

WATER PERMIT NO. 7184-3

Name of Applicant: **Jensen Rock & Sand, Inc.**

Address: **PO Box 609, Mobridge SD 57601**

Phone: **605 845-7213**

Amount of Water Claimed: **0.67 cfs (20 acre-feet)**

Total Acres: **NA**

Source of Water Supply: **groundwater (one well)**

Water to be used for: **industrial**

County: **Campbell**

Type of Waste Disposal System: **NA**

Location: **1 ½ west of Herried**

PRIORITY

Date Received: **2-9-10**

Application/License Fee: **\$700**

Corrected Application Received:

Period of Annual Use: **April 1 – October 31**

Remarks:

Diversion Point: **S ½ Sec 11-T127N-R77W**

Land to be Irrigated: **NA**

Depth of Well: **230 feet deep**

Well Driller: **Gregg's Drilling & Excavating**

Remarks:

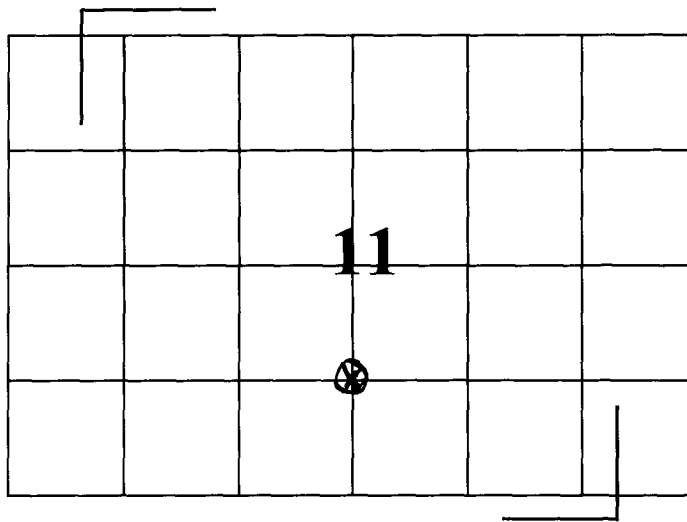
Type of Map: **aerial**

Prepared by: **Debra Schuelzte, Campbell Co FSA**

Reviewed and the Number Assigned on: **2-9-10**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>7184-3</u>	(office use only) Hydrologic Unit <u>10130102</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>Prairie Pioneer</u>	<u>P.O. Box 218</u>
	<u>605-889-2361</u>	<u>P.O. Box 57648</u>

RECEIVED
FEB - 9 2010
WATER RIGHTS
PROGRAM

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 JENSEN ROCK & SAND Phone 605-845-7213
(check one) ☐ Owner ☒ Tenant/lessee
Mailing Address P.O. Box 609 State SD 57301
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.67 *CFS or 300 **GPM 20 ***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
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 5 1/2 SEC 11 T127N R77W
CAMPBELL COUNTY NE 1/4 SW 1/4 and NW 1/4 SE 1/4
County CAMPBELL
- County or counties where water will be used CAMPBELL
- Annual period during which water is to be used APRIL 1 THRU OCTOBER 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)

STATE OF SOUTH DAKOTA)

County of Walworth 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, Kyle D Jensen et al., 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 Kyle D Jensen

Subscribed and sworn to before me this 5th day of February 20 10

Barbara Hoot
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 7184-3**

Date of first receipt of application February 9, 2010.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7184-3 to Jensen Rock & Sand, Inc., PO Box 609, Mobridge SD 57601 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. 7184-3 appropriate 0.67 cubic feet of water per second (20 acre-feet annually) from one well completed into the Grand Aquifer (230 feet deep) located in NE 1/4 SW 1/4 and NW 1/4 SE 1/4 Section 11-T127N-R77W. Water will be diverted to a fresh water pond (2.3 acre feet capacity). The project will incorporate a settling pond for recycling and reuse of the water.
2. The water appropriated shall be used for the purpose of industrial use at a sand and gravel wash 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: April 1 – October 31.
4. The date of approval of Permit No. 7184-3 is April 12, 2010.
5. The date from which applicant may claim right is February 9, 2010.
6. One-fifth of the construction is to be completed on or before October 12, 2012.
7. All construction is to be completed on or before April 12, 2015.
8. Water is to be put to beneficial use on or before April 12, 2019.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

