

WATER PERMIT NO. 8856-3

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

Address: **PO Box 609, Mobridge SD 57601** Phone: **605-845-7213**

Amount of Water Claimed: **0.36 AF** Total Acres: **N/A**

Source of Water Supply: **Groundwater**

Water to be used for: **Commercial** County: **Day**

Type of Waste Disposal System:

Location: **Approx. 2 miles east of Waubay SD**

PRIORITY Date Received: **04-12-24**

Application/License Fee: **\$700.00**

Corrected Application Received: **04-16-24**

Period of Annual Use: **May 1 – September 30**

Remarks: **Opening a gravel pit and utilizing a wash plant to clean the aggregates.**

Diversion Point: **NW 1/4 SE 1/4 Sec 23-T122N-
R53W**

Land to be Irrigated: **N/A**

Depth of Well: **240**

Well Driller:

Remarks:

Type of Map: **aerial**

			23		

Reviewed and the Number Assigned on: **04-17-24**

By: **Rachel Rodriguez**

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 8856-3

Date of first receipt of application April 12, 2024.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8856-3 to Jensen Rock & Sand, Inc., PO Box 609, Mobridge SD 57601, authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 8856-3 appropriates an amount not exceeding 0.4 acre-feet of water annually at a maximum pump rate of 1.11 cubic feet of water per second from one well to be completed into the Coteau Lakes Aquifer (55 feet deep) located in the NW 1/4 SE 1/4 Section 23-T122N-R53W for commercial use in an aggregate wash plant. A holding pond will be used to capture wash water at the site located in the SE 1/4 Section 23-T122N-R53W. This site is located approximately two miles east of Waubay SD.
2. The water appropriated shall be used for the purpose of commercial 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: May 1 – September 30.
4. The date of approval of Permit No. 8856-3 is October 23, 2024.
5. The date from which applicant may claim right is April 12, 2024.
6. One-fifth of the construction is to be completed on or before April 23, 2027.
7. All construction is to be completed on or before October 23, 2029.
8. Water is to be put to beneficial use on or before October 23, 2033.
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 Water Permit No. 8856-3 is located near domestic wells and other wells which may obtain water from the same aquifer. Water withdrawals must be controlled so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 8856-3 must be constructed by a licensed well driller and construction of the well and installation of the pump must 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 must report to the Chief Engineer annually the amount of water withdrawn from the Coteau Lakes Aquifer.
4. Water Permit No. 8856-3 authorizes a total annual diversion of up to 0.4 acre-feet of water.

WATER MANAGEMENT BOARD

By: Eric Gronlund
Eric Gronlund, Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

OCT 31 2024
date



FORM 2: Application for uses other than irrigation
(type or print)

Mail to: SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8856-3</u> Hydrologic Unit <u>10170201</u>
	Basin <u>Upper Big Sioux</u>
	Newspaper <u>Waubay Clipper</u>
	<u>Watertown Public Opinion</u> (office use only)

RECEIVED
APR 12 2024
OFFICE OF
WATER

Application for Permit to Appropriate Water in 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 Jensen Rock & Sand, Inc.

Mailing Address PO Box 609 Mobridge SD 57601
(Address) (City) (State) (Zip Code)
Phone 605-845-7213 Mobile 605-848-1156 Email courtney@jensenrockandsand.com

2. Amount of water claimed 1.11 *CFS or 500 **GPM and 0.4 ***AF or 120,000 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 Well (NW 1/4 SE 1/4)

4. Location of point of diversion SE 1/4 Sec 23 T122N R53W County Day
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

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 Day

6. Annual period during which water is to be used May-September³⁰

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)

Project involves opening a gravel pit and utilizing a wash plant to clean the aggregates.

I, Courtney Davis Office Manager, 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.

