

WATER PERMIT NO. 6171-3

Name of Applicant: Cold Spring Granite Company

Address: 202 South 3rd Ave, Cold Spring MN 56321

Phone: 320 685-3621

Amount of Water Claimed: 0.111 cfs (50 gpm)

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: industrial County: Grant

Type of Waste Disposal System:

Location: 6 miles east of Milbank

PRIORITY Date Received: 1-18-00

Fee: \$150

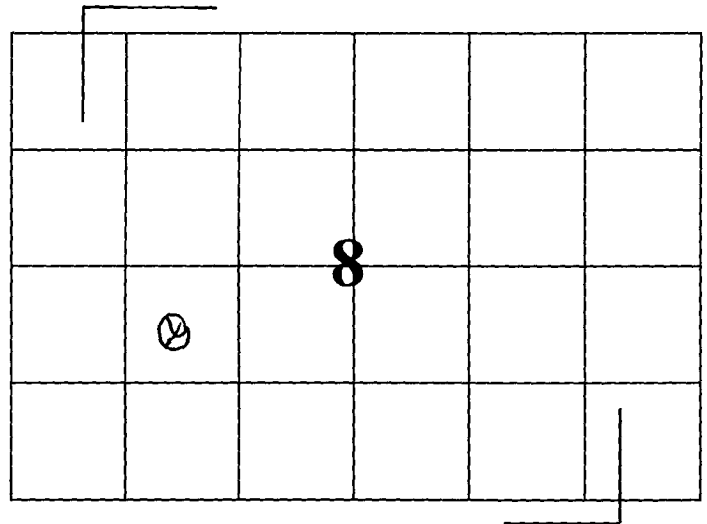
Corrected Application Received: 1-20-00

Period of Annual Use: Jan 1 – Dec 31

Remarks:

Diversion Point: NW ¼ SW ¼ Sec 8-
T120N-R47W

Land to be Irrigated: NA



Depth of Well: 40

Well Driller: : Kranz Well & Excavation

Remarks:

Type of Map: plat

Prepared by: Donald R Larson, PE

Reviewed and the Number Assigned on: 1-24-00

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 6171-3

Date of first receipt of application January 18, 2000.

Date of return to applicant for corrections, amendments or changes January 19, 2000.

Date of receipt of corrected application January 20, 2000.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6171-3 to Cold Spring Granite Company, 202 S 3rd Ave, Cold Spring MN 56320 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. 6171-3 appropriates 0.111 cubic feet of water per second (50 gallons per minute) from one well (Veblen Aquifer) 35 feet deep located in the NW ¼ SW ¼ Section 8-T120N-R47W.
2. The water appropriated shall be used for the purpose of supplying water for industrial use and may not exceed the amount of water needed for beneficial 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. 6171-3 is March 13, 2000.
5. The date from which applicant may claim right is January 18, 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.

WATER MANAGEMENT BOARD

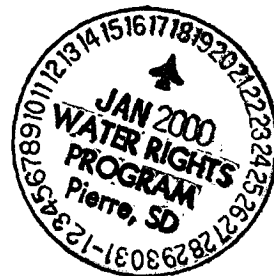
By: Garland Erbele
Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 10 2000

date



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6171-3</u>	(office use only) Hydrologic Unit <u>07020001</u>
	Basin <u>Minnesota - Wetstone</u>	
	Newspaper <u>Grant Co. Review, Milbank, 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 Cold Spring Granite Company Phone 320-685-3621
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address 202 South 3rd Avenue Cold Spring State MN 56320
(Street, RR. or Box) (Zip Code)
- Amount of water claimed 0.111 *CFS or 50 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Well - 40' deep 784' N36°E
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) Well 730' at N90°E from SW corner of the NW1/4 - SW1/4
Section 8 T120N R47W (NW 1/4 SW 1/4)
County Grant
- County or counties where water will be used Grant
- Annual period during which water is to be used Continuous throughout year 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)

Cold Spring Granite Company recently installed 5 diamond wire saws in the SW1/4, section 8, T120N, R47W. These saws require water to carry the stone particles away from the cut as the diamond wire cuts the stone into slabs. This water is transferred to a settling pond, adjacent to the saws, where the solids drop out and the water is reused. We lose some water through evaporation and seepage into the ground. This well will provide the make-up water for the system.

