

WATER PERMIT NO. 8366-3

Name of Applicant: Gage Brothers

Address: 2800 N Bahnson Ave, Sioux Falls SD 57105

Phone: 605 366-6142

Amount of Water Claimed: 0.44 cfs (10.4 AF)

Total Acres: NA

Source of Water Supply: groundwater (two wells)

Water to be used for: industrial use

County: Minnehaha

Type of Waste Disposal System:

Location: East side of Sioux Falls

PRIORITY

Date Received: 7-11-18

Application/License Fee: \$ 700

Corrected Application Received:

Period of Annual Use: Jan 1 – Dec 31

Remarks:

Diversion Point: NE 1/4 SW 1/4 and NW 1/4 SE

1/4 Sec 2-T101N-R49W

Land to be Irrigated: NA

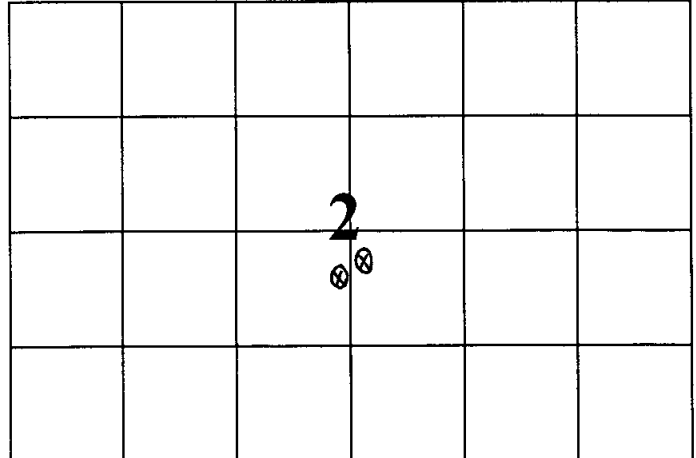
Depth of Well: 60 feet

Well Driller:

Remarks:

Type of Map: aerial

Prepared by:



Reviewed and the Number Assigned on: 7-11-18

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 8366-3**

Date of first receipt of application July 11, 2018.

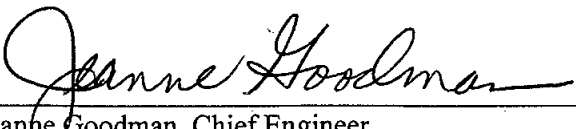
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8366-3 to Gage Brothers, 4301 W 12th St, Sioux Falls SD 57106 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 8366-3 appropriates 10.4 acre-feet of water annually at a maximum pump rate of 0.44 cubic feet of water per second from two wells to be completed into the Big Sioux:South Aquifer (60 feet deep) located in the NE 1/4 SW 1/4 and the NW 1/4 SE 1/4 Section 2-T101N-R49W for industrial use. This site is located east of I229 and south of Benson Road on the east side of Sioux Falls.
2. The water appropriated shall be used for the purpose of industrial use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 8366-3 is October 1, 2018.
5. The date from which applicant may claim right is July 11, 2018.
6. One-fifth of the construction is to be completed on or before April 1, 2021.
7. All construction is to be completed on or before October 1, 2023.
8. Water is to be put to beneficial use on or before October 1, 2027.
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 wells 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 wells authorized by Permit No. 8366-3 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.
3. The permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Big Sioux:South aquifer.
4. Water Permit No. 8366-3 authorizes a total annual diversion of 10.4 acre foot of water.

WATER MANAGEMENT BOARD

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

OCT 04 2018
date



RECEIVED
JUL 11 2018
WATER RIGHTS
PROGRAM

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8366-3</u> (office use only) Hydrologic Unit <u>10170203</u>
	Basin <u>Sioux River</u>
	Newspaper <u>Argus Leader</u>

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

Check use(s) of water:

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

Type of Application: (check one)

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

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

1. Name to Appear on Water Permit Gage Brothers

Mailing Address 4301 W 12th St 2800 N Bahnson Ave. Sioux Falls SD 57106
(Address) (City) (State) (Zip Code)

Phone 605-336-1180 Mobile 605-366-6142 Email ckarst@gagebrothers.com

2. Amount of water claimed 0.44 *CFS or 200 **GPM and 10.4 ***AF or 3.4 mil Gallons
Flow rate and volume are both required. (*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use)

3. Source of water supply two wells 1 well - NE 1/4 SW 1/4 Sec 2-T101N-R49W

4. Location of point of diversion 1 well in NW1/4SE1/4 Sec. 2-T101N-R49W. County Minnehaha
1 well in NE1/4SW1/4 sec. 2-T101N-R49W

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

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

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

5. County or counties where water will be used minnehaha

6. Annual period during which water is to be used all year Jan 1-Dec 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)

We will be moving our precast concrete manufacturing facility from our 12th street location to our new building located east of i229 and benson rd. We will be using the well water to supply our water needs to our concrete batch plant. (Two letters attached)

I, Colin Karst, the applicant, certify under

Name of Person

Title (if applicable)

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

(type or print)

1. Well Information

(check one or both as applicable) ☒ Drilling new well(s) ☐ Using existing well(s)

- a) If new wells, how many 2 Have test holes been drilled ☒ Yes ☐ No Drilled by Jim Lacey
(if yes, please provide copies of logs)
- b) If existing wells, how many Provide copy of log(s), if available. Drilled by

For either Existing or Proposed Wells:

- c) Well Depth (required) 60' Depth to Top of Water Bearing Material _____ Depth to Water from Surface 35'
- d) Distance to nearest domestic well on applicant's property none Property owned by others unknown

2. Wastewater Disposal System Information

- | | | |
|---|-------------|-----------------------|
| a) Type of System (i.e. septic tank, drain field) | storm sewer | |
| b) System Capacity (gallons) | 12,000 | Year Constructed 2018 |
| c) Connected to the City of | Sioux Falls | Sanitary System |

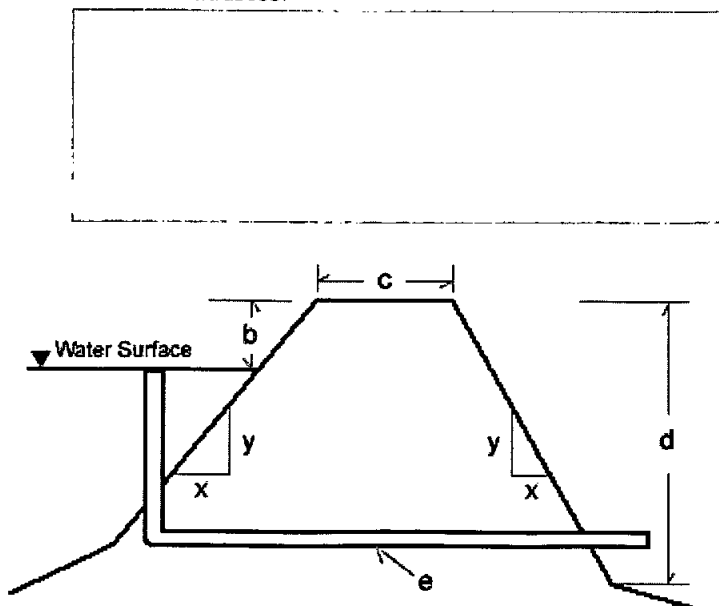
3. Dugout Information

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

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



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope (e.g. 3 to 1 is a typical slope)
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

1 18 17 pm

Colin,

Well, what the large flat area east of where we found water, is a reclaimed pit. Ideal for building on, but no water underneath, it's shallow.

