

WATER PERMIT NO. 6313-3

Name of Applicant: Consolidated Ready Mix, Inc.

Address: PO Box 272, Watertown SD 57201

Phone: 605 886-5959

Amount of Water Claimed: 0.089 cfs (40 gpm)

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: industrial

County: Codington

Type of Waste Disposal System:

Location: 1 mile north of Webster

PRIORITY Date Received: 9-13-2001

Fee: \$50

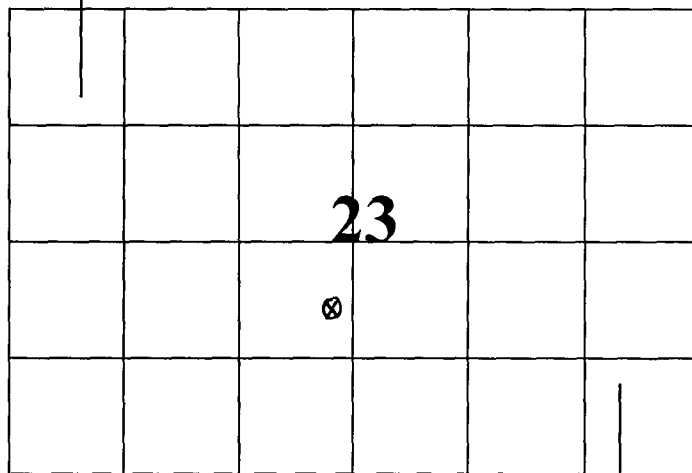
Corrected Application Received: 3-20-2002

Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: NE 1/4 SW 1/4 Sec 2-T122N-R56W

Land to be Irrigated: NA



Depth of Well: 202

Well Driller: : Pullman Well Drilling

Remarks:

Type of Map: aerial

Prepared by: Ronald Christensen, NRCS

Reviewed and the Number Assigned on: 3-20-2002

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

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>6313-3</u>	(office use only) Hydrologic Unit <u>10160010</u>
	Basin <u>James River</u>	
	Newspaper <u>Reporter & Farmer, Webster</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.) _____

1. Name of Applicant Consolidated Ready Mix, Inc. Phone 605-886-5959
(check one) ☐ Owner ☒ Tenant/lessee
Mailing Address PO Box 272 Watertown State SD 57201
(Street, RR, or Box and City) (Zip Code)

2. Amount of water claimed 0.089 *CFS or 25-40 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply well

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
NE 1/4 SW 1/4 - 23 T - 122 - N - R 56 - W
County _____ Day _____

5. County or counties where water will be used _____ Day _____

6. Annual period during which water is to be used January 1 thru December 31

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

Water well for Ready Mix Concrete Plant

STATE OF SOUTH DAKOTA)
County of Codington 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, David N. Bozied, 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.

Applicant's signature David N. Bozied

Subscribed and sworn to before me this 11th day of September, 2001

Barbara A. Harting
Notary Public signature

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8 3/4 Depth 202
- b) Casing Type P.V.C. Diameter 5 inch Thickness 1/4 inch
- c) Screen Type manufactured Diameter 5 inch Thickness 1/4 inch
- d) Gravel Pack 40/60 Length of Gravel Pack 40 feet
- e) Depth to Top of Water Bearing Material 190 feet
- f) Depth to Water (ground surface to water level) 80 feet
- g) Distance to nearest existing domestic well:
- On applicants property none On property owned by others 1/2 mile

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 _____

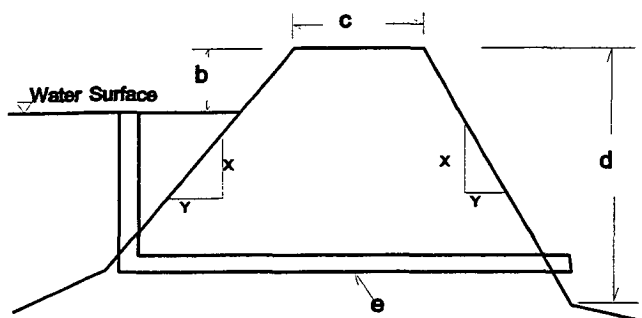
3. Dugout Information

- 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 _____
 Upstream _____
 Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

**SOUTH DAKOTA
WATER PERMIT NO. 6313-3**

Date of first receipt of application September 13, 2001.