STATE OF SOUTH DAKOTA)

County of Grant 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, Leon F. Ensign, 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 Leon F. Ensign
Subscribed and sworn to before me this 14th day of January 2000
Haren L. Smith
Notary Public
Comm Expires: 7-31-04

COLD SPRING GRANITE COMPANY
202 SOUTH THIRD AVENUE
COLD SPRING, MN 56320

CARNELIAN NO. 1 GROUT PILE

MILBANK, SOUTH DAKOTA
MINING PERMIT NO. 0425
ISSUED 7-50

Revised
Total Acres Affected Since Permit Was Issued 26.25
Acres Affected Since Last Anniversary Date 3.75
Total Acres Mined Since Permit Was Issued 19.0
Acres Mined Since Last Anniversary Date 0
Total Acres Reclaimed Since Permit Was Issued 0
Acres Reclaimed Since Last Anniversary Date 0
Tons of Ore Mined Since Last Anniversary Date 0
Tons of Overburden/Waste Mined Since Last Anniversary Date 0
Scale 1"=100'
By Brian Sjasheim

CARNELIAN #1

MILBANK, SD
T 120 N., R. 47 W
CARN-1-11-b

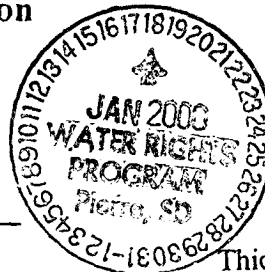
- AFFECTED AREA
[Symbol] WATER
[Symbol] TEST PLOT
--- 10 YEAR MINING PLAN OUTLINE
--- ULTIMATE MINING PLAN OUTLINE
--- SECTION LINES
--- ADJOINING LAND OWNERS PROPERTY
SCALE 1"=100'
DRAWN BY: TIM NEU DATE: 8-16-89

PERMANENT POINTS
1A - WEST EDGE CRACK, SOUTH SIDE BIG DOOR.
1B - 1 FOOT SOUTH OF TELEPHONE POLE, NAIL UNDER PAINTED ROCK.
1C - APPROXIMATELY 1' SOUTH OF FENCE BETWEEN POSTS, NAIL UNDER ROCK.
1D - STEEL STAKE 14.1' WEST OF NORTHWEST CORNER OF TRANSFORMER FENCE.

COLD SPRING GRANITE COMPANY - COLD SPRING, MN				MILBANK NO. 1 GROUT PILE AREA			
1	Added cow building in NW corner of print.	7/12/99	BS	1	Added water well in NW corner of print.	1/12/00	BS
2	Added water well in NW corner of print.	1/12/00	BS				
TOLERANCE UNLESS SPEC.				BY			
DECIMAL .X = ± .06"				CK'D			
DECIMAL .XX = ± .01"				DATE			
DECIMAL .XXX = ± .005"				SCALE			
ANGULAR ± 1"-0"				DRAWING NO.			
FRACTIONAL 1/16"				APPROVED BY			
MILLIMETER ± .5mm							
E.N-013-96							
NO.	CHANGE	DATE	BY				

Supplemental Information

(type or print in ink)



Sdr 21

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8 3/4" Depth 40'
- b) Casing Type PVC Diameter 5" Thickness _____
- c) Screen Type PVC Diameter 5" Thickness .035"
- d) Gravel Pack pea rock Length of Gravel Pack 15'
- e) Depth to Top of Water Bearing Material 20'
- f) Depth to Water (ground surface to water level) 6'
- g) Distance to nearest existing domestic well:
- On applicants property none On property owned by others 1 1/2 miles

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 _____

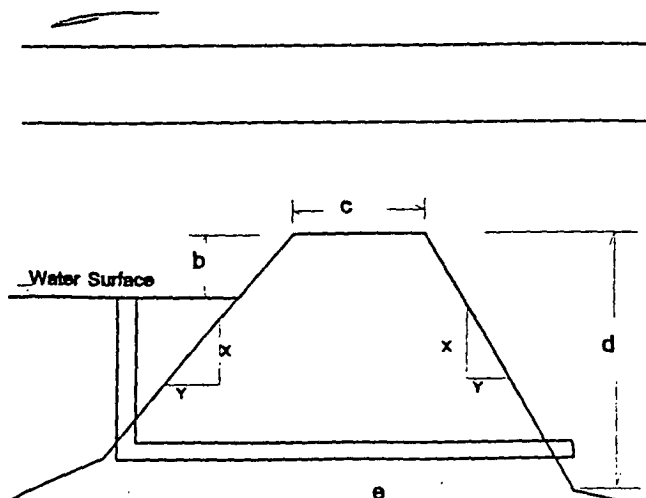
3. Dugout Information

- a) Surface Dimensions 14' x 511' = 7154 SF Depth 8'
- b) Depth to water (ground surface to water level) 16"