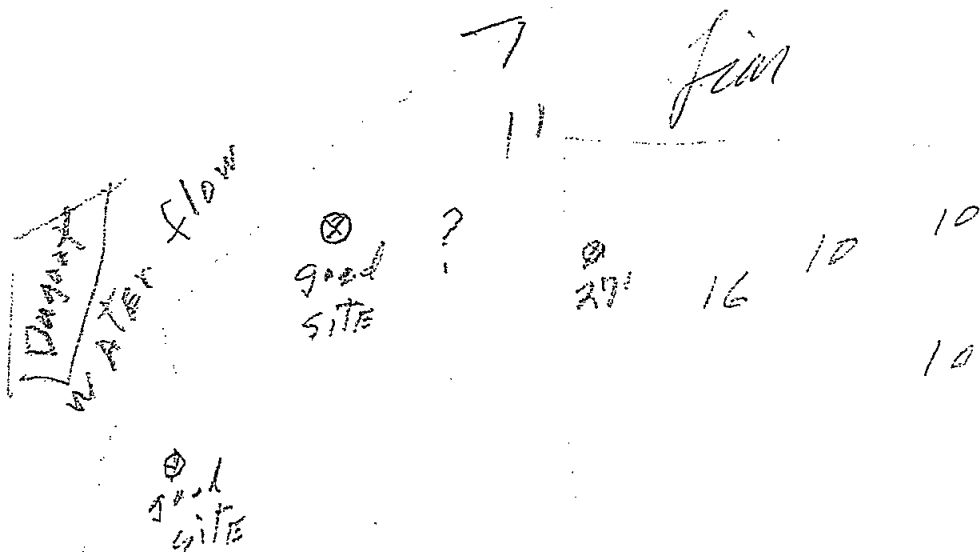
Joan witched, and this indicated water was to west, as we found in earlier borings, to check this out, our last hole today was on edge of ledge, sw of gate, here we found a few feet of gravel like that in our test bores in bottom, further west. fFeeling is, we can probably get you enough water, from two wells, if you build in some storage, say 4000 gallons, we did a similar job for a fertilizer plant on east side of Aurora, SD, and they have no trouble with their 'peaking' times.

We also have done this for dairy operations, fairly simple, float in tank drops, closes circuit, pump or pumps run, tank fills, float goes up and shuts wells off. You would need a big pump to push water to mixers, etc., from tanks. Would suggest looking at setup in Aurora.

As to digging a deep well, into quartzite, it will get VERY expensive, and will require at least an 8" hole if one is to do it correctly as submersible motors/pumps are at least 6" in diameter. Only thing local driller can do is go with 6" hole, and really, that is not enough. I would suggest putting in one of our shallow wells, pumping it to waste for a few days to see how aquifer responds, we can do all of the above.

Our feeling is that this aquifer is fairly extensive, running off to NE, if you look at pits to NE, there is hydric vegetation growing there, so water is close to surface, or there is a dugout, like to west of where our test hole is in bottom.

Several of bores on high ground stopped at 10', where we got thru, it was clay from there on, Joan ran one on edge of bank to 27, so it figures out to be edge of aquifer, as her witching indicates. Anyway, this should give you a bit more to go on.



Reasoning behind looking at this property as reclaimed is that none of testbores were same, some places, we would go thru gravel from top to bottom, others, there would be several feet of fine material, then into gravel, but generally bottomed out at 10' and below that, clay. Also, looks sort of like it was 'windrowed' by a Caterpillar!

Attn: COLIN

2 7 17

Colin,

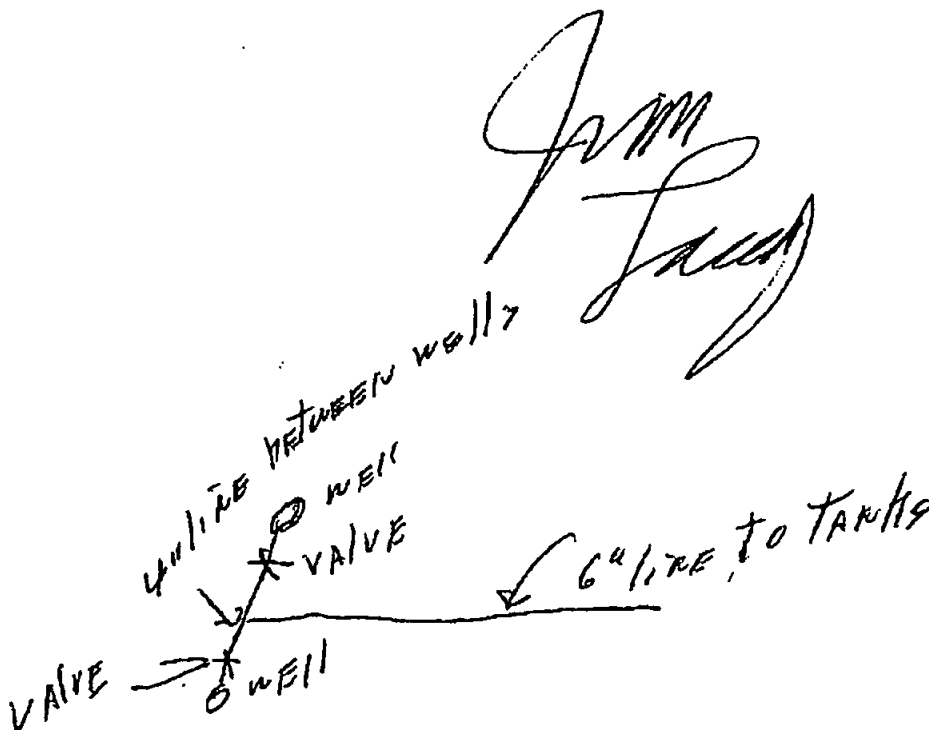
Now that I know how much water the plant needs, worst case, here is probably best way to go about it. Total head needed should be around 60' going with a 6" plastic line, friction loss is negligible.

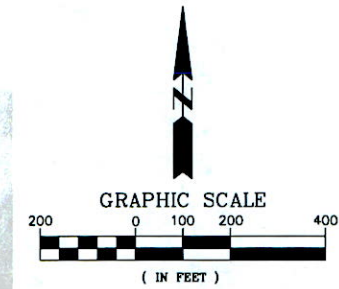
Would suggest two wells, just to have a backup, and with tanks, one well could handle plant. Setting wells up at 100 gpm each would take a 5hp Grundfos 230S-2AB which will give us more head than needed and probably more than 200 gpm total into tanks or around 12,000 gallons hour, which is way more than needed. Another option would be to go down to smaller pumps, not moving as much water per hour, but running longer.

Wire size going out should be #4 aluminum, for distance you are going, according to charts.

A less efficient way would be to lay 4" line, cut down to 150 gpm, still two wells, run two 2 hp SP 77 S Grundfos subs. We would still bring in area of 8000 gph into tanks

These are options, best deal would be to dig wells FIRST, test pump them, then decide which way to go.





GAGE BROS., INC.
SE1/4 SECTION 2-101-49
SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA

PROJECT NO.: 21011
SURVEYED BY:
CREATED BY: KJR
APPROVED BY: PJK
REVISION DATE:
WELL LOCATION
EXHIBIT

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date July 11

, 20 18

Gage Brothers 4301 W 12th Street Sioux Falls, SD 57106

RECEIVED OF G

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

Fee for Application for Permit No. <u>8366-3</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>8366-3</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. **08720**

By

Jeanne Goodman
Chief Engineer

2711

July 6, 2018

RECEIVED
JUL 11 2018
WATER RIGHTS
PROGRAM

Hello,

My name is Colin Karst and I am a Project Manager with Gage Brothers Concrete Products in Sioux Falls. We are in the process of moving production facilities from the west side of town to our new location on the east side of Sioux Falls. We have recently had a conference call with some DENR representatives about some items we need to cover before making the move to the new plant. My task is permitting for the wells we would like to have. I have had some conversation with Eric Gronlund about the information needed for this application, and I believe we have the items needed. However, if you have any questions or would like some further information from us please feel free to contact me on my cell 605-366-6142 or email ckarst@gagebrothers.com.

