

WATER PERMIT NO. 7931-3

Name of Applicant: GCC Ready Mix

Address: 1011 330th St, Bellingham MN 56212

Phone: 605 568-2211

Amount of Water Claimed: 0.11 cfs (50 gpm)

Total Acres: NA

Source of Water Supply: one existing well

Water to be used for: commercial use

County: Grant

Type of Waste Disposal System:

Location: 5 miles southeast of Milbank

PRIORITY Date Received: 9-3-09

Application/License Fee: \$ 700

Corrected Application Received: 12-2-13

Period of Annual Use: Jan 1- Dec 31

Remarks: existing operation

Diversion Point: SE 1/4 SE 1/4 Sec 4-T119N-
R47W

Land to be Irrigated: NA

Depth of Well: 129 fee deep

Well Driller: Lee Well Drilling Inc.

Remarks:

Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 12-2-13

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

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				⊗	

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. _____	(office use only) Hydrologic Unit _____
	Basin _____	
	Newspaper _____	

RECEIVED

SEP - 3 2009

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: (check one) ☐ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

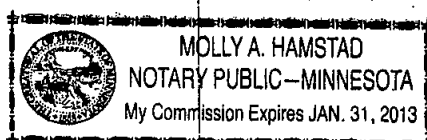
Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

- X 1. Name of Applicant GCC READY MIX Phone 380-568-2211
(check one) (owner) (tenant/lessee)
Mailing Address 1011 330th ST Bellingham State MN 56212
(Street, RR, or Box and City) (Zip Code)
- X 2. Amount of water claimed 0.11 *CFS or 50 **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 Water Well
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
1-well in SE 1/4 SE 1/4 section 4 119-N 47-W
County Grant
5. County or counties where water will be used Grant
- X 6. Annual period during which water is to be used YEARLY Jan 1 - Dec 31
- X 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)
Relocating Ready mix plant & office to Gravel Pit.

X STATE OF SOUTH DAKOTA)

County of Big Stone 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, [Signature], 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 [Signature]Subscribed and sworn to before me this 4th day of August 20 09[Signature]
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 7931-3**

Date of first receipt of application September 3, 2009.

Date of return to applicant for corrections, amendments or changes September 3, 2009.

Date of receipt of corrected application December 2, 2013.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7931-3 to GCC Ready Mix, c/o Tom Henrich, 1011 330th St, Bellingham MN 56212 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. 7931-3 appropriates 0.11 cubic feet of water per second from one existing well completed into the Veblen Aquifer (129 feet deep) located in the SE 1/4 SE 1/4 Section 4-T119N-R47W.
2. The water appropriated shall be for commercial use at the ready mix plant and office 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. 7931-3 is February 24, 2014.
5. The date from which applicant may claim right is December 2, 2013.
6. One-fifth of the construction is to be completed on or before August 24, 2016.
7. All construction is to be completed on or before February 24, 2019.
8. Water is to be put to beneficial use on or before February 24, 2023.
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. Water Permit No. 7931-3 authorizes a total annual diversion of up to 5.0 acre feet of water.
3. The Permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Veblen Aquifer.

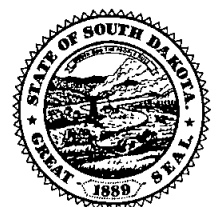
WATER MANAGEMENT BOARD

By: 

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

MAR 13 2014

date



Form 2A
(Complete applicable portions only)

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 9 Depth 129
- b) Casing Type PVC Diameter 5" Thickness SPR-21
- c) Screen Type Johnson Stainless Steel Diameter 5 1/4" Thickness V-slot
- d) Gravel Pack Flint Rock #30 Length of Gravel Pack 20
- e) Depth to Top of Water Bearing Material 47
- f) Depth to Water (ground surface to water level) 47
- X g) Distance to nearest existing domestic well:
On applicants property 300' On property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) SEPTIC TANK DRAIN FIELD
- b) System Capacity (gallons) 1500 Year Constructed 2009
- c) Connected to the City of _____ Sanitary System _____

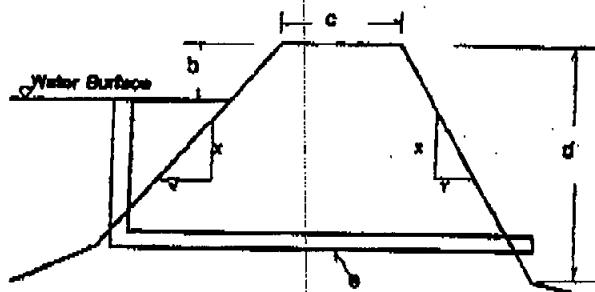
3. Dugout Information

- 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

4-2000

Sec 32
T120N
R47W

Sec 33
T120N
R47W

Sec 34
T120N
R47W

Sec 5
T119N
R47W

Sec 4
T119N
R47W

Sec 3
T119N
R47W

Sec 8
T119N
R47W

Sec 9
T119N
R47W

Sec 10
T119N
R47W



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date September 3, 2009

RECEIVED OF GCC Ready Mix, 217 N 1st Ave W, Truman MN 56088

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

Fee for Application for Permit No. <u>7931-3</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>7931-3</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. 04266