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

SW SE

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SE 1/4 1/4 Sec 20 Twp 130 N Rg 47 W

County

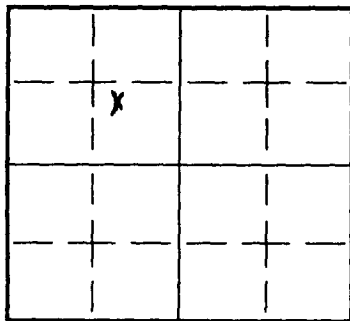
Grant

Please mark well location with an "X"

W

E

Well Completion Date

1-15-2000

LOCATION:

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

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
200 LB/FT	5 IN	0 FT	20 FT	8 3/4 IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
Neat Grt	_____	_____ lb./gal	5 ft	18 ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure _____

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 5 IN Length 15 FEETMaterial pvcSlot Size .035 Set From 20 Feet to 35 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?

X YES, How: Gal. bleach

Laboratory sent to for water quality analysis

_____ NO, Why Not? _____

nonewon't be used for

Well Owner: _____

Business Name: Cold Spring Granite Co.Address: RR 1 Box 149Milbank, SD 57252

WELL LOG:

DEPTH

FORMATION

FROM

TO

red clay WITH SAND ^{KB 11/24/00}020sand2035gray clay3540

STATIC WATER LEVEL

6

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: _____

☐ Bailed☐ Other

Pumping Level Below Land Surface

20 ft. After 1 Hrs. pumped 100 GPM35 ft. After 1 Hrs. pumped 200 GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 598

And this report is true and accurate.

Drilling firm Kranz Well & Excavation

Signature of License Representative:

Charles Kranz

Signature of Well Owner or Equitable Property Holder:

Leon E. ...Date: Jan 15, 2000

10-85

Well Owner:

Name Cold Spring Granite Co.

Address RR 1 Box 149

Milbank, SD 57252

Plugging completion Date 12-30-99

EXISTING WELL

Well depth _____

Casing material _____

Casing size(s) _____

Casing condition _____

TEST HOLE

☒

Hole depth 48'

Hole size 8 3/4"

Describe plugging procedure: Tremmed bentonite from bottom to approx. 20 ft.

Then tremmied neet cement from approx.20 ft. to top.

Describe grout or plugging material: Betonite & neet cement

Type of non-slip plug:

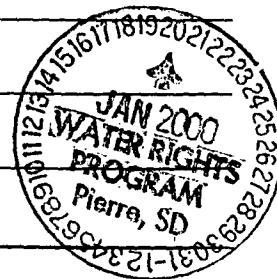
This well or test hole was plugged under license # 58598 And this report is true and accurate.