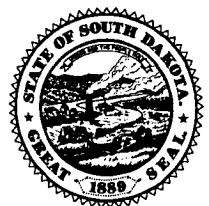
1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 7184-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump 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

JUL 15 2010

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 6" Depth 250'
- b) Casing Type PLASTIC Diameter 6" ID Thickness _____
- c) Screen Type PVC Diameter 6" ID Thickness _____
- d) Gravel Pack BLKSHCT Length of Gravel Pack 100' - 230'
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well: _____

On applicants property _____ On property owned by others _____

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 _____

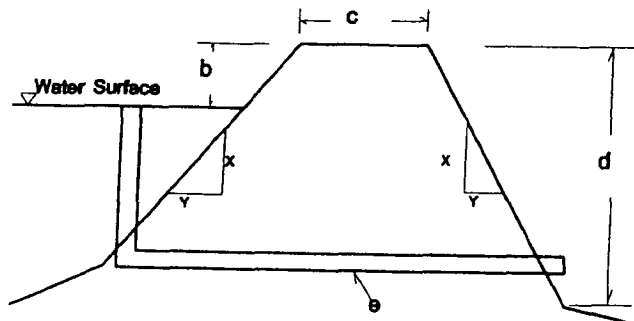
3. Dugout Information

- 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.

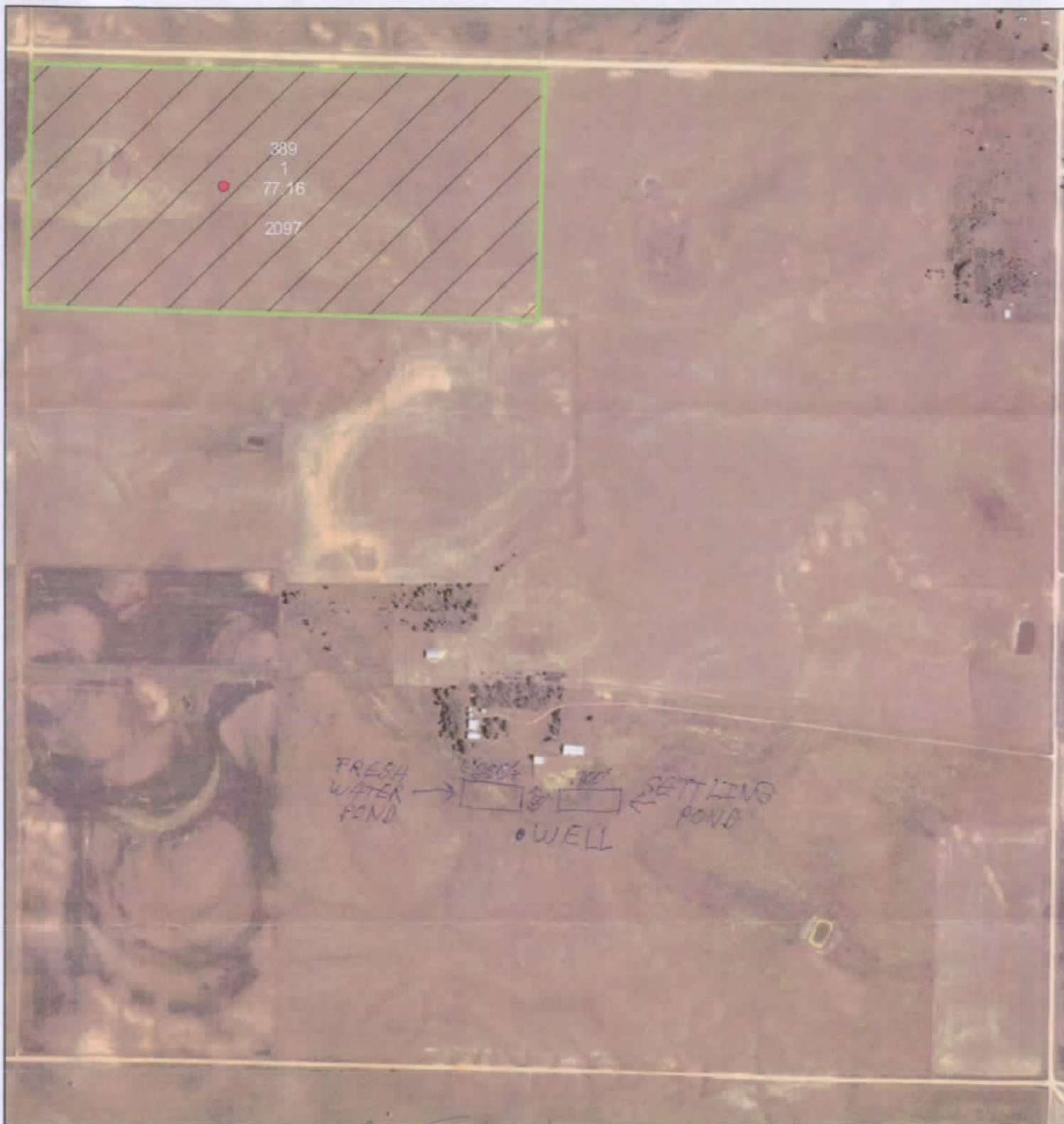
- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- 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 10,000 #²
- i) Storage 2.3 Acre Feet
- j) Drainage Area Above Dam _____ Acres