By

Barland Eibele

Chief Engineer

(KS)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 16, 2009

GCC Redi-Mix
1011 330th St
Bellingham MN 56212

Dear Sir:

I am writing in regard to a well driller's report filed by Lee Well Drilling. The report shows a new well was completed June 5, 2009 located in the SE ¼ SE ¼ Section 4-T119N-R47W in Grant County for industrial use. 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.
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 September 1, 2009.

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
karen.schlaak@state.sd.us

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 3, 2009

GCC Ready Mix
1011 330th St
Bellingham MN 56212

Dear Sir:

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

- A map (aerial photo) showing the location of the well in relation to a government section corner or quarter corner by direction and distance is required. Mark the well location with an "X". 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 (i.e. local NRCS office).

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us



October 29, 2009

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GCC Ready Mix
1011 330th St
Bellingham MN 56212

Dear Sir:

On September 3, 2009, you submitted *an Application for Permit to Appropriate Water Within the State of South Dakota* for commercial use in Grant County. You were notified what additional information was required to complete the application. A copy of that letter is enclosed. To date, we have not received the required information.

Obtaining a water permit that accurately reflects your water use ultimately benefits you by protecting your right to use water. Except for domestic use, any water user without a water right is not entitled to receive protection in the event of interference by a new or future user who has a water right.

Pursuant to South Dakota Codified Laws 46-1-15, 46-5-9, 46-5-10 and 46-2-18, you must have a water permit prior to using water.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
Phone: (605) 773-3352
karen.schlaak@state.sd.us

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 2010

GCC Ready Mix
1011 330th St
Bellingham MN 56212

Dear Sir:

A few months ago an *Application for Permit to Appropriate Water Within the State of South Dakota* for commercial use in Grant County was submitted for GCC Ready Mix (copy enclosed).

This letter is a reminder that a map is required to complete the application.

- The map (aerial photo) needs to show the location of the well in relation to a government section corner or quarter corner by direction and distance. Mark the well location with an "X". 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 (i.e. local NRCS office).

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

Sincerely,

Karen Schlaak
Water Rights Program
Phone: (605) 773-3352
karen.schlaak@state.sd.us

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

November 22, 2013

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DEC - 2 2013

WATER RIGHTS
PROGRAM

GCC Ready Mix
Tom Henrich
1011 330th St
Bellingham MN 56212

Dear Mr. Henrich:

On September 3, 2009, an *Application for a Permit to Appropriate Water within the State of South Dakota* for commercial use in Grant County was submitted (copy enclosed). A phone conversation with a representative of your company indicated the ready mix plant was still in operation.

- In order to complete the application, a map is required. I have enclosed an aerial map for the legal description described on the application. Please mark the well location with an "X".
- The application states the amount of water claimed is 50 gallons per minute. Is this still correct? **YES**

Upon receipt of the map, the application will be processed. If you would like to know about this process you can use the following link: <http://denr.sd.gov/des/wr/hearing.aspx>.

If you have any questions, please contact Eric Gronlund or me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
Phone: (605) 773-3352
karen.schlaak@state.sd.us

Gronlund, Eric

From: tom.henrich@gcc.com
Sent: Tuesday, February 04, 2014 12:07 PM
To: Gronlund, Eric
Subject: GCC water usage

Eric,

Our best estimate for yearly water usage would be around 850,000 gallons.

Tom



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7931-3, GCC Ready Mix**

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. 7931-3, GCC Ready Mix, c/o Tom Hendrich, 1011 330th Street, Bellingham MN 56212.

The Chief Engineer is recommending APPROVAL of Application No. 7931-3 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. Water Permit No. 7931-3 authorizes a total annual diversion of up to 5.0 acre feet of water.
3. The Permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Veblen Aquifer.

See report on application for additional information.

Jeanne Goodman, Chief Engineer
February 5, 2014

REPORT TO THE CHIEF ENGINEER

WATER PERMIT APPLICATION NO. 7931-3

GCC Ready Mix JANUARY 13, 2014

Water Permit Application No. 7941-3 proposes to appropriate 0.11 cubic feet per second (cfs) for commercial purposes in a GCC Ready Mix Concrete production facility in the SE ¼ of Section 4, T119N-R47W from one well completed into the Veblen aquifer at a depth of 129 feet. The well is located in the SE ¼ SE ¼ of Section 4, T119N-R47W and is currently in operation in Grant County.