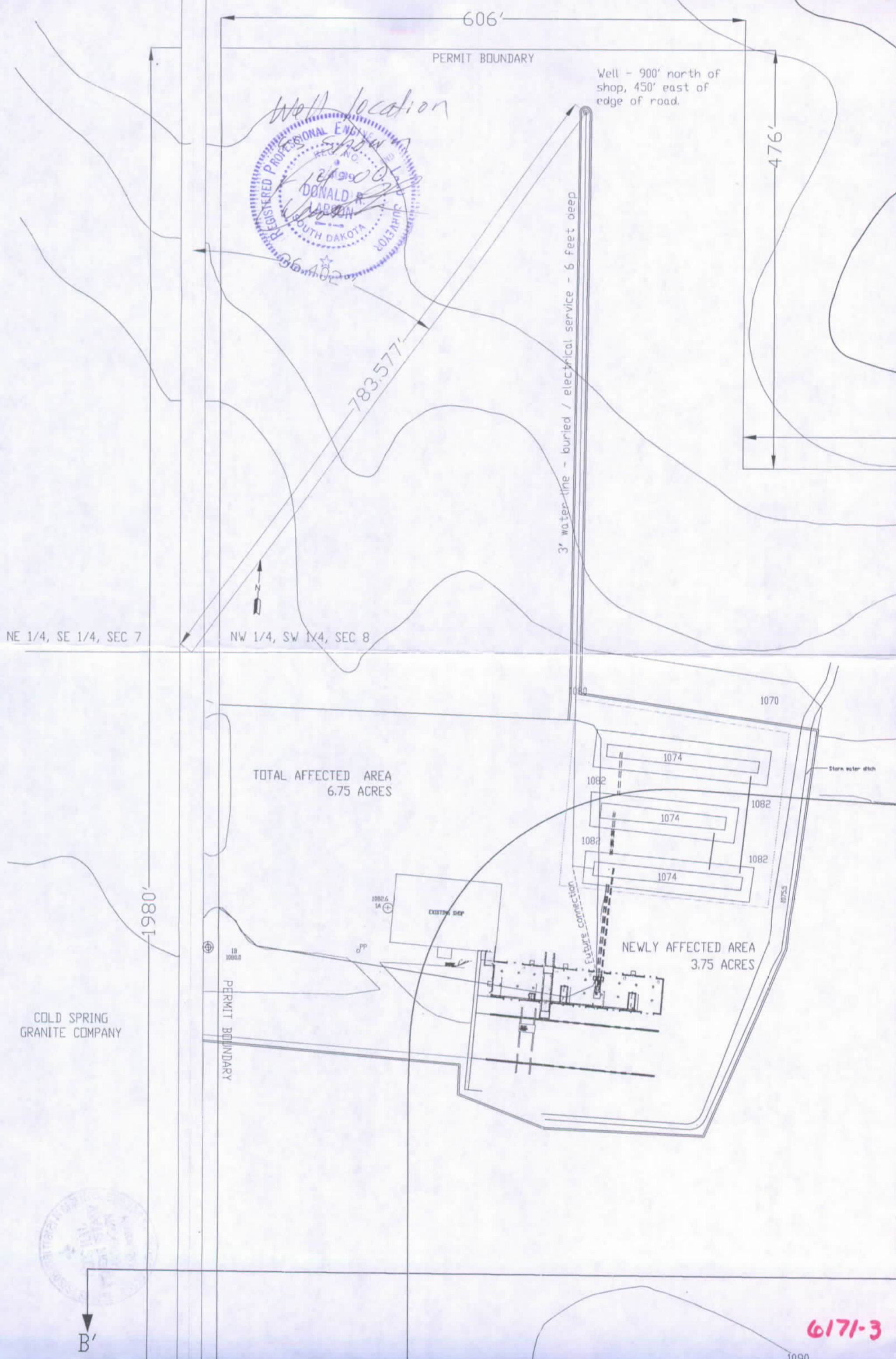
Drilling firm Kranz Well & Excavation

Signature of Licensed Representative.

Signature of Well Owner

Date Jan 15, 2000





RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

No 416353

Pierre, January 18, 2000

RECEIVED OF Cold Spring Granite Co., 202 S. 3rd Ave., Cold Spring, MN 56320
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>6171-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	150	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. <u>6171-3</u> _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	200 00

By David E. Ebel
Chief Engineer



COLD SPRING

Quarriers and fabricators of building stone and memorialization products.

Cold Spring Granite Company, 202 South Third Avenue, Cold Spring, MN 56320 USA
800-328-5040 320-685-3621 Fax 320-685-8490

January 13, 2000

Water Rights Program
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181



RE: Application for Permit To Appropriate Water

Dear Sirs:

Attached is our application for a permit to appropriate water for our sawing operation near Milbank, SD. A check for \$200 and a signed map is also attached.

Please call me with questions.

Sincerely,

Don Sieger
Quarry Engineer
320-685-4679





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 19, 2000

Cold Spring Granite Company
Don Sieger, Quarry Engineer
202 South 3rd Ave
Cold Spring MN 56320

Dear Mr. Sieger:

Thank you for submitting the *Application for a Permit to Appropriate Water* for industrial use in Grant County. A well log signed by a South Dakota licensed well driller must accompany the application.

Upon receipt of the well log, further processing of the application will continue. If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

REPORT ON WATER PERMIT APPLICATION NO. 6171-3
for Cold Spring Granite Company
February 1, 2000

Application No. 6171-3 proposes to appropriate 0.111 cfs (50 gpm) from one well approximately 35 feet deep located in the NW 1/4 SW 1/4 of Section 8, T120N-R47W in Grant County. The water is for industrial use.

AQUIFER - VEBLEN (VEB)

The Veblen is a mostly buried outwash (sand and gravel) over much of its area but is under water table conditions in the area of this application. The aquifer underlies 260 square miles and contains an estimated 700,000 acre feet of recoverable water in storage in Grant County (Hansen, 1990). The aquifer extends into Roberts County to the north, Minnesota to the east and into Deuel County to the south. Ground water movement is from west to northeast across eastern Grant County (Hansen, 1990).