United States Department of Agriculture Farm Service Agency



Delora Schuch
South Dakota

Campbell County

2SA - PT. 2-3-10

Farm Number
2097

Township-Range-Section
127N77W11

Legend

- Restricted Use
- ▼ Limited Restrictions
- Exempt from Conservation Compliance Provisions
- CLU Field Boundary
- Tract Boundary

1:8,173

USDA FSA maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or the 2008 ortho rectified imagery for South Dakota. The producer accepts the data 'as is' and assumes all risks associated with its use. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside of FSA Programs. Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determination, or contact NRCS.

Apr 08, 2009

Location SW 1/4 SE 11 Sec 11 Twp 127N Rg 77W

County

North

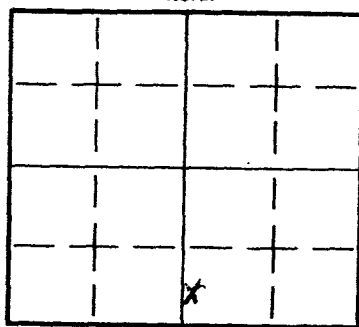
Campbell

Please mark well location with an "X"

W

E

Well-Completion Date

10-19-2009

1 Mile

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? None ft. from open pasture (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
<u>4.13</u> LB/FT	<u>6" I.D.</u> IN	<u>15'</u> above	<u>230'</u> FT	<u>9.5"</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 grout</u>	<u>16</u>	<u>9.5</u> lb./gal	<u>0</u> ft.	<u>180'</u> ft.
_____	_____	_____ lb./gal	_____ ft.	_____ ft.

Describe grouting procedure Pumped in from bottom up through 1" Tremie pipeSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 6" I.D. IN Length 15' FEETMaterial PVC SDR-21 Slotted pipeSlot Size .025 Set From 215 Feet to 230 FeetOther information Gravel packed with buckshot from 180' to 230'. 6" PVC Cap on bottom.WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion? Chlorine solution
☒ YES, How: circulated in well

Laboratory sent to for water quality analysis _____

NO, Why Not? _____

Well Owner: Jensen's Rock & Sand

Business Name: _____

Address: P.O. Box 609
Midbridge, S.Dak. 57601

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Topsoil</u>	<u>0</u>	<u>1</u>
<u>Coarse sand & gravel</u>	<u>1</u>	<u>12</u>
<u>Light brown gooy clay</u>	<u>12</u>	<u>16</u>
<u>Gray gooy clay</u>	<u>16</u>	<u>160</u>
<u>Gray clay w/ fine sand lenses</u>	<u>160</u>	<u>182</u>
<u>Gray clay-gravelly-sandy clay</u>	<u>182</u>	<u>200</u>
<u>Medium sand to coarse sand</u>	<u>200</u>	<u>218'</u>
<u>Coarse gravel to cobble stones</u>	<u>218'</u>	<u>230'</u>

STATIC WATER LEVEL 37.5 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☐ Bailed☒ OtherDescribe: Developed well by air lift at 1:14 a/c on surging tillwater cleared up.

Pumping Level Below Land Surface

145' ft. After 2 1/2 Hrs. pumped 300+ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS Well located up on a rise south side of a dry creek bottom and south of farmstead about 600'.This well was drilled under license # 231

And this report is true and accurate.