Date of return to applicant for corrections, amendments or changes September 19, 2001.

Date of receipt of corrected application March 20, 2002.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6313-3 to Consolidated Ready Mix, Inc., PO Box 272, Watertown SD 57201 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. 6313-3 appropriates 0.089 cubic feet of water per second (40 gallons per minute) from one well (Prairie Coteau Aquifer) 202 feet deep located in the NE ¼ SW ¼ Section 23-T122N-R56W.
2. The water appropriated shall be used for the purpose of industrial use in a ready mix concrete plant 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. 6313-3 is June 14, 2002.
5. The date from which applicant may claim right is March 20, 2002.
6. One-fifth of the construction is to be completed on or before December 14, 2004.
7. All construction is to be completed on or before June 14, 2007.
8. Water is to be put to beneficial use on or before June 14, 2011.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

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

WATER MANAGEMENT BOARD

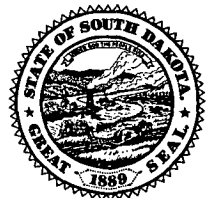
By: Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

JUL 31 2002

date



RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

416921

Pierre, SEPTEMBER 19, 2001

RECEIVED OF Consolidated Ready Mix, Inc., PO Box 272, Watertown, SD 57201
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>4313-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>4313-3</u> _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	100 00

By

Darland Ebele
Chief Engineer
gm

07-92

Date: 2

We Don't Want To Confuse You...

So If You're Having Trouble Reading
Our Maps Check Our Page On **"HOW TO READ YOUR PLAT & DIRECTORY"**
Which Is Located Near The Front Of The Book
We Want You To Take Full Advantage Of Our Service!