The well log supplied with the application indicates sandy clay from the surface to 20 feet and sand from 20 feet to a depth of 35 feet. The well had a static water level of 6 feet below land surface and was capable of producing 100 gpm at 20 feet below land surface and 200 gpm at 35 feet below land surface. This equates to specific capacity of about 7 gpm/ft of drawdown which is relatively low. This well has been completed in accordance with SD Well Construction Standards.

The Water Rights Program monitors observation wells completed into the Veblen aquifer in this area. Two of these observation wells, GT-77Q and GT-83B, are located about two miles from this application. Water levels for these wells show good correlation with climatic conditions, that is, rising water levels during wet years (recharge) 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 these two observation wells are included with this report.

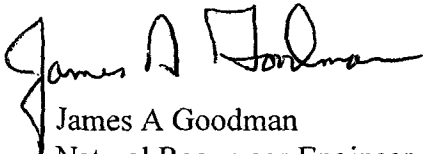
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other existing water permits/rights in this area which obtain water from the Veblen aquifer. The nearest permits are also issued to the quarry and are for dewatering individual pits of the quarry. Interference is not a concern.

CONCLUSIONS

1. Water is available from the Veblen aquifer.
2. The aquifer is under water table conditions at this site. Drawdown is not expected to be significant nor cause any adverse effects.
3. The well for this application has been completed in accordance with SD Well Construction Standards.

4. The water is used to carry stone particles away from the cut as diamond wire cuts the stone into slabs. After the stone particles settle out in a pond, the water will be reused in the process. The well will be used to provide make-up water for the process.



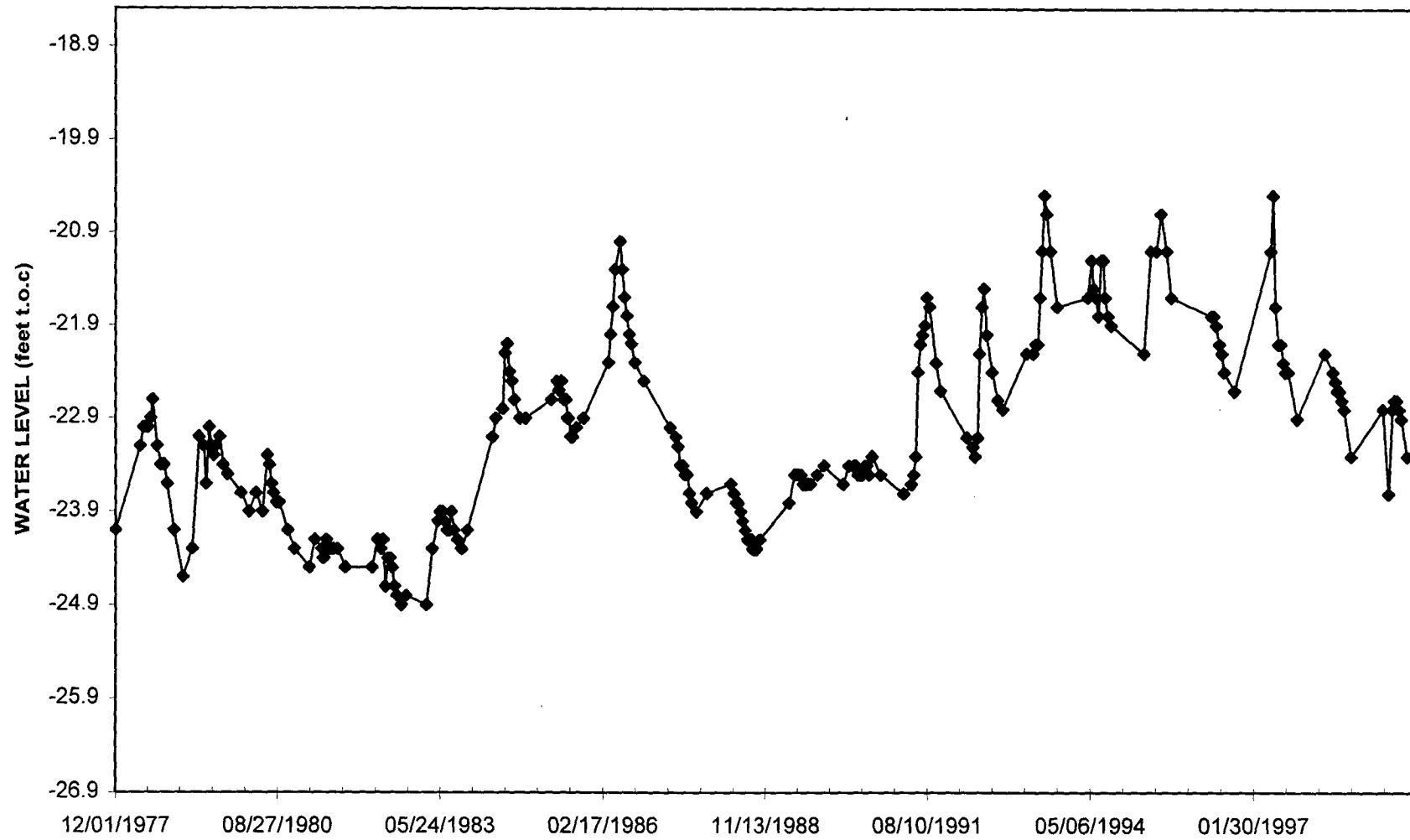
James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