Drilling firm Bregg's Drilling & Excavating

Signature of License Representative:

Luigi L. Llewinski

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date February 9

, 20 10

RECEIVED OF

Jensen Rock & Sand, Inc., PO Box 609, Mobridge SD 57601

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

Fee for Application for Permit No. <u>7184-3</u> to Appropriate Water, to construct and to put water to beneficial use	500	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>7184-3</u>	200	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	700.00

No.

04471

By

Harland Erbeley
Chief Engineer KS



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7184-3, Jensen Rock & Sand, 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. 7184-3, Jensen Rock & Sand, Inc., c/o Kyle Jensen, PO Box 609, Mobridge SD 57601.

The Chief Engineer is recommending APPROVAL of Application No. 7184-3 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. 7184-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump 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
March 12, 2010

NOTE: The holding pond may need to be lined to prevent leakage.

REPORT ON WATER PERMIT APPLICATION NO. 7184-3
For Jensen Rock & Sand, Inc.
February 17, 2010

Application No. 7184-3 proposes to appropriate 0.67 cfs (300 gpm) from one well approximately 230 feet deep located near the center of the S ½ of section 11, T127N R77W in Campbell County. The water will be used for commercial purposes at a sand and gravel wash plant. Water will be diverted from the well to a pond (2.3 acre feet capacity) used for gravel washing from the pond and then collected for reuse and recycling from a settling pond.

AQUIFER – GRAND (G)

The Grand aquifer is a buried outwash and alluvium from the ancient Grand River valley consisting of sorted and stratified gravel, sand, and silt (Koch, 1970). The aquifer is under artesian conditions in this area. The aquifer underlies 97,900 acres and contains an estimated 1.469 million acre-feet of recoverable water in storage in Campbell County (Hedges, 1982). According to Figure 15 (Page 25) in the Koch report the aquifer should be present at this site and can be expected to be 50 to 100 feet thick. The aquifer extends into Walworth County to the south and into McPherson and Edmunds Counties to the east. Ground water movement is from the southeast to the northwest in the area of this application (Koch, 1970).

A test well log filed with the application from Gregg's Drilling indicates medium sand to coarse sand from 200 to 218 feet and coarse gravel to cobble stones from 218 to 230 feet below land surface. The well log indicates a static water level of 37.5 feet below land surface and testing indicated a pumping rate of 300+ gpm using air to develop. This test well is constructed in accordance with SD Well Construction Standards.

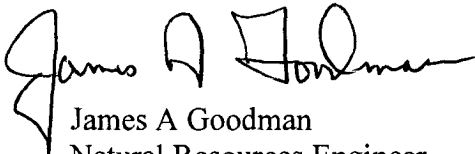
The Water Rights Program monitors two observation wells within two to three miles of this application and completed into the Grand aquifer. These are CA-65A (about one and one-half miles to the northwest) and CA-65B (located about two and one-half miles to the southeast) both from this well site. Water levels for these wells show good response to climatic conditions and to pumping. In general the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2010). Hydrographs for these two observation wells are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other nearby water permits/rights from the Grand aquifer. The nearest permitted user is the city of Herreid (about two and one-half miles east) but these wells are no longer used by the city as their primary water supply. The city now uses WEB Rural water and the wells are for backup purposes. There is a permit for a truck wash (Water Permit No. 6753-3, 0.167 cfs) located about three miles northeast of this site. Even though drawdown will occur from pumping interference is not expected to be a concern. The distance between and relatively small pumping rates will minimize any potential impacts. There is very little permitted use of water from the Grand aquifer in this area of Campbell County.

CONCLUSIONS

1. Water is available from the Grand aquifer.
2. The aquifer is under artesian conditions at this site. Drawdown will occur as a result of pumping. However, this is not expected to be significant nor cause any adverse impacts.
3. This well has been completed in accordance with SD Well Construction Standards.
4. This permit also authorizes construction of a holding pond and a recycling or sediment pond. Because this area is underlain by shallow sands and gravels (called the Spring Creek Aquifer) it may become necessary to line the storage pond to prevent leakage. This pond may also produce water from the Spring Creek Aquifer.