We discussed this on our conference call and it is mentioned in the letter from Mr. Lacey as well, but we would like to drill a couple test wells and see what we can get for water flow before making our final design intentions as to which pump would best suit us. Anything that we can do or provide in order to be able to do this as soon as possible would be very much appreciated.

Sincerely,



Colin Karst



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

July 12, 2018

Gage Brothers
c/o Colin Karst
2800 Bahnson Ave
Sioux Falls, SD 57105

Dear Mr. Karst:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, you are authorized to have a South Dakota Licensed Well Driller construct a test well approximately 60 feet deep prior to approval of a water permit. The test well will be located in the S ½ Section 2-T101N-R49W. All test wells must be constructed in accordance with the SD Well Construction Standards. Any test holes or test wells that are abandoned must be plugged pursuant to the SD Well Construction Standards.

Authorization must be obtained before water from the well can be used in excess of domestic use as defined by South Dakota Codified Law 46-1-6(7). Approval of this test well does not assure issuance of a water permit. Following review of a Water Permit Application and assessing the availability of water, the potential impacts to existing users, the beneficial use, and the public interest of a permit, the Chief Engineer will make a recommendation to the Water Management Board regarding the application. The recommendation to approve, deny, or defer the application will be publicly noticed and an opportunity afforded for the public to intervene. A public hearing may be required to consider the water permit. If you have questions, call Eric Gronlund at (605) 773-3352.

Sincerely,

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

**Water Rights Program
File Documentation**

NAME OF PERSON OR FILE: Gage Brothers c/o Colin Karst

DATE: July 31, 2018 TELEPHONE: Colin Karst - (605) 366-6142

RE: Test Well Permission Letter Returned

COMMENTS:

A test well permission letter mailed on July 12, 2018 to Gage Brothers for Water Permit Application No. 8366-3 was returned to the Water Rights Program on July 31, 2018 because there was no mail receptacle at the address provided on the water permit application:

Gage Brothers
c/o Colin Karst
2800 N. Bahnson Ave
Sioux Falls, SD 57105

I contacted Colin Karst per the information on the application. He provided a different address:

Gage Brothers
c/o Colin Karst
4301 W. 12th St
Sioux Falls, SD 57106

The test well permission letter as well as the original envelope were sent to the new address on July 31, 2018.



Adam Mathiowetz, PE
Natural Resources Engineer
DENR-Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

RETURN SERVICE REQUESTED

PRESORTED
FIRST CLASS



U.S. POSTAGE >> PITNEY BOWES



ZIP 57501 \$ 000.37⁸
02 4W
0000350445 JUL 12 2018

RECEIVED

JUL 31 2018

**WATER RIGHTS
PROGRAM**

Nm R

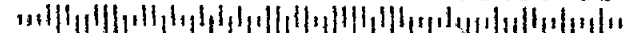
GAGE BROTHERS
C/O COLIN KARST
2800 BAHNSON AVE
SIOUX FALLS, NIXIE

553 DE 1700 2207/28/18

RETURN TO SENDER
NO MAIL RECEPTACLE
UNABLE TO FORWARD

BC: 57501318299 *2878-01450-28-16

57 57501318299





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 8366-3, Gage Brothers**

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. 8366-3, Gage Brothers, c/o Colin Karst, 4301 W 12th Street, Sioux Falls SD 57106.

The Chief Engineer is recommending APPROVAL of Application No. 8366-3 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 wells 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 wells authorized by Permit No. 8366-3 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.
3. The permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Big Sioux:South aquifer.
4. Water Permit No. 8366-3 authorizes a total annual diversion of 10.4 acre foot of water.

See report on application for additional information.

Eric Humlund

for

Jeanne Goodman, Chief Engineer
September 14, 2018

REPORT TO THE CHIEF ENGINEER

Water Permit Application No. 8366-3

Gage Brothers c/o Colin Karst

August 24, 2018

Water Permit Application No. 8366-3 proposes to appropriate 10.4 acre-feet of water annually at a maximum diversion rate of 0.44 cubic feet per second (cfs) from two wells. The proposed wells are to be completed into the South management unit of the Big Sioux aquifer with an approximate depth of 60 feet and located in NE ¼ SW ¼ and NW ¼ SE ¼ Section 2 T101N-R49W. The water will be used for industrial purposes in a concrete batch plant located in NW ¼ SE ¼ Section 2 T101N-R49W. This application is located approximately 0.6 miles east of I-229 and 0.6 miles south of E Benson Road on the northeast side of Sioux Falls, SD in Minnehaha County.

AQUIFER: Big Sioux: South (BS:S)

HYDROGEOLOGY

The South management unit of the Big Sioux aquifer is a surficial, glacial outwash deposit consisting of materials ranging from fine sand to coarse gravel (Lindgren and Niehus, 1992). The Big Sioux: South aquifer primarily underlies the floodplain of the Big Sioux River. The Big Sioux: South aquifer underlies 49,000 acres in Lincoln, Minnehaha, and Union Counties, with 17,200 of those acres in Minnehaha County (Hedges et al., 1982). Recoverable water in storage in the Big Sioux: South aquifer was estimated to be 163,740 ac-ft. The Big Sioux aquifer in Minnehaha County averages 22 feet in thickness and is primarily under water-table conditions (Lindgren and Niehus, 1992).

Nearby lithologic logs show a variable lithology in the area. Some logs indicate approximately 40 feet of sand with some gravel, and one indicates just two feet of sand and gravel (SD Geologic Survey, 2018). Permission to construct a test well was granted by the Chief Engineer on July 12, 2018, and the well completion report for that test well shows gravel at a depth of 14 feet, with a total well depth of 28 feet and a static water level of 19 feet (Water Rights, 2018b).

South Dakota Codified Law 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 a beneficial use and in the public interest. This report will address the availability of unappropriated water and existing rights within the Big Sioux: South aquifer.