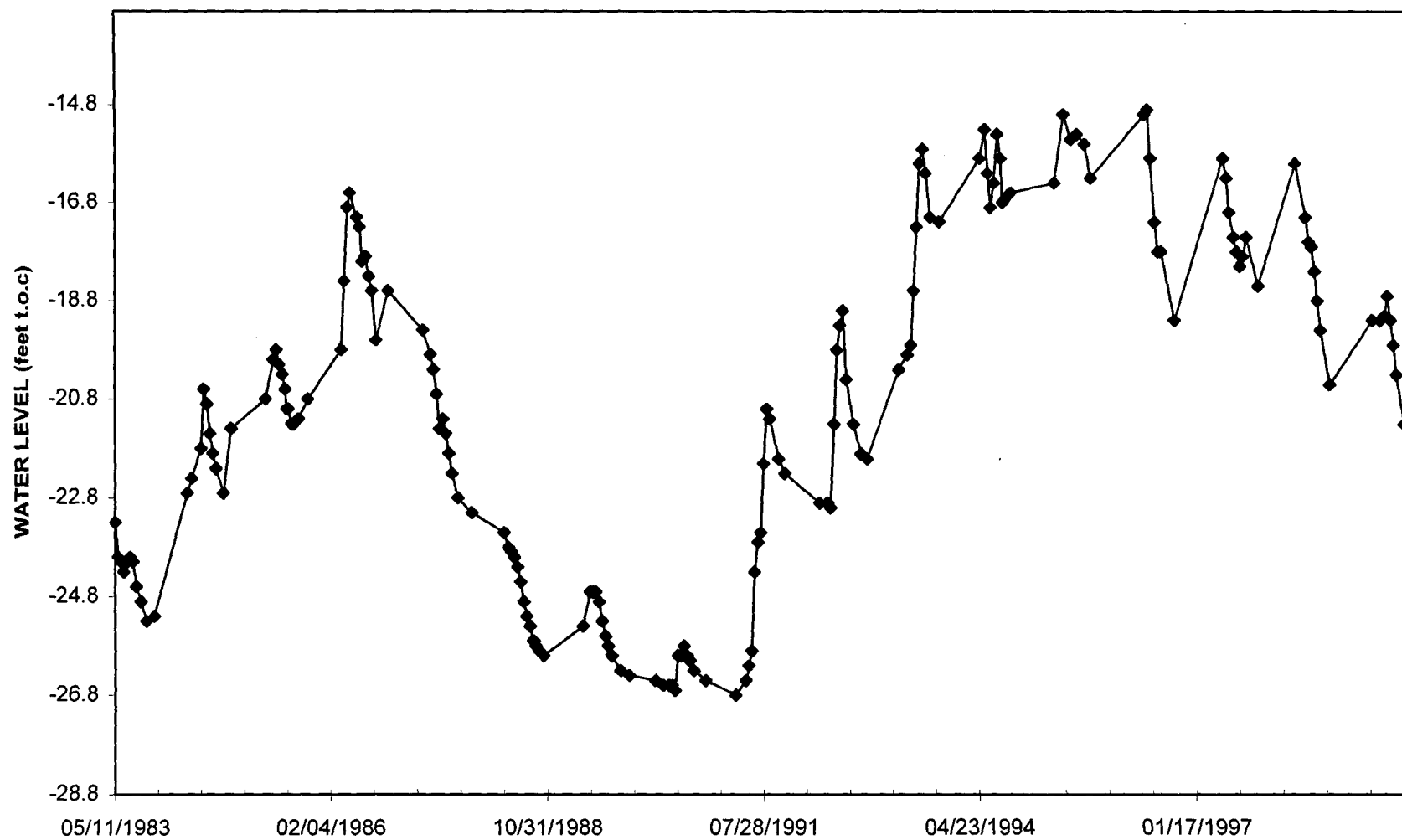
Hansen, 1990, Water Resources of Codington and Grant Counties, South Dakota, WRI 89-4147, USGS, Huron, SD, 57350.