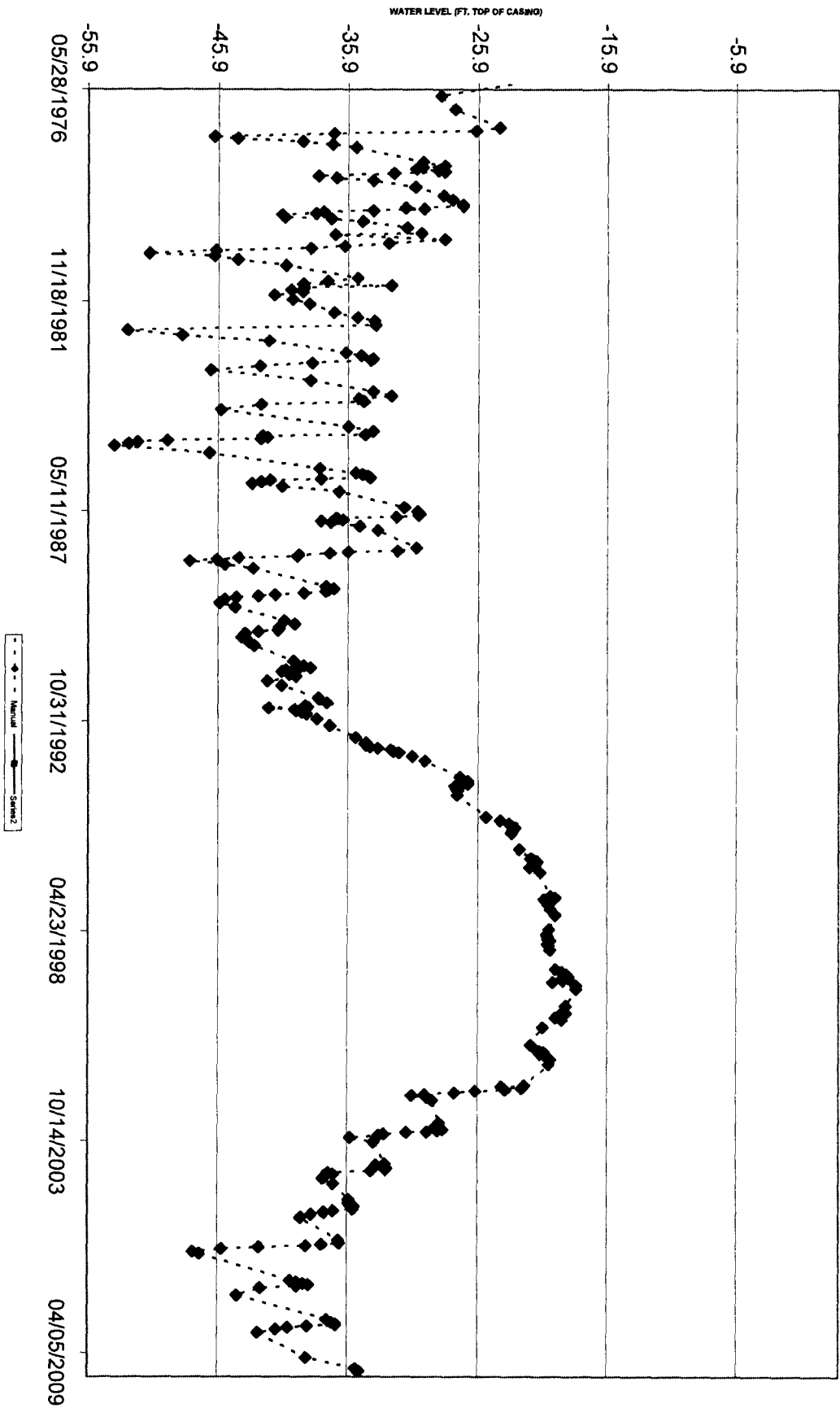


James A Goodman
Natural Resources Engineer

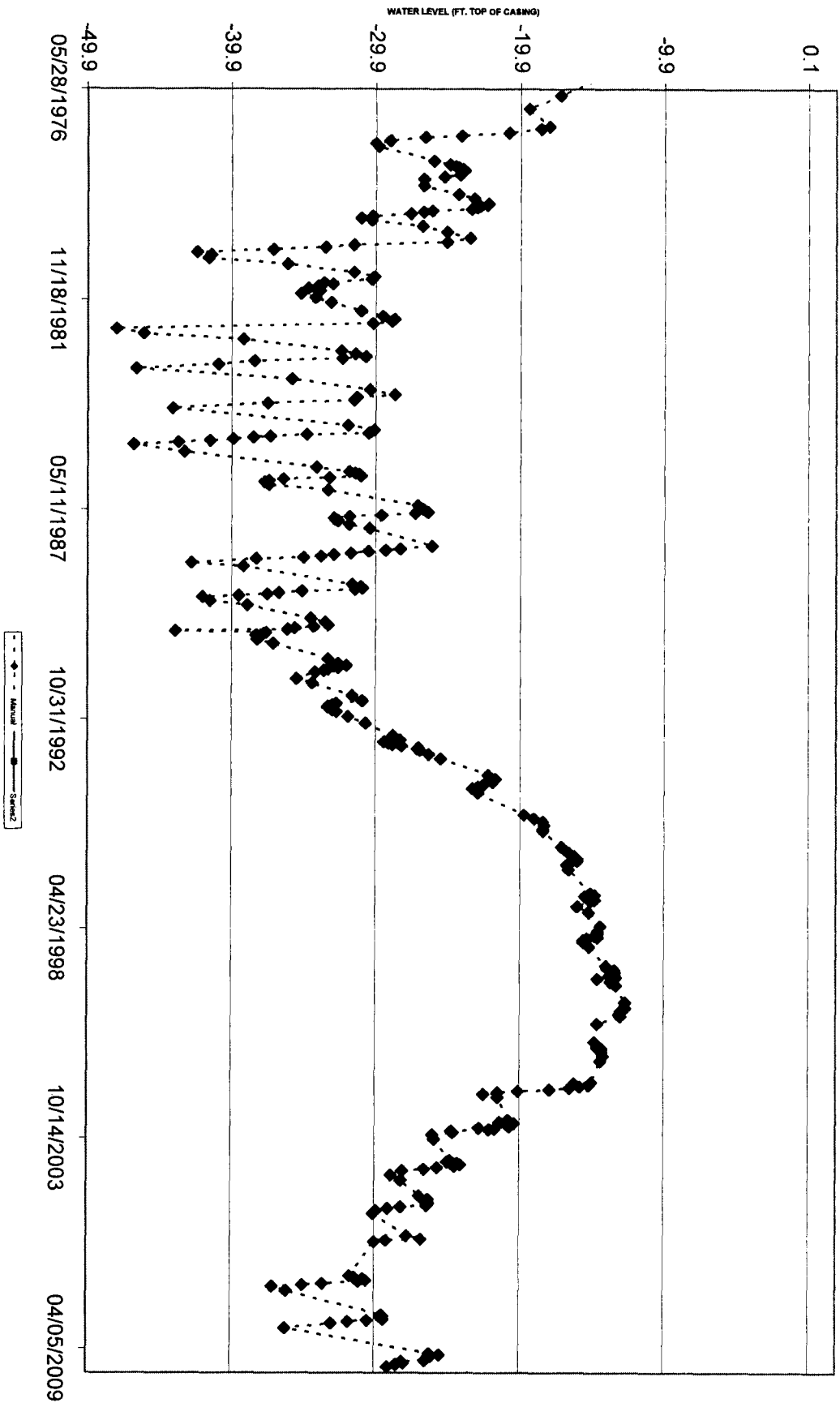
BIBLIOGRAPHY

- Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Koch, N.C., 1970, Geology and Water Resources of Campbell County, South Dakota, Part II: Water Resources, Bulletin 20, SDGS, Vermillion, SD, 57069.
- Water Rights, 2010, Unpublished Observation Well Data for the Grand Aquifer, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
CA-65A



**WATER RIGHTS' OBSERVATION WELL
CA-65B**



RECEIVED

APR - 8 2010

Form 8

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Campbell) SS

I, Leah Burke

certify that the attached printed Notice was
taken

from the Prairie Pioneer

printed and published in Pollock

County of Campbell and

state of South Dakota. The notice was
published

in the newspaper on the following two dates:

March 25, 2010

April 1, 2010

Cost of Printing \$41.85

Leah Burke

(Signature)

secretary

4/5/10

(Title)

(Date Signed)

Notice of Application No. 7184-3 to Appropriate Water

Notice is given that Jensen Rock & Sand, Inc., c/o Kyle Jensen, PO Box 609, Mobridge, SD 57601 has filed an application for a water permit to appropriate 0.67 cubic feet of water per second (20 acre-feet annually) from one well completed into the Grand Aquifer (230 feet deep) located in NE 1/4 SW 1/4

and NW 1/4 SE 1/4 Section 11-T127N-R77W. Water will be diverted to a fresh water pond (2.3 acre feet capacity). The water is for industrial use at a sand and gravel wash plant and will incorporate a settling pond for recycling and reuse of the water.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7184-3 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 this 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 this 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 April 12, 2010.