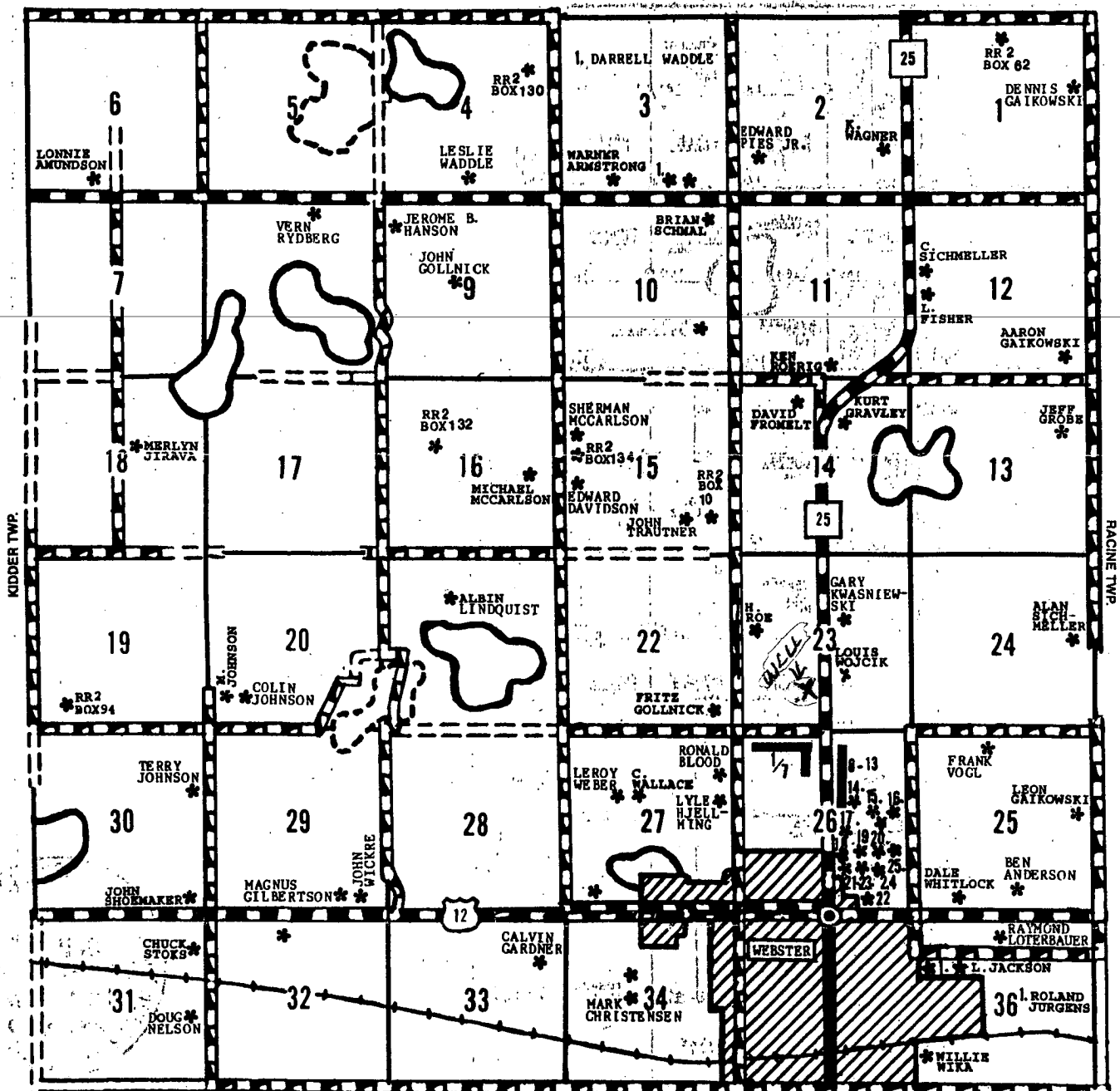
T-122-N

WEBSTER DIRECTORY

(Residents - Owners or Renters)

RARITAN TWP.

R-56-W



RUSK TWP.

See Page 11 For Additional Names.

© Farm & Home Publishers, Ltd.

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP

Ronald Christensen, NRCS



6313-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 7, 2001

Consolidated Ready Mix
PO Box 272
Watertown SD 57201

Dear Sir:

I am writing in regard to a well driller's report filed by Pullman Well Drilling. The report shows a new well has been completed for Consolidated Ready Mix (Sec 25-T114N-R57W – Clark County). Based on the information in the report, you may need a water permit for this water use.

1. According to state law, a water permit is needed for any water use except for reasonable, private domestic use. Examples of commercial uses that require a water rights permit are: truckstops; motels; restaurants; bars; clubs; tourist attractions; campgrounds or any other business operation.
2. Also, as a new well owner, you need to be aware of some of your responsibilities. Enclosed is a copy of "Well Owner Responsibilities". Please review these responsibilities to ensure you are complying with all of the requirements.

Enclosed are application forms and instruction sheet to apply for a water permit. The completed forms with the application fee and map can be returned to: Water Rights Program, 523 E. Capitol, Pierre, SD 57501. Please respond by October 1, 2001.

If you believe your water use does not require a water permit or that you have an existing permit, or if help is needed completing the application forms, please contact Ron Duvall or me at (605) 773-3352. We will be happy to assist you in any way possible.

Sincerely,

Karen Schlaak
Water Rights Program

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 13, 2001

David Bozied, President
Consolidated Ready Mix, Inc.
PO Box 272
Watertown SD 57201

Dear Mr. Bozied:

Thank you for submitting your *Application for a Permit to Appropriate Water*. In order to complete the application the following information is required.

1. A map showing the location of the well in relation to a government section corner will need to be submitted. This map must be signed by one of the following: registered land surveyor, registered professional engineer or a government employee who normally prepares maps as part of assigned duties.
2. The application filing and licensing fee is \$100.

The application will be processed once this map and filing fee is submitted. If you have any questions, please do not hesitate to contact me.

Sincerely,

Eric Gronlund
Water Rights Program
(605) 773-3352



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

*Copy of
letter Consolidated
Ready Mix, Inc.
received.*

David Bozied, President
Consolidated Ready Mix, Inc.
PO Box 272
Watertown SD 57201

Dear Ms. Bozied:

Enclosed is the map submitted for your *Application for a Permit to Appropriate Water*. The map is being returned because it must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties. The local Natural Resource Conservation Service office would have someone qualified to sign this map. They also have aerial photo maps available.