Supplemental Information

(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 1 Have test holes been drilled? ☐ Yes ☒ No Drilled by _____
(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) 240 Depth to Top of Water Bearing Material _____ Depth to Water from Surface _____

d) Distance to nearest domestic well on applicant's property NA Property owned by others 1/2 Mile

2. Wastewater Disposal System Information

a) Type of System (i.e. septic tank, drain field) NA

b) System Capacity (gallons) _____ Year Constructed _____

c) Connected to the City of _____ Sanitary System

3. Dugout Information

a) Surface Dimensions 200' x 200' Depth 10'

b) Depth to water (ground surface to water level) 5'

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)

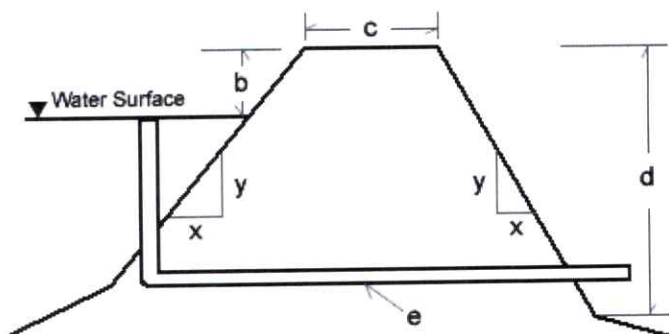
Upstream _____

Downstream _____

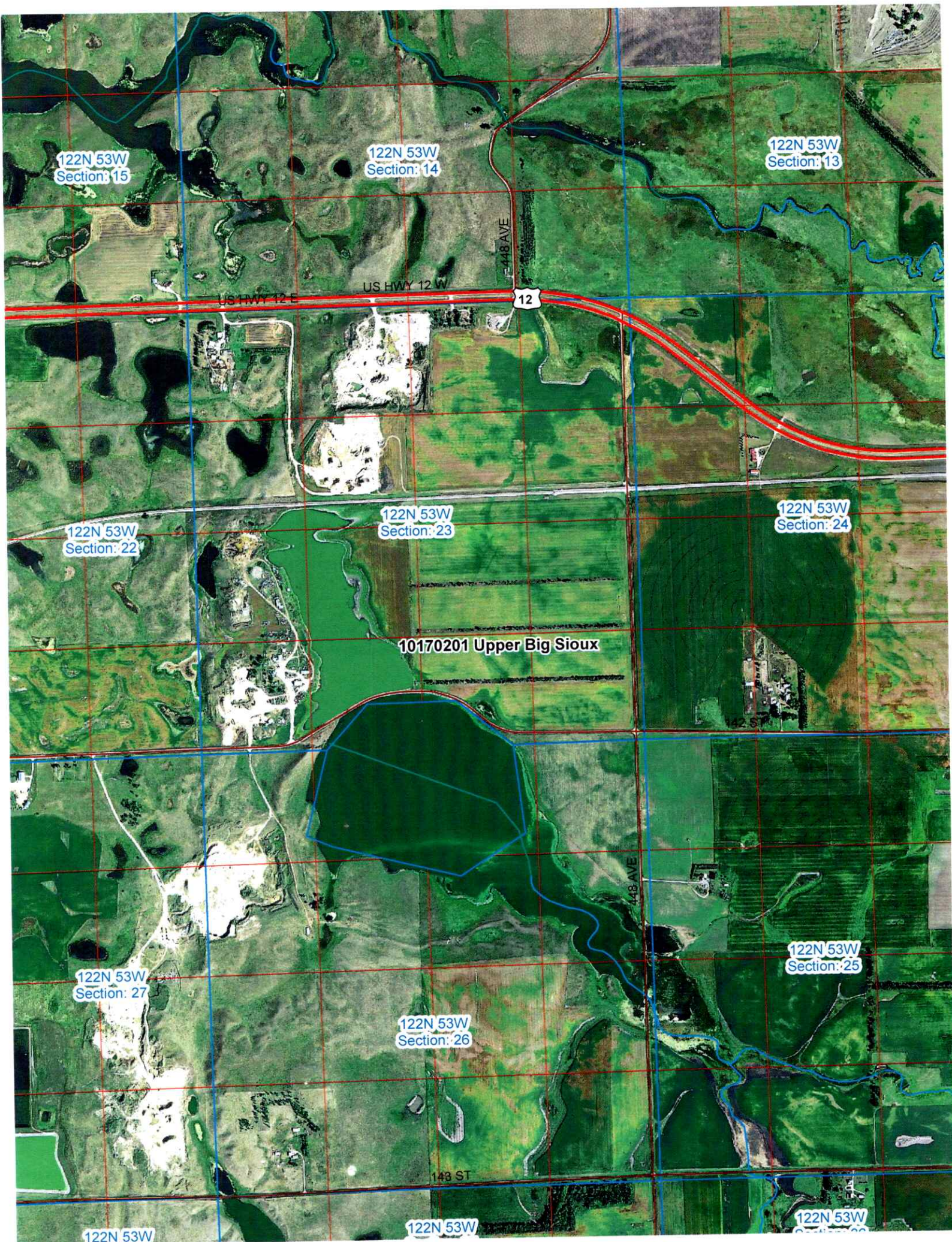
h) Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres







122N 53W
Section: 15

122N 53W
Section: 14

122N 53W
Section: 13

US HWY 12 E

US HWY 12 W

12

448 AVE

122N 53W
Section: 22

122N 53W
Section: 23

122N 53W
Section: 24

10170201 Upper Big Sioux

122N 53W
Section: 27

122N 53W
Section: 26

122N 53W
Section: 25

143 ST

122N 53W

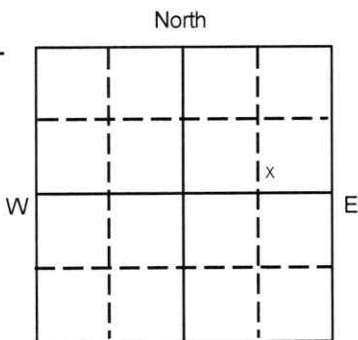
122N 53W

122N 53W
Section: 28

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SOUTH DAKOTA WATER WELL COMPLETION REPORT

2024

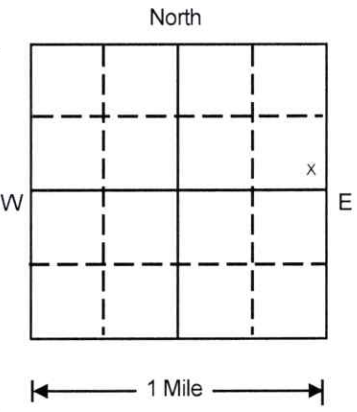
Location <u>SE</u> $\frac{1}{4}$ <u>NE</u> $\frac{1}{4}$ Sec <u>23</u> Twp <u>122N</u> Rg <u>53W</u> County <u>Day</u> GPS Coordinates Lat: <u>45.33437</u> Lon: <u>-97.24769</u> Please mark well location with an "X" on section grid  Well Completion Date <u>7-9-24</u> Distance from nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.) ? _____ ft. from _____ (identify source)		Well Owner: _____ Business Name: <u>Jensen Rock & Sand INC</u> Address: <u>601 9th Ave SW</u> City, State, Zip: <u>Aberdeen, SD 57401</u>																																	
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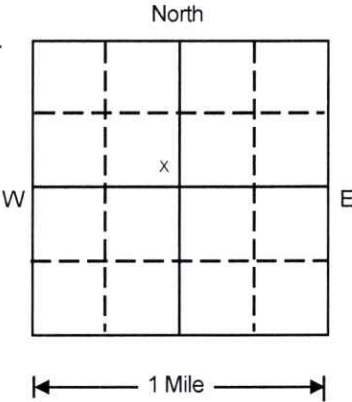
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SOUTH DAKOTA WATER WELL COMPLETION REPORT