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
Published twice at the total
approximate cost of \$41.85.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

March 15, 2010

Prairie Pioneer
PO Box 218
Pollock SD 57648

ATTENTION: Legal Public Notice

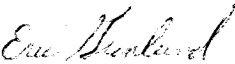
Enclosed is a Notice on Application No. 7184-3 to Appropriate Water to be published twice. Please publish the first notice on March 25, 2010 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Jensen Rock & Sand Inc., c/o Kyle Jensen, PO Box 609, Mobridge SD 57601 (Ph # 605-845-7213).

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-----

No. 7184-3

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

Date _____

We are in receipt of your letter of March 15, 2010 enclosing Notice to Appropriate Water by Application No. 7184-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

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

March 15, 2010

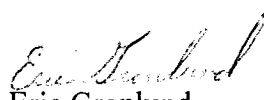
Jensen Rock & Sand Inc
c/o Kyle Jensen
PO Box 609
Mobridge SD 57601

Dear Mr. Jensen:

Water Permit Application No. 7184-3 for industrial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Prairie Pioneer printed at Pollock SD (Ph # 605-889-2361). 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 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 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. 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
eric.gronlund@state.sd.us

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 March 25, 2010 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 7184-3 to Appropriate Water

Notice is given that Jensen Rock & Sand, Inc., c/o Kyle Jensen, PO Box 609, Mobridge SD 57601 has filed an application for a water permit to appropriate 0.67 cubic feet of water per second (20 acre-feet annually) from one well completed into the Grand Aquifer (230 feet deep) located in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11-T127N-R77W. Water will be diverted to a fresh water pond (2.3 acre feet capacity). The water is for industrial use at a sand and gravel wash plant and will incorporate a settling pond for recycling and reuse of the water.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7184-3 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 this 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 this 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 April 12, 2010.

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.
Published twice at the total approximate cost of _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

JUL 15 2010

Jensen Rock & Sand Inc
PO Box 609
Mobridge SD 57601

Dear Sir:

Enclosed is Water Permit No. 7184-3 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 16, 2010

7184-3

Jensen Rock & Sand Inc
PO Box 609
Mobridge SD 57601 0609

Dear Sir:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with the system.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 7-27-10TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM:

Jensen Rock & Sand Inc.
(name)P.O. Box 609
(address)Mt. Snyder SD 57601
(city, state, zip)(605) 845-7213
(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.

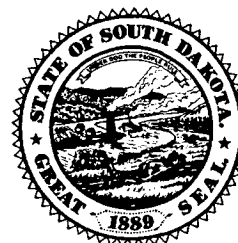
Water Permit No. 7184-3 states that the water use system is to be constructed by June 1, 2010, and water is to be put to beneficial use by June 1, 2010.
(date) (date)

The water use system was completed on June 1, 2010.
(date)

Applying the water to beneficial use was completed on June 1, 2010.
(date)

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

Barbara Hoar / Office Manager
(signature)



Water Permit No. 7184-3
Missouri 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, **September 14, 2016**, made a thorough examination of the water use system constructed by **Jensen Rock and Sand, Inc** of **PO Box 609, Mobridge, SD 57601** holder of Permit No. **7184-3**, bearing the priority of **February 9, 2010** authorizing the diversion of **0.67** cu. ft. per second and/or the storage of **2.3** acre-feet of the waters of the **Grand Aquifer** for **Industrial Use** purposes, in **Campbell** County.

Inspection contact & relationship **Kenny Jensen (848-1480 cell)**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Gregg's Drilling & Excavating**
- 2) No. of Wells **1**
- 3) Depth(s) **230** feet
- 4) Well log is available **Y**

Casing:

- 1) Diameter **6** inches
- 2) Length **215** feet
- 3) Type **Plastic**

Screen:

- 1) Type **PVC**
- 2) Length **15** feet
- 3) Static water level **37.5** feet

Pump:

- 1) Make **Grundfos**
- 2) Model **300S-100-3**
- 3) Size **10 hp**
- 4) Capacity **300** GPM

Storage Pond:

- 1) Surface area 0.6 acres
- 2) Depth 10 feet
- 3) Approx storage 2.3 acre-feet

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

- 1) Type Buried Pipe

C. 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:

Well: Approximately 1,095 feet north and 2,600 feet east of the SW corner of Section 11-T127N-R77W (N 45.82879, W -100.12118) (SE ¼ SW ¼)

Pond: Approximately 1,140 feet north and 2,295 feet east of the SW corner of Section 11-T127N-R77W (N 45.82906, W -100.12233) (SE ¼ SW ¼)

The works are capable of diverting and conveying to the place of use 0.67 cu. ft. per second of water and/or storing 2.3 acre-feet of water which is to be used for Industrial use.