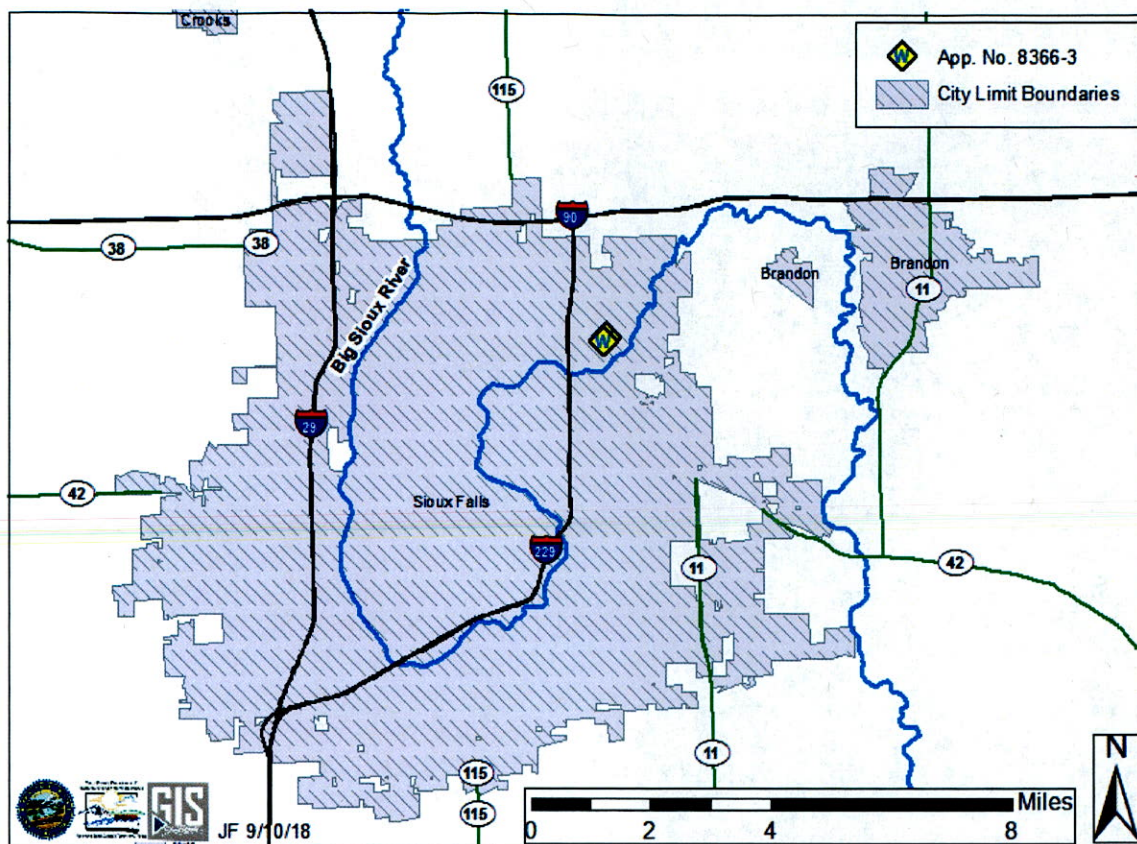


Figure 1. Map showing the location of the proposed diversion.

WATER AVAILABILITY

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 that 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 than or stratigraphically lower than the Greenhorn Formation and a water distribution system has applied for a permit, the Board need not take into consideration the balance of aquifer recharge and withdrawal. Here, the water source is not older or lower than the Greenhorn Formation and a water distribution system is not involved. Therefore, the balance of withdrawal and recharge must be considered.

Hydrologic Budget

Recharge

Recharge to the Big Sioux aquifer in Minnehaha County occurs through infiltration of precipitation, seepage from the Big Sioux River when the river stage is higher than the water table, and inflow from the “Skunk Creek, Beaver Creek, Brandon, Split Rock Creek, Wall Lake, and Sioux Quartzite aquifers” (Lindgren and Niehus, 1992). Hedges et al. (1985) calculated the recharge to the Big Sioux: South through analysis of the observation well data to be 4.1 inches per year. The estimated average annual recharge to the Big Sioux: South aquifer is 5,877 ac-ft in Minnehaha County alone, and 16,742 ac-ft for the entirety of the management unit.

Discharge

Discharge from the Big Sioux: South aquifer occurs through evapotranspiration where the aquifer is at or near the land surface, seepage to the Big Sioux River when the river stage is lower than the water table, and by well withdrawals (Lindgren and Niehus, 1992). Currently, there are 62 Water Rights/Permits appropriating water from the Big Sioux: South aquifer including two future use permits (Water Rights, 2018a). Table 1 shows a summary of non-irrigation Water Rights/Permits with their appropriation and estimated annual expected use. The amount of water that can be expected to be withdrawn can be estimated by assuming water rights/permits limited by an annual volume will pump the entire volume appropriated annually, water rights/permits limited only by diversion rate will pump at the maximum permitted diversion rate 60 percent of the time, and future use permits will be fully developed.

Table 1: Summary and expected use of non-irrigation water rights/permits including future use permits (Water Rights, 2018a)

PERMIT NO.	NAME	COUNTY	STATUS	USE	CFS	ESTIMATED ANNUAL PUMPAGE (AC-FT)
686-3	RICHARD T PETERSON	MA	LC	IRR/COM	0.11	+
1139-3	TOWN OF HUDSON	LN	LC	MUN	0.71	*
1262B-3	CITY OF CANTON	LN	LC	MUN	0.22	95.56
1618-3	CONCRETE MATERIALS	MA	LC	COM	1.0	434.38
1908-3	VALLEY VIEW MOBILE HOME PARK	MA	LC	COM	0.1	43.44
3454-3	LINCOLN COUNTY RWS	LN	LC	RWS	0.5	217.19*
4002-3	CITY OF BRANDON	MA	FU	MUN	N/A	685
4792-3	MYRL & ROYS PAVING INC	MA	LC	COM	1.0	434.38
4842-3	BRANDON MATERIALS CO	MA	LC	IND	1.11	+
4883-3	CITY OF HARRISBURG	LN	LC	MUN	0.5	*
5133-3	CONCRETE MATERIALS	MA	LC	COM	0.04	17.38
5242-3	CITY OF SIOUX FALLS	MA	LC	IND	1.56	110 ^{av}
5517-3	ZOOLOGICAL SOCIETY OF SIOUX FALLS	MA	LC	COM	0.03	13.03
5591-3	AMOCO CORPORATION	MA	LC	GWR	0.16	69.50
5684-3	GREAT PLAINS ZOO/MUSEUM	MA	LC	COM	0.067	29.10
5755-3	AMOCO CORPORATION	MA	LC	GWR	0.24	104.25
5842-3	MICHAEL DALE COUGHLIN	MA	LC	COM	0.02	8.70
5869-3	CITY OF BRANDON	MA	LC	MUN	0.78	338.82
6093-3	LYON & SIOUX RWS INC	LN	LC	RWS	1.33	530 ^{av}
6423-3	SIOUX RIVER ETHANOL LLC	LN	LC	IND	1.78	1000 ^{av}
6696-3	CITY OF BRANDON	MA	FU	MUN	N/A	1227.7
6924-3	LINCOLN COUNTY RWS	LN	PE	RWS	2.5	1344 ^{av*}
7181-3	CITY OF BRANDON	MA	LC	MUN	N/A	N/A
7203-3	LINCOLN COUNTY RWS	LN	PE	RWS	N/A	N/A
7787-3	MYRL & ROYS PAVING INC	MA	PE	IND	0.17	70 ^{av}
SUMMARY						
25	No. of Non-Irrigation Water Rights/Permits		Non-Irrigation Estimated Annual Pumpage			6772.43
LN = Lincoln County, MA = Minnehaha County						
LC = Water Right, PE = Water Permit, FU = Future Use						
COM = Commercial, DOM = Domestic, GWR = Groundwater Remediation, IND = Industrial, IRR = Irrigation, LCO = Livestock Confinement Operation, MUN = Municipal, RWS = Rural Water System						
^{av} = Limited to an annual volume, * = Connected to a Rural Water System full time, + = likely subject to cancellation, and not tabulated, N/A = Not Applicable						

In addition, Water Right No. 4842-3, held by Brandon Materials Co. for industrial use, is likely subject to cancellation as the gravel operation at that location has ceased operation, and the land is now subdivided. Water Right No. 686-3 is also likely subject to cancellation as it is for irrigation and commercial use at a golf course and club house that have ceased operating.

Four of the non-irrigation water rights/permits are required to report their annual water use from the Big Sioux: South aquifer (Table 2). For the purposes of this report, the reported average annual use of these four water rights/permits has not been calculated as the total estimated recharge to the Big Sioux: South aquifer is greater than the estimated average annual withdrawals from the aquifer. If the reported average annual use was calculated, the estimated average annual withdrawals from these four water rights/permits would likely be similar or decrease.

Table 2: Non-Irrigation Water Rights/Permits that are required to report their annual use from the Big Sioux: South aquifer (Water Rights, 2018a)

Permit No.	Status	Use	Name
6093-3	Licensed	Rural Water	Lyon & Sioux RWS Inc
6423-3	Licensed	Industrial	Sioux River Ethanol LLC
6924-3	Permitted	Rural Water	Lincoln County RWS
7787-3	Permitted	Industrial	Myrl & Roy's Paving Inc

There are a number of domestic wells on file that withdraw water from the Big Sioux: South aquifer, however the magnitude of their withdrawals is small, and since the introduction of rural water systems, many of these wells may no longer be in use (Water Rights, 2018b). The annual quantity of water withdrawn for domestic uses is considered to be negligible to the hydrologic budget of the aquifer.