2024

Location <u>SE</u> $\frac{1}{4}$ <u>NW</u> $\frac{1}{4}$ Sec <u>23</u> Twp <u>122N</u> Rg <u>53w</u> County <u>Day</u> GPS Coordinates Lat: <u>45.33432</u> Lon: <u>-97.25708</u> North x W E Please mark well location with an "X" on section grid Well Completion Date <u>7-16-24</u> Distance from nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.) ? _____ ft. from _____ (identify source)		Well Owner: _____ Business Name: <u>Jensen Rock & Sand INC</u> Address: <u>601 9th Ave SW</u> City, State, Zip: <u>Aberdeen, SD 57401</u> WELL LOG: <table border="1" style="width:100%; border-collapse: collapse;"><thead><tr><th rowspan="2">FORMATION</th><th colspan="2">DEPTH</th></tr><tr><th>FROM</th><th>TO</th></tr></thead><tbody><tr><td>Topsoil</td><td>0</td><td>2</td></tr><tr><td>Yellow Gravel</td><td>2</td><td>8</td></tr><tr><td>Small Pea Rock</td><td>8</td><td>25</td></tr><tr><td>Large Pea Rock</td><td>25</td><td>43</td></tr><tr><td>Medium-Coarse Gray Sand</td><td>43</td><td>55</td></tr><tr><td>Blue Clay</td><td>55</td><td>75</td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table> STATIC WATER LEVEL <u>12 1/2</u> 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 ☐ Air ☐ Other _____ Pumping Level Below Land Surface <u>23 1/2</u> Ft. After <u>4</u> Hrs. pumped <u>55</u> GPM _____ Ft. After _____ Hrs. pumped _____ GPM If pump installed, pump rate: _____ GPM		FORMATION	DEPTH		FROM	TO	Topsoil	0	2	Yellow Gravel	2	8	Small Pea Rock	8	25	Large Pea Rock	25	43	Medium-Coarse Gray Sand	43	55	Blue Clay	55	75												
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SOUTH DAKOTA WATER WELL COMPLETION REPORT

2024

Location <u>SE</u> $\frac{1}{4}$ <u>NE</u> $\frac{1}{4}$ Sec <u>23</u> Twp <u>122N</u> Rg <u>53W</u> County <u>Day</u> GPS Coordinates Lat: <u>45.33437</u> Lon: <u>-97.24769</u> Please mark well location with an "X" on section grid Well Completion Date <u>7-9-24</u> Distance from nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.) ? _____ ft. from _____ (identify source)		Well Owner: _____ Business Name: <u>Jensen Rock & Sand INC</u> Address: <u>601 9th Ave SW</u> City, State, Zip: <u>Aberdeen, SD 57401</u>																																							
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SOUTH DAKOTA WATER WELL COMPLETION REPORT

2024

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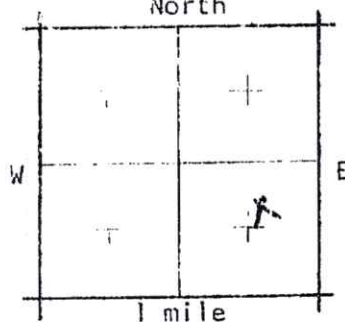
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STATE OF SOUTH DAKOTA WELL DRILLERS REPORT

Location SE 1/4 NE 1/4 Sec 23 Twp 122 Rg 53County Day R

North

Please mark well location with an "X"

Well Completion Date 9-5-84

PROPOSED USE:

☒ Domestic ☐ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Forward Rotary

WELL CONSTRUCTION:

Diameter of hole 8 3/4 inches Depth 220 feetCasing: ☐ Steel ☒ Plastic ☐ OtherSpecify P.V.C.
 Pipe Weight P.V.C. lb/ft 5 inches 0 feet 180 feet
 lb/ft inches feet feet
Was a well screen used? ☐ Yes ☒ No

If Not Specify

Screen Type P.V.C. Slot Size .025Length 40 ft Diameter 5"Was Casing left open end? ☐ Yes ☒ NoWas a Packer or seal used? ☐ Yes ☒ No

If so what material?