AQUIFER: Veblen aquifer (VEB)

GEOLOGY AND AQUIFER CHARACTERISTICS

The Veblen aquifer was originally defined as extending from the northern border of South Dakota through Marshall and Grant Counties along the eastern South Dakota border. In Grant County, the Veblen aquifer was estimated to underlie 70,600 acres and contain 211,800 acre feet (ac-ft) of recoverable storage (Hedges et al., 1982). However, it is likely that these estimates include the Fairmont aquifer, which was distinguished from the Veblen by Green and Gilbertson (1987) and consists of a lower unit of outwash underlying eastern portions of the Veblen aquifer and extending further south.

Thompson (2001) defines the Veblen aquifer as having a southern border approximately 15 miles north of the Roberts and Grant County line, implying no connection with the portion of the Veblen aquifer defined by Hansen (1990) as being in Grant County. Instead, Thompson defines the area of the aquifer in Grant County as the Wilmot outwash group.

For all intents and purposes in this report, the Veblen aquifer can be considered the group of buried outwash deposits in Grant County that are found within the areal extent and interval of altitude defined by Hansen (1990) as underlying 166,400 acres and containing approximately 700,000 ac-ft of storage. Using this definition, the Veblen aquifer likely includes the Fairmont aquifer defined by Green and Gilbertson (1987) and the Wilmot outwash group defined by Thompson (2001).

The Veblen aquifer consists predominately of buried outwash with medium to coarse sand and fine gravel and is mostly under confined conditions (Hansen, 1990). Hansen (1990) also reported a range in aquifer depth below land surface of one to 210 feet with an average thickness of 28 feet and an average static water level of 29 feet below ground surface. Groundwater movement in the Veblen aquifer is generally from northwest to southeast.

SDCL 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is a reasonable probability that there is unappropriated water available for the applicant's proposed

use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is beneficial and in the public interest. This report will address the availability of unappropriated water and the effect on pertinent existing rights which appropriate water from this aquifer.

WATER AVAILABILITY

This application proposes to appropriate 0.11 cfs from the Veblen aquifer and estimates a total annual use of approximately 2.6 acre-feet. The probability of unappropriated water available from an aquifer can be evaluated by considering SDCL 46-6-3.1, which requires “No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source.” If the source of the water is older or lower than the greenhorn formation and a public water system has applied for a permit, the Board need not consider the recharge/withdrawal issue. Here, a public water system is not involved and the aquifer is not older or lower than the greenhorn formation therefore withdrawal/recharge issue must be considered.

WATER BALANCE:

Recharge:

Recharge to the Veblen aquifer occurs due to direct infiltration of precipitation in areas where the aquifer is at or near the land surface in Grant, Roberts and Marshall Counties (Hansen, 1990). Hedges and others (1985) suggest a conservative recharge rate range of 0.15 to 0.60 inches per year (in/yr) for confined aquifers. Using this range of recharge rates and the area of the aquifer defined by Hansen (1990), the volume of annual recharge is expected to be between 2,080 and 8,320 acre-feet per year. Given observation well data (described below), this estimated recharge is likely to be significantly less than reality.

Discharge:

Discharge from the Veblen aquifer occurs as outflow to local lakes and rivers, and well withdrawals from municipal, industrial, and irrigation use (Hansen, 1990; Water Rights, 2014a). Currently, a total of 36 water rights/permits authorize groundwater withdrawal from the Veblen aquifer (Water Rights, 2014a)

Current diversion rate authority for non-irrigation use totals 9.743 cfs. The amount of water that can be expected to be withdrawn by the non-irrigation use water rights/permits at the current appropriation amount can be estimated by assuming water rights/permits limited only by diversion rate will pump at the maximum permitted diversion rate 60 percent of the time. Therefore, the total annual withdrawal from the Veblen aquifer in Grant County by non-irrigation users limited by diversion rate is expected to total approximately 4,233 ac-ft/yr (Water Rights, 2014b).

The remainder of the water rights/permits authorize irrigation use. Figure 1 shows historic irrigation data for the Veblen aquifer in Grant County. Annual withdrawal tends to fluctuate,

which is due most likely to climatic conditions during the annual growing season. The average pumpage reported equals 852 ac-ft/yr. The maximum pumpage reported occurred in 1981 at 1,747 ac-ft/yr (Water Rights, 1979-2011).