Currently, there are 38 water rights/permits permitted for irrigation (Water Rights, 2018a). Of the 38 irrigation water rights/permits, 37 submitted their irrigation questionnaire in 2017 (Water Rights, 2018d). Water Right No. 686-3 has not submitted an irrigation questionnaire since 2004 and is likely subject to cancellation as the golf course has ceased operating.

These irrigation water rights/permits appropriated 10,590 ac-ft of water in 2017, however the actual usage is much less. Estimation of the average annual use from irrigation is typically calculated by summing the reported usage from the irrigation questionnaires and then averaging the yearly usage over the period of record. Recently, a number of factors came together and increased the number of irrigation permit applications above the long term average, and as such, the average over the period of record no longer reflects the current level of permitted acres. In the early 1980's, a large number of water permits/rights were cancelled or were more accurately assigned water sources, rendering the irrigation questionnaire summaries for those years to be suspect without further substantial research. For this analysis, the period of record is 1979 to 2017, however the time periods of 1983 to 2012 and 2013 to 2017 will be calculated separately. Over the period of record, the average total appropriation for irrigation was 9,417 ac-ft/yr and reported irrigation use was 1,133 ac-ft/yr (Water Rights, 2018d). The period of 1983 to 2012 saw an average total appropriation for irrigation of 8,979 ac-ft/yr and reported irrigation use was 1,117 ac-ft/yr. The most recent period of 2013 to 2017 saw an average total appropriation for

irrigation of 10,532 ac-ft/yr, and the average reported irrigation use was 1,634 ac-ft/yr. Assuming that the period of 2013 to 2017 better reflects the current irrigation status of the Big Sioux: South aquifer, the estimated average annual use for irrigation is 1,634 ac-ft/yr.

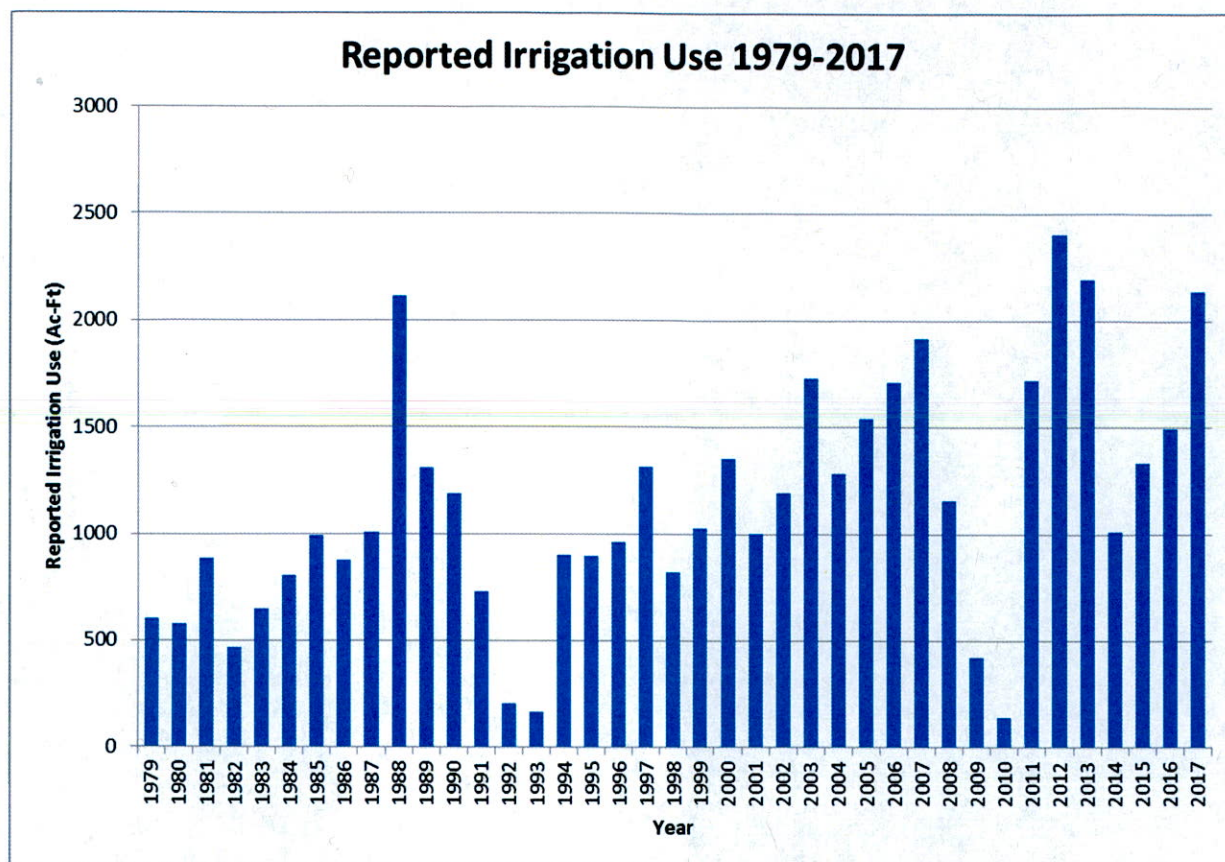


Figure 2: Reported irrigation use from the Big Sioux: South aquifer (Water Rights, 2018d)

Hydrologic Budget

The estimated withdrawals from the Big Sioux: South aquifer are 6,772.43 ac-ft/yr from non-irrigation users, and 1,634 ac-ft/yr from irrigation. Including 10.4 ac-ft/yr from this application, the estimated average annual withdrawal from the Big Sioux: South aquifer is 8,416.83 ac-ft/yr. The estimated average annual recharge to the Big Sioux: South aquifer is 16,742 ac-ft/yr. As the estimated average annual withdrawals are approximately half of the estimated average annual recharge, there is a reasonable probability there is unappropriated water available from the Big Sioux: South aquifer for the proposed appropriation.

Observation Well Data

In determining the availability of unappropriated water for a permit application Administrative Rule 74:02:05:07 requires the Water Management Board to rely on the record of observation well measurements, in addition to other data, to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated annual recharge.

The Water Rights Program currently monitors 15 observation wells completed in the Big Sioux: South aquifer (Water Rights, 2018c). The nearest observation well is MA-80AA, located

approximately 0.5 miles south-southwest of the proposed well locations. Following the aquifer down the Big Sioux River, observation well MA-80EA is 3.3 miles northeast of the proposed well locations, MA-80FA is 3.9 miles northeast, MA-80GA is 4.2 miles northeast, MA-75A is 4.5 miles east-northeast, MA-75C is 4.5 miles north of east, and MA-80C is 5.3 miles southeast. The remainder of the Big Sioux: South observation wells are located in Lincoln and Union Counties.