Was well sand (bag down) gravel packed? ☒ Yes ☐ NoWas well grouted? ☐ Yes ☒ No

Describe grouting procedure

To what depth? Feet

What was grouting material?

If cement, how many sacks?

Location of packer(s) and screen or perforated pipe

WAS WELL PLUGGED OR ABANDONED ☐ Yes ☒ No

If so how and with what material?

Well Owner:

Name George SnazaAddress P.O. Box 112 Ph. 947-4911
Waubesa S.D. 57273

Well Log:

Depth

Formation	From	To
<u>Top soil</u>	<u>0</u>	<u>2</u>
<u>Yellow sand & rocks</u>	<u>2</u>	<u>20</u>
<u>Yellow sand gravel & rock</u>	<u>20</u>	<u>52</u>
<u>Blue Clay</u>	<u>52</u>	<u>117</u>
<u>Yellow gravel</u>	<u>117</u>	<u>120</u>
<u>Blue Clay</u>	<u>120</u>	<u>140</u>
<u>Yellow sand</u>	<u>140</u>	<u>180</u>
<u>Blue Clay</u>	<u>180</u>	<u>194</u>
<u>Sand</u>	<u>194</u>	<u>200</u>
<u>Blue clay</u>	<u>200</u>	<u>220</u>
<u>fine sand & clay broken</u>	<u>220</u>	<u>230</u>
<u>Blue Clay</u>	<u>230</u>	<u>240</u>

STATIC WATER LEVEL 50 FeetIf flowing: closed in pressure PSIGPM flow through inch pipeControlled by ☒ Valve ☐ Reducers ☐ Otherif other; specify Can well be completely shut off? yes

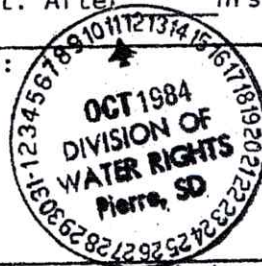
WELL TEST DATA:

☒ Pumped☐ Bailed Describe: 150 gall/hr within☐ Other

Pumping Level Below Land Surface

 ft. After Hrs. pumped GPM ft. After Hrs. pumped GPM ft. After Hrs. pumped GPM

Remarks:

This well was drilled under license # 440

and this report is true and accurate.

Pullman Drilling Margie Pullman
 Drilling Firm Signed by

9-10-84
 Date

lts sent
10-22-84

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date April 16, 2024

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

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

Fee for Application for Permit No. <u>8856-3</u> to Appropriate Water, to construct and to put water to beneficial use	\$ <u>500.00</u>
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>8856-3</u>	\$ <u>200.00</u>
Fee for Filing Transfer Form _____	\$ _____
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>700.00</u>

By Eric Gronlund
Chief Engineer me

Mathiowetz, Adam (DENR)

From: Delwin Yost <Delwin@jensenrockandsand.com>
Sent: Wednesday, July 31, 2024 12:29 PM
To: Mathiowetz, Adam (DENR)
Subject: Re: [EXT] Drilling Logs

That is correct.

Sent from my iPhone

On Jul 31, 2024, at 9:46 AM, Mathiowetz, Adam (DENR) <Adam.Mathiowetz@state.sd.us> wrote:

Delwin,

I would like to confirm that you intend to use the shallow aquifer encountered from 2 to 55 feet in what is labeled Hole #3 that was previously attached to this email chain for your project.