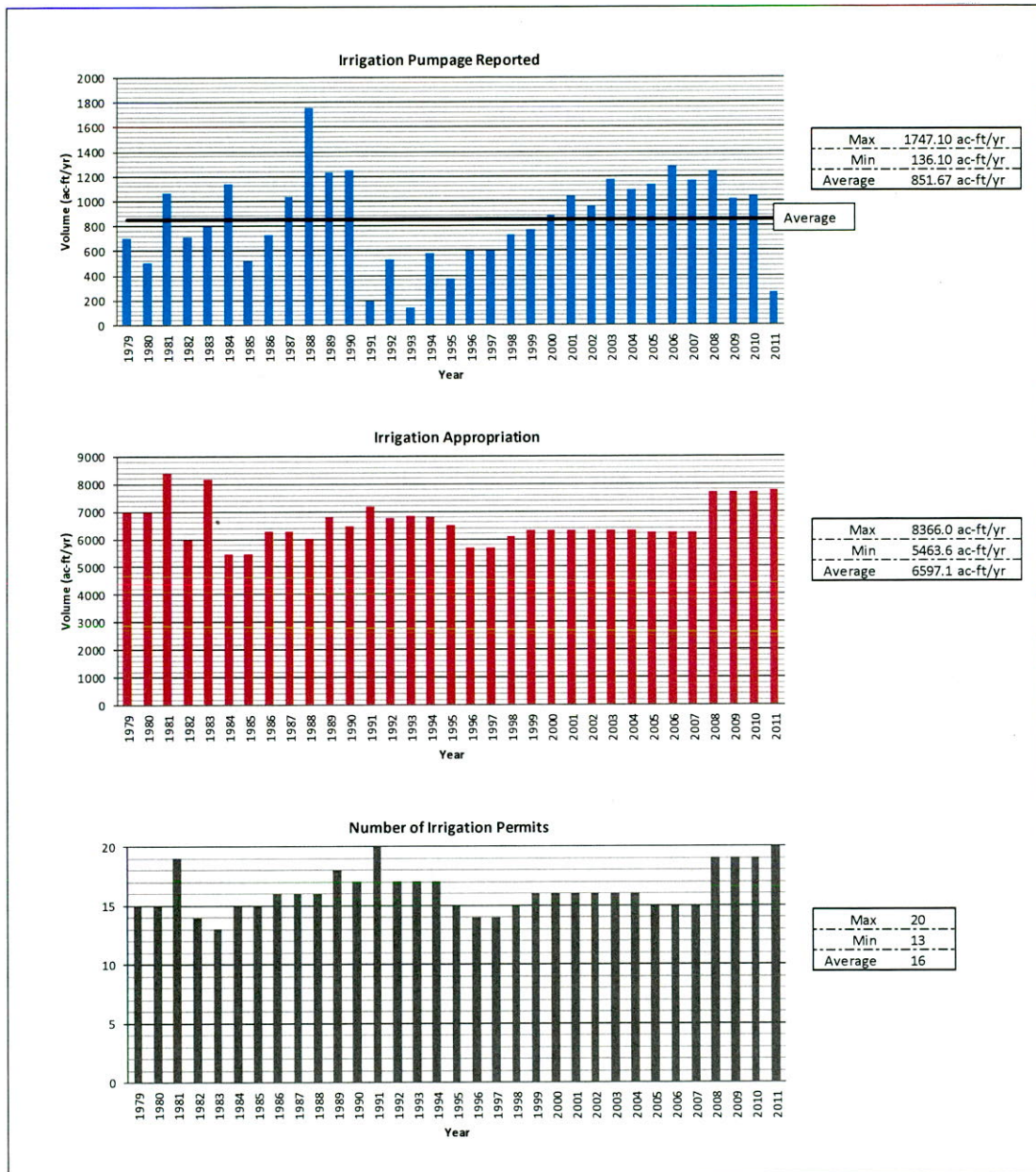


Figure 5: Historic irrigation water use from the "Veblen aquifer" in Grant County (Water Rights, 1979-2011)

Water Balance:

Combining irrigation and non-irrigation use produces a total estimated annual maximum withdrawal of approximately 5,980 ac-ft/yr. However, actual withdrawal will likely be much less. Given the estimated areal extent of the aquifer and maximum annual withdrawal, an average annual recharge rate of 0.43 in/yr is required to match maximum potential withdrawals. Since this rate is within the range of calculated recharge rates to the aquifer, there is a reasonable probability that unappropriated water is available.

OBSERVATION WELL DATA

Administrative Rule of South Dakota Section 74:02:05:07 requires that “the Water Management Board shall rely upon the record of observation well measurements to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge of the aquifer.”

The SD DENR-Water Rights Program monitors 34 observation wells completed into the Veblen aquifer, with 15 of these observation wells located in Grant County (Water Rights, 2014b). Observation Well GT-79F is located approximately 2.6 miles to the northwest of the proposed diversion site. Historic data from Observation Well GT-79F show that water levels fluctuate between 12 and 20 feet below the ground surface and are controlled primarily by climatic conditions. Since climatic conditions mask the effects of pumping, pumping is not significantly stressing the aquifer, indicating that recharge exceeds withdrawal and indicates that there is water available for capture (See Figure 2). Because recharge exceeds withdrawal, it is reasonable to assume that enough unappropriated water is available in the Veblen aquifer to supply the 0.11 cfs being applied for in this application.

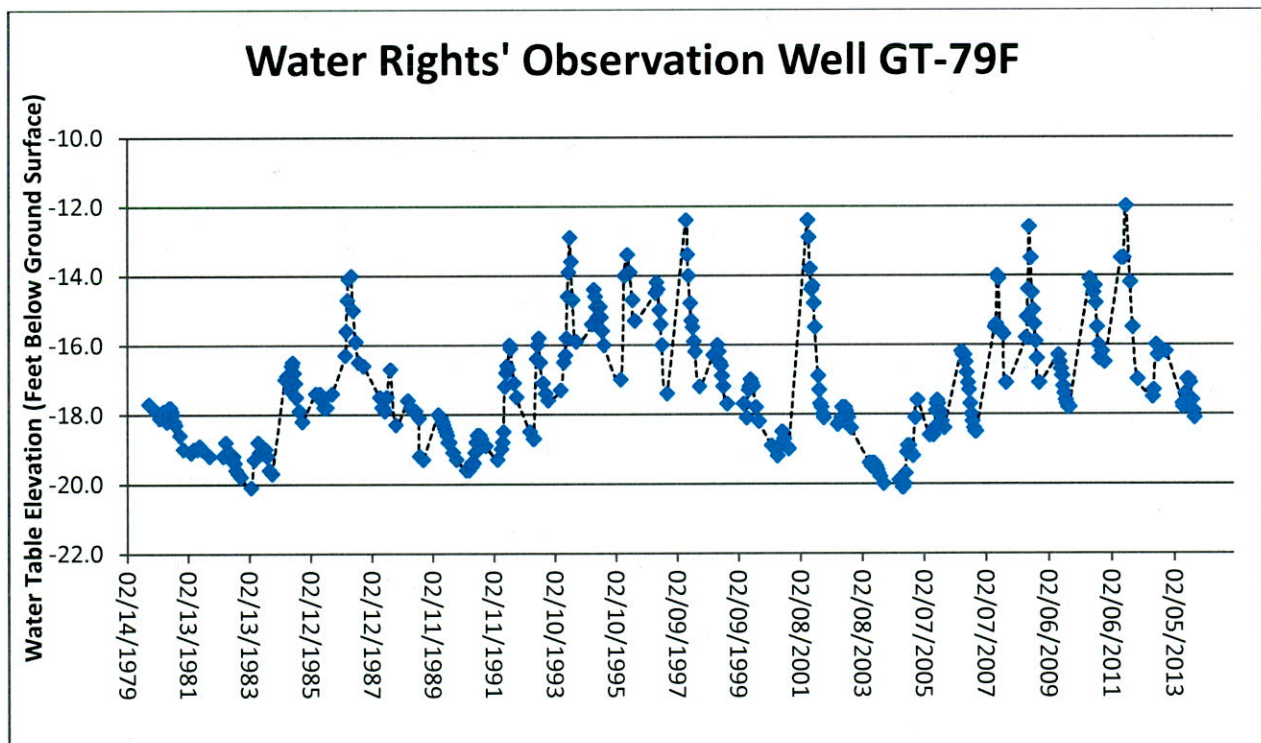


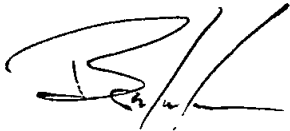
Figure 2: Historic water levels in Observation Well GT-79F (Water Rights, 2014b).

EXISTING WATER RIGHTS

This proposed appropriation is not expected to affect wells completed into sources other than the Veblen aquifer itself. The nearest existing water right completed into the Veblen aquifer (5525-3) is located approximately 2.65 miles to the northwest of the proposed well site and is licensed to the Mielitz brothers. The nearest domestic wells on file are located approximately 0.7 miles to the northwest and 0.5 miles to the northeast. Given the distances involved and the relatively low pump rate being applied for, and considering this aquifer is under water table conditions, interference with the existing water right and domestic wells listed is not expected to be a concern.