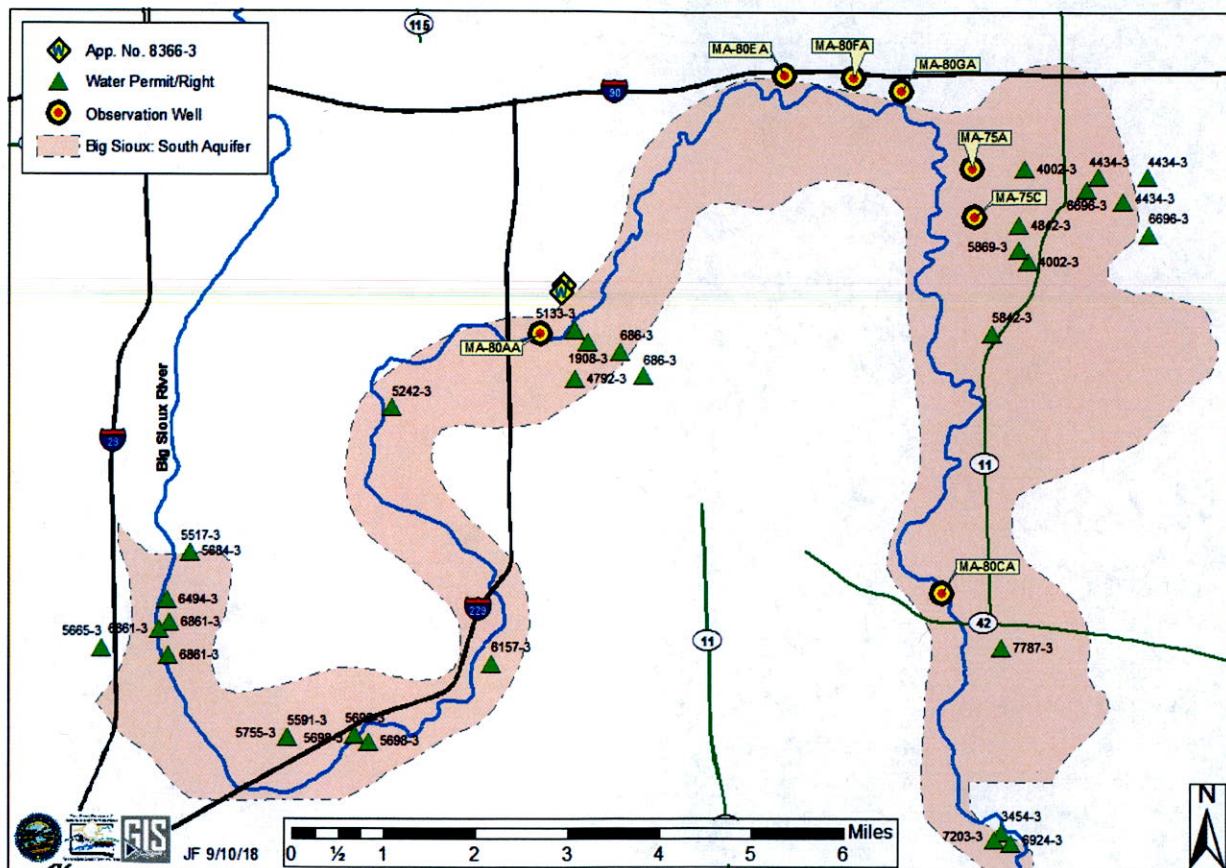


Figure 3. Map showing the approximate boundary of the Big Sioux: South aquifer, location of nearby observation wells, and water rights/permits in the Big Sioux: South aquifer (Hedges et al., 1982; Water Rights, 2018a; Water Rights, 2018c)

The hydrographs for these observation wells are shown in Figure 4. These observation well hydrographs are representative of the Big Sioux: South aquifer. The hydrographs show that the aquifer responds well to hydrologic conditions, recharging during wetter periods and declining during drier periods. The observation well measurements show that the effects from pumping are temporal, and that the aquifer generally returns to pre-pumping conditions. The observation well data indicates there is a reasonable probability there is unappropriated water available from the Big Sioux: South aquifer.

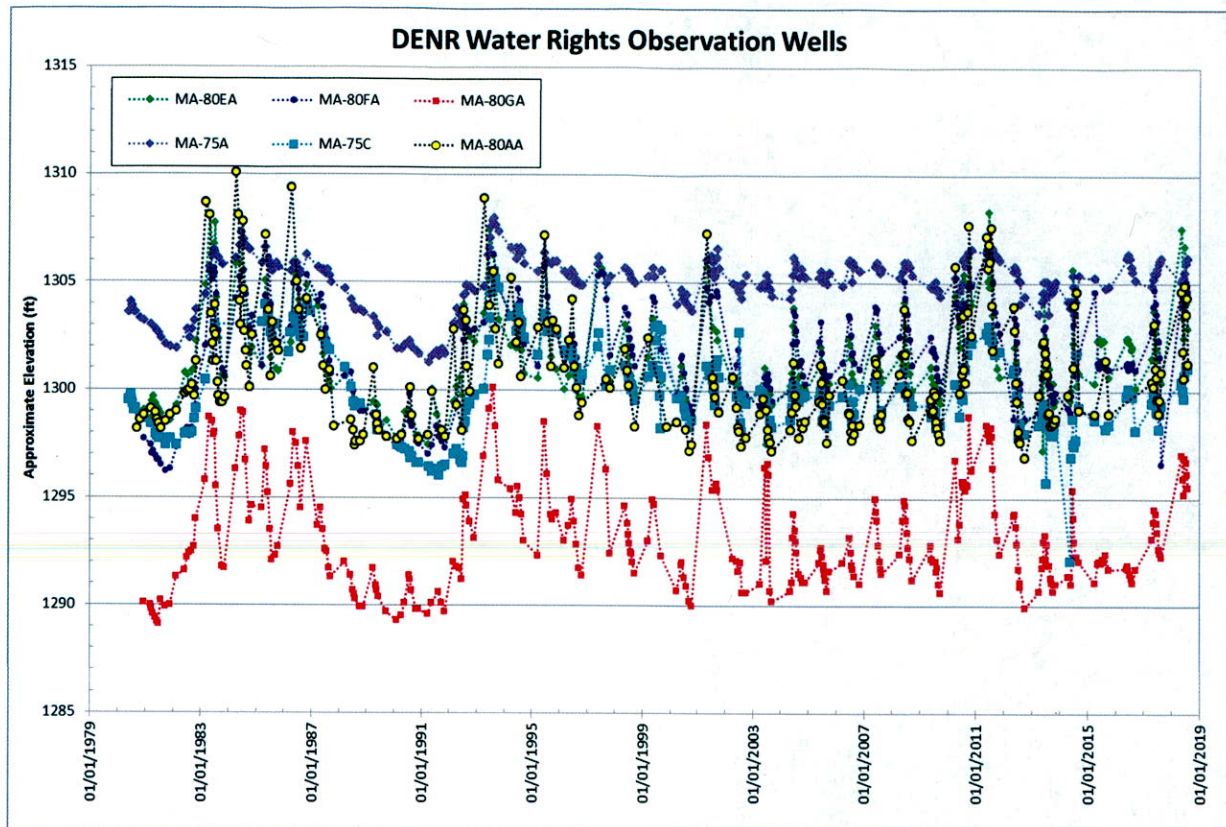


Figure 4: Hydrographs for Big Sioux: South Observation Wells in Minnehaha County, SD (Water Rights, 2018c)

EXISTING WATER RIGHTS

There are 62 water rights/permits appropriating water including 2 future use permits reserving water from the Big Sioux: South aquifer (Water Rights, 2018a). The location of the diversion points for water rights/permits authorized to withdraw water from the Big Sioux: South aquifer in the vicinity of this application are shown in Figure 3. The nearest existing water right/permit is held by Concrete Materials and is located 0.5 miles to the south on the other side of the Big Sioux River from the applicant's location. Given the hydraulic connection of the Big Sioux: South aquifer to the Big Sioux River and the relatively small diversion rate, this application, if approved, is not expected to impact existing water rights/permits.

Drawdown from well withdrawals within the Big Sioux: South aquifer is generally not significant at distances far from the pumping well. Examination of the hydrographs of observation wells completed into the Big Sioux: South aquifer show no signs of being significantly impacted by drawdown caused by pumping. Even though there are a number of high capacity wells in the Big Sioux: South aquifer, there has not been a history of well interference. This application, if approved, is not expected to adversely impact nearby adequate wells.