Adam Mathiowetz, PE
Engineer, Water Rights Program
Department of Agriculture and Natural Resources
523 E. Capitol Ave. Pierre SD, 57501
605.773.3352
danr.sd.gov

From: Courtney Davis <Courtney@jensenrockandsand.com>
Sent: Tuesday, July 30, 2024 4:47 PM
To: Mathiowetz, Adam (DENR) <Adam.Mathiowetz@state.sd.us>
Cc: Dewell, Amanda <Amanda.Dewell@state.sd.us>; Delwin Yost <Delwin@jensenrockandsand.com>; Kenny Jensen <Kennyj@jensenrockandsand.com>
Subject: Fw: [EXT] Drilling Logs

Adam,
Attached are the drilling reports for Water Permit Application #8865-3.

Please let me know if you need anything else.

Thank you,

Courtney Davis

From: Delwin Yost <Delwin@jensenrockandsand.com>
Sent: Tuesday, July 30, 2024 4:45 PM
To: Courtney Davis <Courtney@jensenrockandsand.com>
Subject: Fwd: Drilling Logs

Sent from my iPhone

Begin forwarded message:

From: gordon rahlf <grahlf1@gmail.com>
Date: July 30, 2024 at 1:27:04 PM CDT
To: Delwin Yost <Delwin@jensenrockandsand.com>
Subject: Fwd: Drilling Logs

----- Forwarded message -----

From: Alec Foertsch <Ajfoertsch@outlook.com>
Date: Tue, Jul 30, 2024 at 12:06 PM
Subject: Drilling Logs
To: Grahlf1@gmail.com <Grahlf1@gmail.com>

Attached are the 3 test holes we drilled. If you have any questions, please let me know. Thanks!

-Alec

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**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

May 15, 2024

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

Dear Ms. Davis:

I am writing today in regard to Permit Application No. 8865-3, filed by Jensen Rock & Sand on April 12, 2024.

After reviewing the application, staff engineer, Adam Mathiowetz, contacted your office to verify the location and depth of the well intended for diversion. Mr. Yost, with your office, indicated that it was no longer the intention of Jensen Rock & Sand to utilize the well that had been originally identified.

At this time, the Water Rights Program requests that a test hole be completed and well completion report submit to our office for review. A test hole will confirm the location and depth our staff needs to determine which groundwater source is being applied for.

Until a test hole log is received by the Water Rights Program, Permit Application No. 8865-3, Jensen Rock & Sand, will be placed on hold.

Please contact Adam Mathiowetz with our program for further questions.
Email: adam.mathiowetz@state.sd.us
Phone: 605.773.3352

Sincerely,

Amanda Dewell
Water Rights Program
Permitting Administrator
605 773-3352
Amanda.Dewell@state.sd.us

Mathiowetz, Adam (DENR)

From: Delwin Yost <Delwin@jensenrockandsand.com>
Sent: Tuesday, May 14, 2024 12:24 PM
To: Mathiowetz, Adam (DENR)
Subject: [EXT] Water permit

We would like to put our water permit application on hold until we drill a test hole to determine the depth we need to go to to obtain the volume of water that we will need. Thanks

Sent from my iPhone

**Water Rights Program
File Documentation**

NAME OF PERSON OR FILE: Delwin Yost for Jensen Rock & Sand

DATE: May 10, 224 TELEPHONE: 605-848-1156

RE: Test Hole for Water Permit Application

COMMENTS:

I called Jensen Rock & Sand to discuss the well log provided with the application, George Snaza 220 feet deep. Mr. Yost returned my call. I wanted to verify if the well log was for the well they intended to use for their project. Mr. Yost stated they did not intend to use the Snaza well, and he was pretty sure the well didn't exist anymore. Mr. Yost stated the well depth did not matter to them as long as they could get the desired production. We discussed several depth options as well as the permitting process. After a detailed discussion of the process and the information we require to write our technical report, Mr. Yost agreed to put the application on hold until they get a test hole drilled. Mr. Yost stated he intended to follow up with an email to confirm that.