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

**WATER RIGHTS' OBSERVATION WELL
GT-77Q**



**WATER RIGHTS' OBSERVATION WELL
GT-83B**



**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6171-3, Cold Spring Granite Company**

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. 6171-3, Cold Spring Granite Company, c/o Don Sieger, Quarry Engineer, 202 South 3rd Avenue, Cold Spring, MN 56320.

The Chief Engineer is recommending APPROVAL of Application No. 6171-3 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.

See report on application for additional information.

A handwritten signature in cursive script, appearing to read "Garland Erbele".

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

Cold Spring Granite Company
% Don Sieger, Quarry Engineer
202 South 3rd Ave.
Cold Spring, MN 56320

Dear Mr. Sieger:

Water Permit Application No. 6171-3 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 Grant Co. Review printed at Milbank, SD (Ph # (605) 432-4516). 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

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

Grant Co. Review
Box 390
Milbank, SD 57252-0390

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6171-3 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 Cold Spring Granite Company, %Don Sieger, Quarry Engineer, 202 South 3rd Ave., Cold Spring, MN 56321 (Ph # (320) 685-3621).

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. 6171-3

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. 6171-3 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. 6171-3 to Appropriate Water

Notice is given that Cold Spring Granite Company, 202 South 3rd Ave, Cold Spring MN 56320 has filed an application for a water permit to appropriate 0.111 cubic feet of water per second (50 gallons per minute) from one well (Veblen Aquifer) 35 feet deep located in the NW ¼ SW ¼ Section 8-T120N-R47W. The water is for industrial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6171-3 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.

Printer's Affidavit of Publication

STATE OF SOUTH DAKOTA,
COUNTY OF GRANT

ss.



Clarence Justice

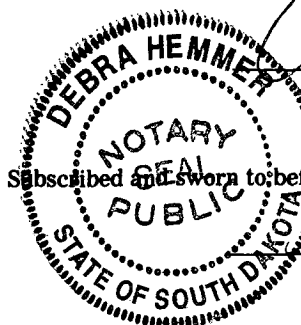
of said County and State, being first duly sworn, on oath says that the Grant County Review is a legal weekly newspaper of general circulation, printed and published in Milbank, in said County of Grant and State of South Dakota, by Phyllis Justice, and has been such newspaper during the times hereinafter mentioned; that said newspaper is a legal newspaper; and that it has a bona fide circulation of more than two hundred copies weekly, and has been published within said County of Grant in the English language and has been admitted to the United States mail under second class mailing privilege, for at least one year next prior to the publication of the Notice herein mentioned, and has been printed wholly in an office maintained at the said place of publication, that I, the undersigned Associate Editor of said newspaper, in charge of the advertising department thereof, have personal knowledge of all the facts stated in this affidavit; that the advertisement headed Notice of Application No. 6171-3 to Appropriate Water

_____ a printed copy of which, taken from the paper in which the same was published, is attached to this sheet and is made a part of this Affidavit, was published in said newspaper at least once each week for two successive weeks, on the day of each week on which the said newspaper was regularly published, to-wit:

<u>February 23</u>	<u>192000</u>	_____	19
<u>March 1</u>	<u>192000</u>	_____	19
_____	19	_____	19

That \$ 36.63, being the full amount of the fee charged for the publication of said Notice, inures to the benefit of the publisher of the Grant County Review; that no agreement or understanding for the division thereof has been made with any person, and that no part has been agreed to be paid to any person whomsoever.

Clarence Justice
Subscribed and sworn to before me this 1st day of March 19 2000
Debra L. Hemmer
Notary Public, Grant County, South Dakota



DEBRA HEMMER
Notary Public, GRANT COUNTY, S. DAK.
My Commission Expires OCT 27, 2003

NOTICE OF APPLICATION NO. 6171-3 to Appropriate Water

Notice is given that Cold Spring Granite Company, 202 South 3rd Ave, Cold Spring MN 56320 has filed an application for a water permit to appropriate 0.111 cubic feet of water per second (50 gallons per minute) from one well (Veblen Aquifer) 35 feet deep located in the NW 1/4 SW 1/4 Section 8-T120N-R47W. The water is for industrial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6171-3 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.