The \$100 application/licensing fee has been receipted.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

RECEIVED

MAR 20 2002

WATER RIGHTS
PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 20, 2001

David Bozied, President
Consolidated Ready Mix, Inc.
PO Box 272
Watertown SD 57201

Dear Mr. Bozied:

On September 13, 2001, you submitted an Application for Permit to Appropriate Water Within the State of South Dakota for industrial use.

Enclosed is another copy of the map submitted with the application. As stated in our September 19, 2001 letter to you, the map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties. The local Natural Resource Conservation Service office would have someone qualified to sign this map. They also have aerial photo maps available.

Upon receipt of the map, further processing of the application will continued. If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
Phone: (605) 773-3352

enclosures

Water Rights Program - File Documentation

NAME: Ron Nelson, Consolidated Ready Mix

ADDRESS: Watertown SD

DATE: 3-11-02 **COUNTY:** Day **TELEPHONE:** 605 229-3700

RE: pending application

COMMENTS:

Ron Nelson, Consolidated Ready Mix called regarding their pending application. I told him the only thing needed to complete the application was a signed map.

Mr. Nelson indicated the legal description on the well completion report filed by Pullman Drilling was incorrect. They do not have a well located in Clark County.

The correct location of the well is SW ¼ Section 23-T122N-R56W. I told him I would make the necessary change.


Karen Schlaak
Environmental Scientist

REPORT ON WATER PERMIT APPLICATION NO. 6313-3
For Consolidated Ready Mix, Inc.
April 29, 2002

Application No. 6313-3 proposes to appropriate 0.089 cfs (40 gpm) from one well approximately 202 feet deep located in the NE 1/4 SW 1/4 of section 23, T122N R56W in Day County. The water is to be used for industrial purposes in a ready mix concrete plant.

AQUIFER – PRAIRIE COTEAU (PCO)

The Prairie Coteau is buried outwash (sand and gravel) which is under confined conditions at this site. The name Prairie Coteau is simply a “catch all” name for all the potential aquifers between the surficial and basal systems as described by Hedges. The aquifer underlies 500,000 acres and contains an estimated 675,000+ acre-feet of recoverable water in storage in Day County (Hedges, 1982). The aquifer extends into Codington and Clark Counties to the south, Roberts County to the east and into Marshall County to the north. The aquifer is not well defined or well mapped. The City of Webster Study refers to the Prairie Coteau aquifer as the 200 feet deep outwash (Barari, 1974).

The test well log filed with the application indicates sand and gravel from a depth of 190 feet to a depth of 202 feet. This well was capable of producing 75 gpm using air to develop and had a static water level of 85 feet below land surface. The well as built is completed in accordance with SD Well Construction Standards.

The Water Rights Program does not monitor any observation wells completed into the Prairie Coteau aquifer near this area. The nearest observation well completed into the Prairie Coteau aquifer is located about 10 miles southeast of this application and is probably not representative of the water levels in the aquifer near Webster.

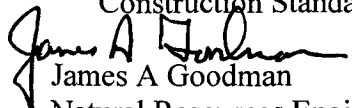
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are three existing water rights within a two-mile radius of the application that can also obtain water from the Prairie Coteau aquifer. Two of these rights Nos. 567-3 and 1865-3 are for the City of Webster for municipal use which now obtains water from WEB rural water system and the other right No. 5087-3 is also for a ready mix facility. Interference is not a concern. The other rights are not being used at this time and are far enough from this application to minimize any potential effects.

CONCLUSIONS

1. Water is available from the Prairie Coteau aquifer.
2. The aquifer is confined and under artesian conditions. Pumping will create drawdown but is not expected to be a problem. The requested diversion rate is small and interference should not be a concern.

3. This is an existing well that has been constructed in accordance with SD Well Construction Standards.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Barari, A., 1974, Ground-Water Investigation for the City of Webster, Special Report 57, SD DENR, SDGS, Vermillion, SD, 57069.

Hedges, L.S., 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6313-3, Consolidated Ready Mix, Inc.**

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. 6313-3, Consolidated Ready Mix, Inc., c/o David N. Bozied, PO Box 272, Watertown SD 57201.

The Chief Engineer is recommending APPROVAL of Application No. 6313-3 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 qualification:

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

See report on application for additional information.