An adequate well has been defined in Administrative Rule of South Dakota (ARSD) 74:02:04:20(6) as:

“a well constructed or rehabilitated to allow various withdrawal methods to be used, to allow the inlet to the pump to be placed not less than 20 feet into the saturated aquifer or formation material when the well is constructed, or to allow the pump to be placed as near to the bottom of the aquifer as is practical if the aquifer thickness is less than 20 feet”.

In the past, the Water Management Board has recognized that to place water to the maximum beneficial use, a certain amount of drawdown may occur. With no history of well interference complaints from users in the Big Sioux: South aquifer, adequate wells are not expected to be adversely impacted if this proposed appropriation is approved.

CONCLUSIONS

1. Water Permit Application No. 8366-3 proposes to appropriate 10.4 acre-feet of water annually at a maximum diversion rate of 0.44 cubic feet per second (cfs) from two wells to be completed into the Big Sioux: South aquifer in Minnehaha County.
2. Based on observation well data and the hydrologic budget, there is a reasonable probability that unappropriated water is available from the Big Sioux: South aquifer.
3. There is a reasonable probability that the diversion proposed by this application will not adversely impact adequate wells for existing water rights and domestic uses.



John Farmer
SD DENR – Water Rights Program

REFERENCES

- 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. U.S. Army Corps of Engineers Contract DACW 45-80-C-0185.
- 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.
- Lindgren, R.J., and Niehus, C.A., 1992. Water Resources of Minnehaha County, South Dakota. USGS Water-Resources Investigations Report 91-4101. USGS. Rapid City, SD.
- SD Geological Survey. 2018. Lithologic Logs Database. SD DENR-Geological Survey, Vermillion, SD
- Water Rights. 2018a. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2018b. Well Completion Report Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2018c, "Observation Well Database", SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2018d. Irrigation Questionnaire Database. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

Schlaak, Karen

From: Schlaak, Karen
Sent: Friday, September 14, 2018 11:02 AM
To: ckarst@gagebrothers.com
Subject: Water Permit Application No. 8366-3
Attachments: 8366-3.pdf

Mr. Karst,

Attached is the report, recommendation and information regarding the public notice for Application No. 8366-3. It is important that you contact the paper ASAP to authorize publication and arrange for payment. Paper copies being mailed today.

Karen Schlaak

SD DENR, Water Rights Program
(605) 773-3352



CUSTOMER NUMBER:	6053361180	Argus Leader P.O. Box 677349, Dallas, TX 75267-7349
INVOICE NUMBER:	3163927	
RUN DATES:	9/20, 2018	AMOUNT DUE: \$67.21

GAGE BROS. CONCRETE PRODUCTS, INC.
4301 WEST 12TH STREET
SIOUX FALLS, SD 57106

RECEIVED
SEP 24 2018
WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION-

Customer Number: 6053361180
Invoice Number: 3163927

Argus Leader

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

Sara Kruse being duly sworn, says: That The **Argus Leader** is, and during all the times hereinafter mentioned was, a daily legal newspaper as defined by SDCL 17-2-2.1, as amended published at Sioux Falls, Minnehaha County, South Dakota; that affiant is and during all of said times, was an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is hereto attached, was published in said newspaper upon

____ Thursday, the 20 day of September 2018,
____, the ____ day of ____ 2018,
____, the ____ day of ____ 2018,
____, the ____ day of ____ 2018,
____, the ____ day of ____ 2018,
____, the ____ day of ____ 2018,

and that \$67.21 was charged for publishing the same.

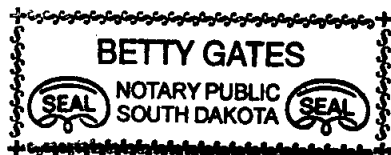
Sara Kruse

Subscribed and sworn to before me

9/20/18

Betty Gates
Notary Public, South Dakota

My Commission expires March 11, 2022



use. This site is located east of 1229 and south of Benson Road on the east side of Sioux Falls. Pursuant to SDCL 46-2A-2, no hearing held before the Chief Engineer recommends APPROVAL of Application No. 8366-3 with the qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Granlund for this information, or other information, at the Water Rights Program address provided below. 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 October 1, 2018. 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. If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the ap-

NOTICE OF APPLICATION NO. 8366-3 to Appropriate Water

Notice is given that Gage Brothers, do hereby in Karst, 4301 W 12th St, Sioux Falls SD 57106 has filed an application for a water permit to appropriate 0.4 acre-feet of water annually at a maximum pump rate of 0.44 cubic feet of water per second from two wells to be completed into the Big Sioux-South Aquifer (60 feet deep) located in the NE 1/4 SW 1/4 and the NW 1/4 SE 1/4 Section 2-T101N-R49W for industrial



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 RIGHT AWAY.**

September 14, 2018

Gage Brothers
c/o Colin Karst
4301 W 12th St
Sioux Falls SD 57106

Dear Mr. Karst:

Water Permit Application No. 8366-3 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 Argus Leader printed at Sioux Falls SD (Ph # 605 331-2200). 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 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.

Schlaak, Karen

From: Schlaak, Karen
Sent: Friday, September 14, 2018 10:58 AM
To: allegals@argusleader.com
Subject: 8366-3, Gage Brothers
Attachments: 8366-3public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on September 20, 2018.

Gage Brothers, c/o Colin Karst, 4301 W 12th St, Sioux Falls SD 57106 (605 366-6142) has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP to the Water Rights Program, 523 E Capitol, Pierre SD 57501.

Let me know if you have questions. Please acknowledge receipt of this email.

Karen Schlaak

SD DENR, Water Rights Program
(605) 773-3352



Instruction to Newspaper - Publish the Notice on September 20, 2018. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 8366-3 to Appropriate Water

Notice is given that Gage Brothers, c/o Colin Karst, 4301 W 12th St, Sioux Falls SD 57106 has filed an application for a water permit to appropriate 10.4 acre-feet of water annually at a maximum pump rate of 0.44 cubic feet of water per second from two wells to be completed into the Big Sioux:South Aquifer (60 feet deep) located in the NE 1/4 SW 1/4 and the NW 1/4 SE 1/4 Section 2-T101N-R49W for industrial use. This site is located east of I229 and south of Benson Road on the east side of Sioux Falls.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8366-3 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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 October 1, 2018.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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.

Steven M. Pirner, Secretary, Department of Environment and Natural Resources. 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
<http://denr.sd.gov>

OCT 04 2018

Gage Brothers
c/o Colin Karst
4301 W 12th St
Sioux Falls SD 57106

Dear Mr. Karst:

Enclosed is Water Permit No. 8366-3 authorizing construction of the 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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

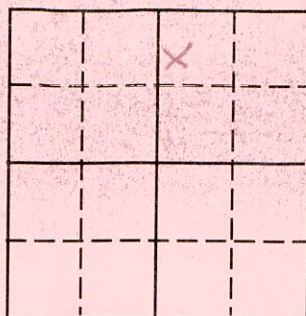
Location NW NE 1/4 Sec 35 Twp 14-N Rg 48W

County

North

Mingobaha

Please mark well location with an "X"



Well completion Date

9-31-18

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? 2 miles ft. from Big Sioux River (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Bucket - false casing

CASING DATA:

☐ Steel ☐ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>50 LB/FT</u>	<u>12 IN</u>	<u>13 FT</u>	<u>28 FT</u>	<u>20 IN</u>
<u>LB/FT</u>	<u>IN</u>	<u>FT</u>	<u>FT</u>	<u>IN</u>
<u>LB/FT</u>	<u>IN</u>	<u>FT</u>	<u>FT</u>	<u>IN</u>

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Portland</u>	<u>20</u>	<u>Lb/gal</u>	<u>8 Ft</u>	<u>14 Ft</u>
		<u>Lb/gal</u>	<u>Ft</u>	<u>Ft</u>