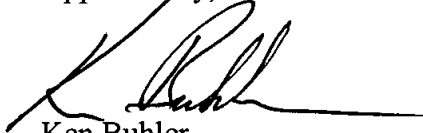
CONCLUSIONS

1. The application proposes to appropriate 0.11 cfs for commercial purposes.
2. There is a reasonable probability that unappropriated water is available from the Veblen aquifer to supply the proposed appropriation.
3. There is a reasonable probability that this proposed well will not cause interference to existing wells and water rights.



Bracken Capen
SD DENR Water Rights, Natural Resources Engineer

Approved by,



Ken Buhler
SD DENR Water Rights, Natural Resources Engineer

REFERENCES

- Green, S. and Gilbertson J.P. 1987. Ground-water Investigation for Big Stone City, South Dakota. South Dakota DENR-Geological Survey, Vermillion, SD.
- Hansen, D.S. 1990. Water Resources of Codington and Grant Counties, South Dakota: U.S. Geological Survey Water-supply Paper 2254, 263 p.
- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., and Schoon, R.A. 1982. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, Final Report. U.S. Army Corps of Engineers Contract DACW 45-80-C-0185.
- Hedges, L.S., Allen, J., and Holly, D.E. 1985. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa. Task 7: Ground Water Recharge. South Dakota DENR-Geological Survey, Vermillion, SD.
- Thompson, R.F. 2001. Water Resources of the Lake Traverse Reservation, South and North Dakota, and Roberts County, South Dakota: U.S. Geological Survey Water-Resource Investigation Report 01-4219
- Water Rights. 1979-2011. "Annual Irrigation Summary by Aquifer": SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2014a. Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2014b. Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

RECEIVED

FEB 18 2014

WATER RIGHTS PROGRAM

STATE OF SOUTH DAKOTA
COUNTY OF GRANT

} SS.

Ann Tuchscherer

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, Bookkeeper 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. 7931-3 to Appropriate
Water

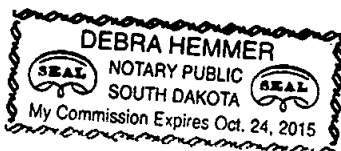
_____ a printed copy of which, taken from the paper in which the same was published, is attached to this sheet and is made a part of this Affidavit, was published in said newspaper at least once each week for one ~~successive~~ weeks, on the day of each week on which the said newspaper was regularly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

February 12	2014		
	20		20
	20		20
	20		20

That \$ 22.85, 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.

Subscribed and sworn to before me this 13th day of Feb 20 14

Debra Hemmer
Notary Public, Grant County, South Dakota



**NOTICE OF APPLICATION
NO. 7931-3 to Appropriate Water**

Notice is given that GCC Ready Mix, c/o Tom Henrich, 1011 330th St., Bellingham, MN 56212 has filed an application for a water permit to appropriate 0.11 cub feet of water per second from one existing well completed into the Veblen Aquifer (129 feet deep) located in the SE 1/4 SE 1/4 Section 4-T119N-R47W for commercial use at the ready mix plant and office.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7931-3 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 February 24, 2014.

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 once at an approximate cost of \$22.85.

Publication Fee	\$ 22.85
Notarial Fee	\$
Total	\$ 22.85

RECEIVED

FEB 18 2014

WATER RIGHTS
PROGRAM

Form 8

DEPARTMENT
OF ENVIRON-
MENT AND
NATURAL
RESOURCES

NOTICE OF APPLICATION
NO. 7931-3 TO APPROPRI-
ATE WATER

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All legal notices in the Public Opinion and other South Dakota newspapers can be found at
www.sdpublicnotices.com

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
County of Codington)

I, Monica K. Saathoff

certify that the attached printed Notice was
taken

from the Watertown Public Opinion

printed and published in Watertown

County of Codington and

state of South Dakota. The notice was
published

in the newspaper on the following date:

February 12th, 2014

Cost of Printing \$54.39

Monica K. Saathoff
(Signature)

Bookkeeper

(Title)

February 12th, 2014

(Date Signed)



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



February 5, 2014

Grant County Review
PO Box 390
Milbank SD 57252

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7931-3 to Appropriate Water. Please publish the notice once on February 12, 2014. 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 and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is GCC Ready Mix, c/o Tom Hendrich, 1011 330th St, Bellingham MN 56212 (Ph # 320-568-2211).

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

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



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov



February 5, 2014

Public Opinion
PO Box 10
Watertown SD 57201

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Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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(S) RIGHT AWAY.**

February 5, 2014

GCC Ready Mix
Tom Hendrich
1011 330th St
Bellingham MN 56212

Dear Mr. Hendrich:

Water Permit Application No. 7931-3 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Grant County Review printed at Milbank SD (Ph # 605-432-4516) and the Public Opinion printed at Watertown SD (Ph # 605-886-6901). You will need to contact the newspaper(s) 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(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. 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 the Notice on February 12, 2014. 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. 7931-3 to Appropriate Water

Notice is given that GCC Ready Mix, c/o Tom Henrich, 1011 330th St, Bellingham MN 56212 has filed an application for a water permit to appropriate 0.11 cubic feet of water per second from one existing well completed into the Veblen Aquifer (129 feet deep) located in the SE 1/4 SE 1/4 Section 4-T119N-R47W for commercial use at the ready mix plant and office.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7931-3 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.

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Published once at the total approximate cost of _____.



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



MAR 13 2014

GCC Ready Mix
Tom Henrich
1011 330th St
Bellingham MN 56212

Dear Mr. Henrich:

Enclosed is Water Permit No. 7931-3 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,

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

enclosures

7931-3
RECEIVED

MAR 27 2014

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 3/20/14TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181FROM: GCC Ready Mix, Inc
(name)
1011 330th St.
(address)
Bellingham, MN 56256 320-568-2211
(city, state, zip) (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.

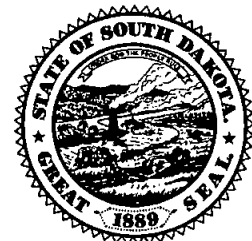
Water Permit No. 7931-3 states that the water use system is to be constructed by Feb 24, 2019, and water is to be put to beneficial use by Feb 24, 2023.
(date) (date)

The water use system was completed on 9/3/2009.
(date)

Applying the water to beneficial use was completed on 4/9/2010.
(date)

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


(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

March 28, 2014

7931-3

Tom Heinrich
GCC Ready Mix Inc
1011 330th St
Bellingham MN 56256

Dear Mr. Heinrich:

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 project authorized under Water Permit No. 7931-3.

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 the 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,

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

Permit No. 7931-3
Minnesota River - Water District

Contact Person & Address: **Paul Begnaud 1011 330th St, Bellingham MN 56212**

Report of Examination of Works

On, **May 16, 2017**, I made a thorough examination of the water use system constructed by **GCC Ready Mix** holder of Permit No. **7931-3**, bearing the priority of **December 2, 2013** authorizing the diversion of **0.11** cu. ft. per second of the waters of **ground water (Veblen Aquifer)** for **commercial use** purposes, in **Grant** County.

The system is in the following condition **good**. The point of diversion is located **from the SE corner of Sec 4 T119N R47W: 815 feet westt and 650 feet north** with latitude of **45.13859** and a longitude of **-96.45985** as determined using **GPS**. The works are capable of diverting and conveying to the place of use **0.11** cu. ft. per second of water which is to be used for **commercial use**. Water has been put to beneficial use and the license should be issued for **0.11** cfs.

Review of Permit Qualifications and Regulations:

- 1) Special qualifications to permit being abided by **yes**
- 2) All structures, wells and lands on map **yes**
- 3) Exceptions to compliance are: **none**

Report On the Specifics of the System

Diversion Point Information:

Well Information:

- 1) Well Drilling Firm: **Lee Well** Drilling 2) No. of Wells **1** 3) Depth(s) **129** feet 4) Well log is available **yes**

Casing:

- 1) Diameter **5** inches 2) Length **117** feet 3) Type **PVC**

Screen:

- 1) Type **stainless steel** 2) Length **112** feet 3) Static water level **47** feet

Pump:

- 1) Make **Grundfos** 2) Model **SP** 3) Size **4** 4) Capacity **50** GPM

Motor:

- 1) Make **Grundfos** 2) Model No. **SP** 3) Horsepower rating **?** hp

DISTRIBUTION LINES OR CANALS:

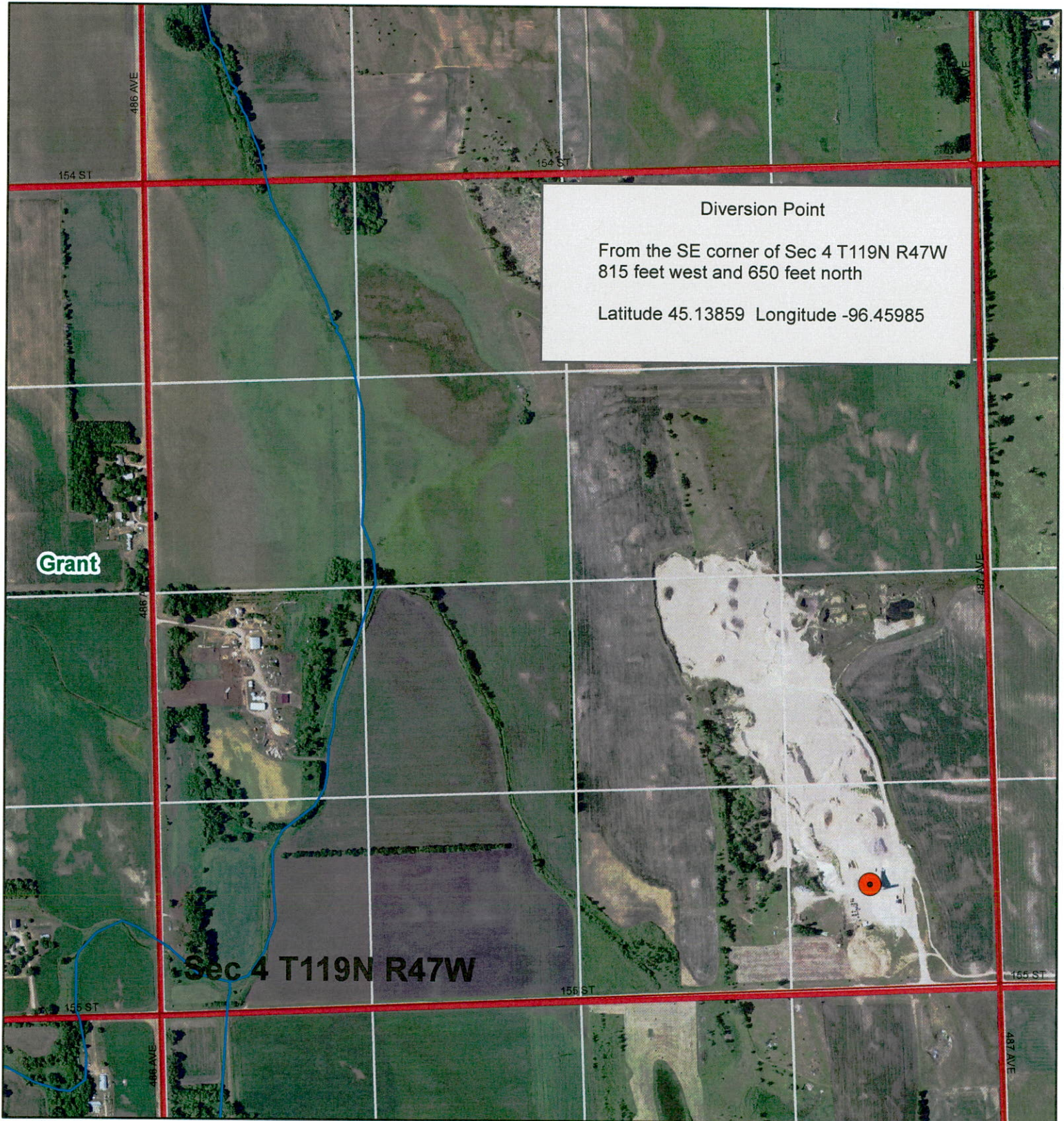
- 1) Type **plastic** 2) Size **?** inches 3) Length **200** feet

Comments: **none**



June 2, 2017

Mark D. Rath
Natural Resources Engineer III
DENR, Water Rights Program



0 287.5 575

1,150 1,725 2,300 2,875 Feet

Mark D. Rath
 Mark D. Rath
 Natural Resources Engineer
 SD DENR -Water Rights Program
 June 2, 2017



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

JUN 29 2017

7931-3

Paul Begnaud
GCC Ready Mix
1011 330th St
Bellingham MN 56212

Dear Mr. Begnaud:

Enclosed is Water License No. 7931-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, 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. 7931-3

(1) GCC Ready Mix, 1011 330th St, Bellingham, MN 56212 made Application No. 7931-3, September 3, 2009 for a water permit to divert 0.11 cubic feet of water per second from ground water, one well (Veblen Aquifer), Grant County, South Dakota for commercial purposes. Permit No. 7931-3, with a priority date of December 2, 2013 was approved February 24, 2014 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before February 24, 2019 and for the application to beneficial use of said water on or before February 24, 2023.

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

- 815'W and 650'N of the SE corner of Section 4, T119N, R47W (SE ¼ SE ¼)

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 GCC Ready Mix, 1011 330th St, Bellingham, MN 56212 the holder and/or owner of Water Right No. 7931-3 is issued a license to appropriate water, the right to use 0.11 cubic feet of water per second from ground water, one well (Veblen Aquifer) with a priority date of December 2, 2013 from the location specified in (2) of this license for commercial purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7931-3 and subject to 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.
- Water Right No. 7931-3 authorizes a total annual diversion of up to 5.0 acre feet of water.
- The water right holder shall report to the Chief Engineer annually the amount of water withdrawn from the Veblen Aquifer.


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

JUN 29 2017
date