Garland Erbele, Chief Engineer
May 14, 2002



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 15, 2002

Reporter & Farmer
PO Box 30
Webster SD 57274-0030

ATTENTION: Legal Public Notice

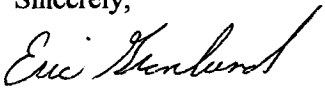
Enclosed is a Notice of Hearing on Application No. 6313-3 to Appropriate Water to be published twice. Please publish the first notice on May 27, 2002 with the second publication 7 days later.

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 Consolidated Ready Mix, Inc. c/o David Bozied, PO Box 272, Watertown SD 57201 (Ph # 886-5959).

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

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

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

No. 6313-3

Date _____

We are in receipt of your letter of May 15, 2002 enclosing Notice of Hearing to Appropriate Water by Application No. 6313-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Reporter & Farmer
Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

May 15, 2002

David N. Bozied, President
Consolidated Ready Mix, Inc.
PO Box 272
Watertown SD 57201

Dear Mr. Bozied:

Water Permit Application No. 6313-3 for commercial 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 Reporter & Farmer printed at Webster, SD (Ph # 345-3356). You will need to contact the newspaper and authorize publication of this notice. 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. Upon receiving authorization, 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 also 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.

Instruction to Newspaper - Publish first Notice on May 27, 2002 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6313-3 to Appropriate Water

Notice is given that Consolidated Ready Mix, Inc., PO Box 272, Watertown SD 57201 has filed an application for a water permit to appropriate 0.089 cubic feet of water per second (40 gallons per minute) from one well (Prairie Coteau Aquifer) 202 feet deep located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23-T122N-R56W. The water is for industrial use in a ready mix concrete plant.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6313-3 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 June 14, 2002.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

AFFIDAVIT OF PUBLICATION

County of Day
State of South Dakota,

SS.

John Suhr, of said county and state being duly sworn on oath, says: That the Reporter & Farmer is a legal weekly newspaper of general circulation, and an official newspaper as required by Session Laws of 1893, printed and published in Webster, in said county and state, by the Day County Printing Company and has been such newspaper during the time hereinafter mentioned, that I, John Suhr, the undersigned, am publisher of said newspaper, and have personal knowledge of all facts stated in this affidavit and that the advertisement headed Water Permit Request, Dept. of Environment and Natural Resources, a printed copy of which is hereunto attached, was printed and published in the said newspaper two successive and complete issues as follows:

First Publication

May 27, 2002;

Second Publication

June 3, 2002;

Third Publication

Fourth Publication

Fifth Publication

That the full amount of fees for publication of the annexed notice is \$43.09 and inures solely to the Reporter & Farmer, published by The Day County Printing company, that no arrangement or understanding for a division thereof has been made with any other person, and that no part thereof has been agreed to be paid any person whomsoever.

Subscribed and sworn to before me this third day of June,

2002.

LeAnn M. Suhr
Day County, South Dakota
My Commission Expires May 15, 2005

Notary Public, Day County, South Dakota

Water perm

(First May 27)

NOTICE OF APPLICATION NO. 6313-3 TO APPROPRIATE WATER

Notice is given that Consolidated Ready Mix, Inc., PO Box 272, Watertown, SD 57201 has filed an application for a water permit to appropriate 0.089 cubic feet of water per second (40 gallons per minute) from one well (Prairie Coteau Aquifer) 202 feet deep located in the NE 1/4 SW 1/4 Section 23-T122N-R56W. The water is for industrial use in a ready mix concrete plant.

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it requested

filing a petition.

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Steven M. Pirner, Secretary
Department of Environment and
Natural Resources.