Describe grouting procedure

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 12 Inches Length 3' FeetMaterial Stainless SteelSlot Size 080 Set From 24 Feet to 28 Feet

Other information

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How?
chlorine in pack
☐ No, Why Not?
 Lab sample sent to for water quality analysis

Well Owner:

Business Name:

Address:

City, State, Zip:

Gage Bros4301 W 12th St.Sioux Falls, SD 57106

WELL LOG:

DEPTH

FORMATION

FROM

TO

Fill013Dirt1314Gravel1419Coarse Clean Gravel1926Rocky Gravel2628

STATIC WATER LEVEL

18.0'

FEET

If flowing: closed in pressure

PSI

GPM flow

through

Inch pipe

Controlled by

☐ Valve

☐ Reducers

☐ Other

Reduced flow rate

GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped

Describe:

☐ Bailed

☐ Other

Pumping Level Below Land Surface

21

Ft. After

Hrs. pumped

200

GPM

Ft. After

Hrs. pumped

GPM

If pump installed, pump rate:

GPM

REMARKS

RECEIVED

SEP 06 2018

WATER RIGHTS PROGRAM

This well was drilled under license #

111

And this report is true and accurate.

Drilling firm:

Lacey Well Drilling Inc.

Signature of License Representative:

James J. Lacey

Signature of Well Owner or Equitable Property Holder:

David J. House, VP-Finance

Date:

8-22-18

Please return WHITE COPY to:

DENR Water Rights

523 E Capitol Ave.

Pierre SD 57501

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 8366-3

I have this day, May 2, 2025, made a thorough examination of the water use system constructed by Gage Brothers, 2800 N Bahnson Ave, Sioux Falls, SD 57105 of Permit No. 8366-3, bearing the priority of July 11, 2018 authorizing the diversion of 0.44 cu. ft. per second of the waters of the Big Sioux-South Aquifer for industrial concrete purposes, in Minnehaha County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Lacey Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 28 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 12 inches
- 2) Length 25 feet
- 3) Type Steel

Screen:

- 1) Type Stainless steel
- 2) Length 3 feet
- 3) Static water level 18 feet

Pump:

- 1) Make Submersible
- 2) Model Unknown
- 3) Size Unknown
- 4) Capacity 100 GPM

Motor:

- 1) Make Unknown
- 2) Model No. Unknown
- 3) Horsepower rating 2 hp

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

- 1) Type Buried PVC
- 2) Size Unknown inches
- 3) Length Unknown feet

Comments: **xx**

C. D. Compliance with Permit Requirements:

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

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: WELL LOCATION (ONLY ONE) From the NE corner Sec 2 T101N R49W, 3825 ft S & 2640 ft W, Lat 43.57707 Long - 96.68159 (NE ¼ SW 1/4).
2. The works are capable of diverting and conveying to the place of use 0.22 cu. ft. per second of water which is to be used for commercial concrete.

the license should be issued for 0.22 cfs.
3. All structures, wells and lands on map Y

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

Used FSA maps and ArcGIS to construct the map.

Visited with Mr. Darrick Thomas (605/951-3998) on the phone during the field visit and he told me that the well system can deliver about 100 gpm to the site.

The mailing address and the telephone number in the permit materials are current.



Darrell DeBoer
Water Rights Inspector
DENR, Water Rights Program

Date report completed: May 6, 2025



0 550 1,100 2,200 3,300 4,400 Feet



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

JUN 06 2025

Gage Brothers
c/o Colin Karst
2810 N Bahnson Ave
Sioux Falls, SD 57104

No. 8366-3

Dear Mr. Karst:

Enclosed is Water License No. 8366-3. 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.

So long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Mark Mayer, PE
Director of Office of Water
(605) 773-3352

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 8366-3**

(1) Gage Brothers, 2810 N Bahnson Ave, Sioux Falls, SD 57104, made Application No. 8366-3, July 11, 2018, for a water permit to appropriate up to 10.4 acre-feet of water annually at a maximum pump rate of 0.44 cubic feet of water per second from groundwater, two wells (Big Sioux: South Aquifer), Minnehaha County, South Dakota for industrial use purposes. Permit No. 8366-3, with a priority date of July 11, 2018, was approved October 1, 2018, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before October 1, 2023, and for the application to beneficial use of water on or before October 1, 2027.

(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 up to 10.4 acre-feet of water annually at a maximum pump rate of 0.22 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 3,825 feet S and 2,640 feet W from the NE corner of Section 2, T101N, R49W (NE ¼ SW ¼)
(Latitude 43.57707 and Longitude -96.68159)

(3) The water is to be used during the following described annual period: January 1 – December 31.

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

(5) Pursuant to South Dakota Water Law 46-5-30.1 Gage Brothers, the holder and/or owner of Water Right No. 8366-3 is issued a license to appropriate water, the right to use up to 10.4 acre-feet of water annually at a maximum pump rate of 0.22 cubic feet of water per second from groundwater, one well (Big Sioux: South Aquifer), with a priority date of July 11, 2018, from the location specified in (2) of this license for industrial use purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 8366-3 and subject to the following qualifications:

1. The wells 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. *(Only one well was developed under Permit No. 8366-3)*

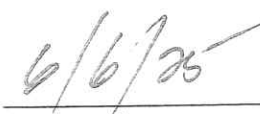
2. The wells authorized by Permit No. 8366-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. *(The well was drilled in 2018 by Lacey Well Drilling Inc. A copy of the well completion report is on file with the Water Rights Program.)*

3. The permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Big Sioux: South Aquifer.

4. Water Permit No. 8366-3 authorizes a total annual diversion of 10.4 acre-foot of water.



Mark Mayer, PE
Director of Office of Water



date



RECEIVED

MAY 04 2026

OFFICE OF
WATER

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

PAID

MAY 04 2026

Ck# 136784

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 8366-3 Rec't#

Date: 2/19/2026

I/We request that Water Right/Permit No. 8366-3 formerly owned by:
GAGE BROTHERS CONCRETE PRODUCTS be transferred to:New Owner Name: MOLIN SIOUX FALLS
Address: 2810 N BAHNSON AVE mobile: (605) 951-3998
City, State, Zip: SIOUX FALLS, SD 57106 email: DARRICK.THOMAS@MOLIN.COM

Title to the following described land(s)/property has been transferred as described above:

CITY PARCEL ID 012202401005000
COUNTY PARCEL ID 90935☒ I understand that the validity of Water Right/Permit No. 8366-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, MIKE RUENACHT, the new owner, certify that the above information is true and correct.



(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five-year construction period has expired. Once a water permit is developed, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three-year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

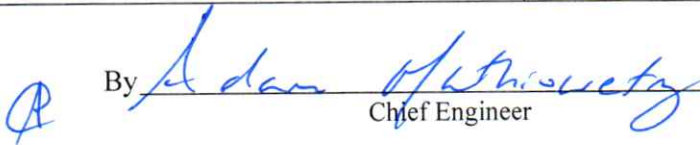
WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date May 04, 2026

RECEIVED OF Molin Sioux Falls 2810 N Bahnson Ave Sioux Falls, SD 57106

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form #8366-3	\$ <u>50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	\$ <u>50.00</u>

By 
Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

May 5, 2026

8366-3

Molin Sioux Falls
C/O Mike Rufenacht
2810 N Bahnson Ave
Sioux Falls, SD 57106

Dear Mr. Rufenacht:

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" form and the fee you submitted for Water Right No. 8366-3, enclosed is a \$50.00 receipt of payment for your records.

Water Right No. 8366-3, previously held by Gage Brothers, is now listed under Molin Sioux Falls. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the Permit/License (copy enclosed), State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the Permit/License will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

NOTE: The validity of Water Right No. 8366-3 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosures