55WCounty Yankton

North

Please mark well
location with an "X"

Well Completion Date

21 March 2018

← 1 Mile →

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

PROPOSED USE:

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

METHOD OF DRILLING:

Forward rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	<u>8.00</u> IN	<u>0.0</u> FT	<u>48.0</u> FT	<u>18.00</u> IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Bentonite</u>	<u>16</u>	<u>9.5</u> Lb/gal	<u>0.0</u> Ft	<u>38.0</u> Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
Tremie

SCREEN:

☒ Perforated pipe ☐ Manufactured
Diameter 8.00 Inches Length _____ FeetMaterial PVCSlot Size _____ Set From 48.0 Feet to 88.0 Feet

Other information _____

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material? _____

Describe packer(s) and location _____

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? HTH tablets
Lab to which water ☐ No, Why Not?
quality sample sent for analysis _____

Well Owner: _____

Business Name: Concrete MaterialsAddress: P.O. Box 84140City, State, Zip: Sioux Falls SD 57118

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top soil	0	2
Gray clay	2	38
Gravel with big rocks	38	88

STATIC WATER LEVEL 17.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe:☐ Bailed☐ Other

Pumping Level Below Land Surface

36.0 Ft. After 1.0 Hrs. pumped 150.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

Elevation: 1180' asl42°53'21.10"N97°21'17.22"WThis well was drilled under license # 810 and this report is true and accurate.Drilling firm: Heine Electric & Irrigation

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

RECEIVED

SEP 13 2018

Date: 8-14-18WATER RIGHTS
PROGRAM



1500 N. Sweetman Place
Sioux Falls, SD 57107

RECEIVED

APR 04 2022

WATER RIGHTS
PROGRAM

6170-3

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





6170-3

**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

NOTICE OF TRANSFER OF OWNERSHIP

Ck# 42009089

Rec't# _____

RECEIVED

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

MAY 12 2022

WATER RIGHTS
PROGRAM

No. 6170-3

Date: _____

I/We request that Water Right No. 6170-3

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:

SW ¼ NW ¼ Section 9, T93N, R55W

I/We understand that the validity of Water Right No. 6170-3 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>6170-3</u>	\$ <u>50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	\$ <u>50.00</u>

By Eric Gronlund
Chief Engineer
vm



6170-3

**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