(Last June 3)

RECEIVED

JUN 10 2002

WATER RIGHTS
PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 31 2002

Consolidated Ready Mix, Inc
David Bozied President
PO Box 272
Watertown SD 57201

Dear Mr. Bozied:

Enclosed is Water Permit No. 6313-3 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 8-12-02

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

RECEIVED

AUG 14 2002

WATER RIGHTS
PROGRAM

FROM:

Consolidated Ready Mix
(name)PO Box 272
(address)Waterbury SD 57201
(city, state, zip)886-5959
(phone)

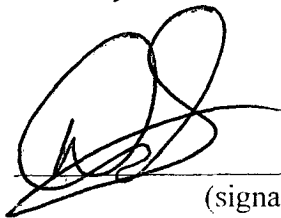
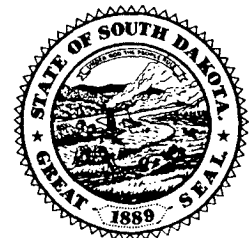
I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 6313-3 states that the water use system is to be constructed by
Dec 14 2004 , and water is to be put to beneficial use by June 14 2001
(date) (date)

The water use system was completed on August 3, 2001
(date)

Applying the water to beneficial use was completed on August 4, 2002
(date)

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


(signature)

Permit No. 6313-3
James River - Water District

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

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

I have this day, June 20, 200⁶2, made a thorough examination of the water use system constructed by Consolidated Redi-Mix Inc. of P.O. Box 782, Aberdeen, SD 57401 holder of Permit No. 6313-3, bearing the priority of March 20, 2002 authorizing the diversion of 0.089 cu. ft. per second of the waters of the Prairie Coteau Aquifer for Industrial purposes, in Codington County.

Inspection contact & relationship **David Bozied, President 222-9370 or**
to permit holder, if applicable: **Bill Marco, Manager 886-5959**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Pullman Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 202 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 5 inches
- 2) Length 182 feet
- 3) Type Plastic

Screen:

- 1) Type PVC
- 2) Length 20 feet
- 3) Static water level 85 feet

Pump:

- 1) Make Franklin Electric
- 2) Model PH1 00518 Ser. # 2243035202
- 3) Size 5 hp
- 4) Capacity 40 GPM

Chemigation Equipment:

- 1) Does chemigate N

D. Compliance with Permit Requirements:

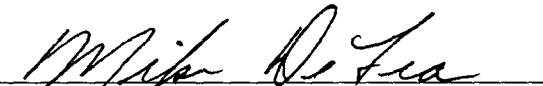
- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period NA
- 3) Exceptions to compliance are: None

The system is in Good condition with the point(s) of diversion located as follows: Approximately 1720 feet north and 215 feet west of the SE corner of Section 23-T122N-R56W (N 45.36029, W -97.52083). The works are capable of diverting and conveying to the place of use 0.089 cu. ft. per second of water which is to be used for Industrial use. Water has been put to beneficial use.

The license should be issued for 0.089 cfs.

All structures, wells and lands on map Y

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



Mike DeFea

Natural Resources Project Engineer
DENR, Water Rights Program

Date report completed: February 28, 2007

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6313-3

(1) Consolidated Ready Mix Inc. made Application No. 6313-3, September 13, 2001 for a water permit to divert 0.089 cubic feet of water per second (40 gallons per minute) from ground water (one well – Prairie Coteau Aquifer), Codington County, South Dakota for industrial purposes. Permit No. 6313-3, with a priority date of March 20, 2002 was approved June 14, 2002 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 14, 2007 and for the application to beneficial use of said water on or before June 14, 2011.

(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 0.089 cubic feet of water per second for beneficial use. The location of the diversion point is:

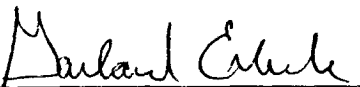
- 1,720 feet north and 215 feet west of the SE corner of Section 23, T122N, R56W (NE ¼ SW ¼)

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use in a ready mix concrete plant.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Consolidated Ready Mix Inc., PO Box 782, Aberdeen SD 57401 the holder and/or owner of Water Right No. 6313-3 is issued a license to appropriate water, the right to use 0.089 cubic feet of water per second (40 gallons per minute) from ground water (one well – Prairie Coteau Aquifer) with a priority date of March 20, 2002 from the location specified in (2) of this license for industrial use.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6313-3 and subject to the following qualification:

- The well approved under this water right 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.