The license should be issued for 0.67 cfs and 2.3 acre-feet of storage.

All structures, wells and lands on map Y

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

Water from the well is diverted to an approx. 2.3 acre-feet fresh water pond. Water from the pond is then delivered to the sand and gravel wash plant and recycled into a settling pond.



Mike DeFea

Natural Resources Engineer II
DENR, Water Rights Program

Date report completed: September 21, 2016

Jensen Rock & Sand, Inc

Water Permit No. 7184-3



Mike DeFea
Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
September 19, 2016



Approval of Location Change and/or Additional Diversion Point(s)

NAME: Jensen Rock and Sand
ADDRESS: PO Box 609, Mobridge, SD 57601
DATE: September 22, 2016
COUNTY: Campbell
TELEPHONE: 845-7213

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed 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 and no additional water appropriated**

The water source is the Grand Aquifer which is the same as permitted and no additional water is appropriated.

Water Permit No. 7184-3 authorizes the diversion of water from one well located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11-T127N-R77W for industrial use.

At the time of the inspection, the well was located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11-T127N-R77W approx. 300 feet south of the location identified on the map included with the application in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11-T127-R77W. GPS coordinates were taken at the location and are included in the inspection report.

- **Review of Existing Diversions**

There are two existing water permits authorized to divert water from the Grand aquifer within a two mile radius of this well. Water Permit Nos. 7841-3 and 7782-3 authorize a combined diversion rate of 3.33 cfs. Both permits have priority dates later than this permit. In review of the application report for this permit, there is very little permitted use of water from the Grand Aquifer in this area of Campbell County. The potential for interference would not be expected.

RECOMMENDED ACTION

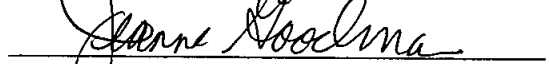
Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.



Mike DeFea, Natural Resources Engineer II
Water Rights Program

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

This change in location and/or additional diversion point(s) 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

OCT 11 2016

7184-3

Jensen Rock and Sand Inc.
c/o Kenny Jensen
PO Box 609
Mobridge SD 57601

Dear Mr. Jensen:

Enclosed is Water License No. 7184-3. This is the final water right document completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the 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. 7184-3, 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,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7184-3

(1) Jensen Rock And Sand, Inc. c/o Kenny Jensen, PO Box 609, Mobridge SD 57601 made Application No. 7184-3, February 9, 2010 for a water permit to divert 0.67 cubic feet of water per second (20 acre-feet annually) from one well - Grand Aquifer and a 2.3 acre-feet settling pond located in Campbell County, South Dakota for industrial use purposes. Permit No. 7184-3, with a priority date of February 9, 2010 was approved April 12, 2010 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before April 12, 2015 and for the application to beneficial use of water on or before April 12, 2019.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on August 12, 2010. The *Notice* stated the diversion system was completed and the water placed to beneficial use on June 1, 2010.

An investigation conducted for licensing purposes found the well and settling pond under Water Permit No. 7184-3 was not in the location authorized by the permit. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the change in location of diversion point does not increase the potential for interference with existing water rights.

(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, the holder and/or owner of Water Right No. 7184-3 is issued a license, bearing a priority date of February 9, 2010 to appropriate 0.67 cubic feet of water per second (20 acre-feet annually) from the one well - Grand Aquifer and a 2.3 acre-feet settling pond for industrial use purposes.

The diversion points are located as follows:

Well - approximately 1,095 feet N and 2,600 feet E of the SW corner of Section 11-T127N-R77W
(SE 1/4 NW 1/4)

Settling Pond - approximately 1,140 feet N and 2,295 feet E of the SW corner of Section 11-T127N-R77W
(SE 1/4 NW 1/4)

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 7184-3 including the following qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 7184-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump 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. *The well was drilled by Gregg's Drilling & Excavating on October 19, 2009. A copy of the log is on file with the Water Rights Program.*


Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

OCT 11 2016

date