Publication Fee	\$ <u>36.63</u>
Notarial Fee	\$ _____
Total	\$ <u>36.63</u>

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.

Feb. 23

March 1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 10 2000

Cold Spring Granite Company
%Don Sieger, Quarry Engineer
202 S. 3rd Ave.
Cold Spring, MN 56320

Dear Mr. Sieger:

Enclosed is Water Permit No. 6171-3 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



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

Date

7/26/00

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

FROM:

Cold Spring Granite Co. % Don Sieger
(name)

202 S. 3rd. Avenue
(address)

Cold Spring, MN 56320
(city, state, zip)

320-685-4679
(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. 6171-3 states that the water use system is to be constructed by

March 13, 2005
(date)

and water is to be put to beneficial use by

March 13, 2009
(date)

The water use system was completed on

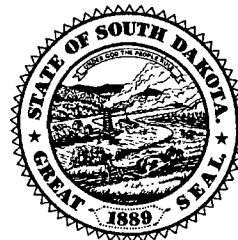
July 10, 2000
(date)

Applying the water to beneficial use was completed on

July 10, 2000
(date)

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

Donald J. Sieger
(signature)



Permit No. 6171-3
Minnesota-Whetstone - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

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

I have this day, 07/19/05, made a thorough examination of the water use system constructed by Cold Springs Granite Company of 202 South 3rd Avenue, Cold Spring, MN 56321 holder of Permit No. 6171-3, bearing the priority of 01/18/00 authorizing the diversion of 0.111 cu. ft. per second of the waters of Veblen Aquifer for Industrial use purposes, in Grant County.

Inspection contact & relationship **Don Sieger (Foreman)**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Kranz Well & Excavation
- 2) No. of Wells 1
- 3) Depth(s) 40 feet
- 4) Well log is available Y
- 5) Comment:

Casing:

- 1) Diameter 5 inches
- 2) Length 20 feet
- 3) Type PVC

Screen:

- 1) Type PVC
- 2) Length 15 feet
- 3) Static water level 6 feet

Pump:

- 1) Make Gorman-Rupp
- 2) Model S2E1
- 3) Size
- 4) Capacity 50 GPM

Motor:

Horsepower rating 3 hp

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

- 1) Type PVC 2) Size 3 inches 3) Length 1000 feet

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
2) Exceptions to compliance are: NONE

The system is in good condition with the point(s) of diversion located as follows: 1840 ft North and 550 ft East of the SW1/4 corner of SEC. 8-T120N-R47W (N 45.21399, W -96.494899). The works are capable of diverting and conveying to the place of use 0.111 cu. ft. per second of water which is to be used for Industrial use. Water has been put to beneficial use to the maximum extent as follows:

The license should be issued for 0.111 cfs.

All structures, wells and lands on map Y

Comments or other permit(s) associated with the project:



Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: July 26, 2005

Cold Spring Granite Company
202 South 3rd Ave.
Cold Spring, MN-Grant County
Water Permit No. 6171-3

6 mi to Milbank

1 mi to Lake Albert



Mike DeFea
Natural Resources Engineer
DENR Water Rights Program
07/26/05



0 0.050.1 0.2 0.3 0.4 0.5 Miles

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6171-3

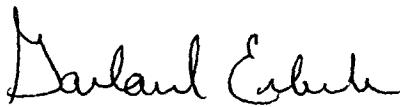
(1) Cold Spring Granite Company, 202 South 3rd Ave, Cold Spring, MN 56320 made Application No. 6171-3, January 18, 2000 for a water permit to divert 0.111 cubic feet of water per second from ground water (one well – Veblen Aquifer), Grant County, South Dakota for industrial purposes. Permit No. 6171-3, with a priority date of January 18, 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 water on or before March 13, 2009.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, Cold Spring Granite Company the holder and/or owner of Water Right No. 6171-3 is issued a license, bearing a priority date of January 18, 2000 to appropriate 0.111 cubic feet of water per second from ground water (one well – Veblen Aquifer) to be used for industrial purposes.

The diversion point is located:

- 1,840 feet north and 550 feet east of the SW corner of Section 8, T120N, R47W (NW ¼ SW ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6171-3.



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

AUG 08 2005

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

AUG 08 2005

6171-3

Cold Spring Granite Company
202 South 3rd Ave
Cold Spring MN 56320

Dear Sirs:

Enclosed is Water License No. 6171-3. This is the final water right document completing your process of obtaining a Water Right. Also enclosed is a copy of the map prepared by the staff engineer who conducted the field investigation.

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. 6171-3, 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