Garland Erbele, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

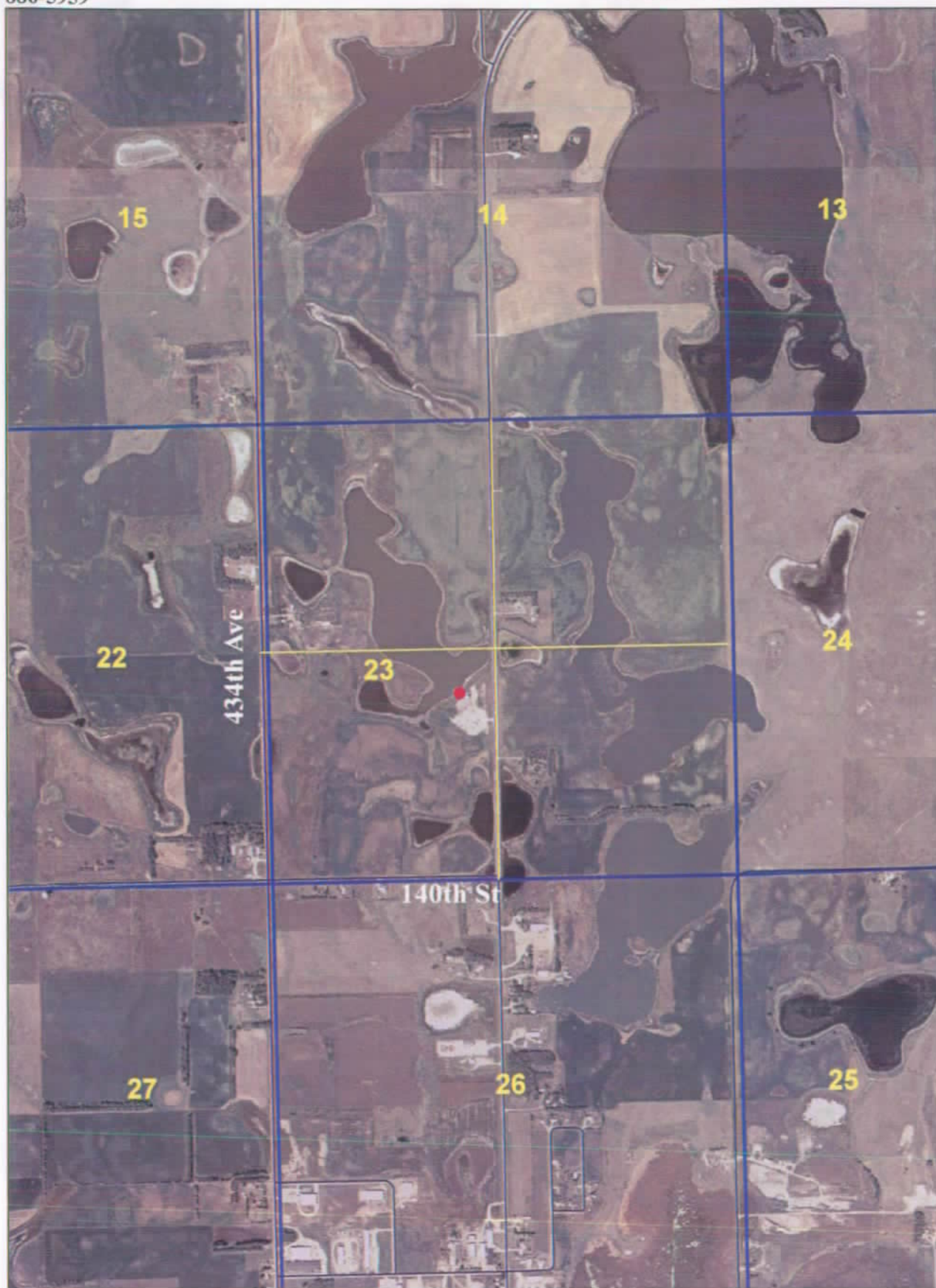
APR 20 2007

date



Consolidated Ready Mix
P.O. Box 272
Watertown, SD 57201
886-5959

Water Permit No. 6313-3



Mike DeFea
DENR, Water Rights Program
June 16, 2006



0 500 1,000 2,000 3,000 4,000 Feet



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 20 2007

6313-3

David Bozied, President
Consolidated Ready Mix Inc
PO Box 782
Aberdeen SD 57401

Dear Sir:

Enclosed is Water License No. 6313-3. This is the final water right document completing the process of obtaining a Water Right. Also included is a map of the well location as 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. 6313-3, 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