Adam Mathiowetz

Natural Resources Engineer

DANR-Water Rights Program

Duvall, Ron

From: Courtney Davis <Courtney@jensenrockandsand.com>
Sent: Thursday, May 2, 2024 11:31 AM
To: Duvall, Ron
Subject: Re: [EXT] Water Permit Application for Jensen Rock & Sand, Inc.

Correct it will be a holding pond.

Thank you,

Courtney Davis

From: Duvall, Ron <Ron.Duvall@state.sd.us>
Sent: Thursday, May 2, 2024 11:27 AM
To: Courtney Davis <Courtney@jensenrockandsand.com>
Subject: Water Permit Application for Jensen Rock & Sand, Inc.

Ms. Davis,

I am reviewing the water permit application for a well to be located about two miles east of Waubay. On the second page of the application you have some information about a dugout, 200 feet by 200 feet in size. Is the dugout also a water source for gravel washing in addition to the well specified on the application or is it a holding pond to capture wash water and recirculate as needed?

Thank you,

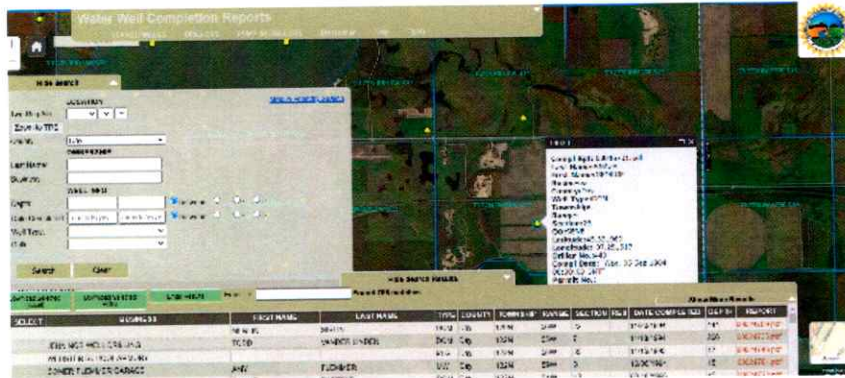
Ron Duvall
Dept. of Agriculture & Natural Resources
Office of Water, Water Rights Program
605.773.3352
danr.sd.gov



DANR
SOUTH DAKOTA

Rodriguez, Rachel

From: Courtney Davis <Courtney@jensenrockandsand.com>
Sent: Wednesday, April 17, 2024 11:09 AM
To: Rodriguez, Rachel
Subject: Re: [EXT] Water Permit Application



It shows 240' on your database.

Thank you,

Courtney Davis

From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Sent: Wednesday, April 17, 2024 11:05 AM
To: Courtney Davis <Courtney@jensenrockandsand.com>
Subject: RE: Water Permit Application

Great, please check the nearby well and provide a depth.

Thank you,

Rachel Rodriguez
DANR | Program Assistant
Rachel.Rodriguez@state.sd.us



From: Courtney Davis <Courtney@jensenrockandsand.com>
Sent: Wednesday, April 17, 2024 11:01 AM



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 8856-3, Jensen Rock & Sand, Inc.**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Agriculture and Natural Resources concerning Water Permit Application No. 8856-3, Jensen Rock & Sand, Inc., PO Box 609, Mobridge SD 57601.

The Chief Engineer is recommending APPROVAL of Application No. 8856-3 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 domestic water uses and water rights, 3) the proposed use is a beneficial use and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board with the following qualifications:

1. The well approved under Water Permit No. 8856-3 is located near domestic wells and other wells which may obtain water from the same aquifer. Water withdrawals must be controlled so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 8856-3 must be constructed by a licensed well driller and construction of the well and installation of the pump must 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 must report to the Chief Engineer annually the amount of water withdrawn from the Coteau Lakes Aquifer.
4. Water Permit No. 8856-3 authorizes a total annual diversion of up to 0.4 acre-feet of water.

See report on application for additional information.

Eric Gronlund, Chief Engineer
September 27, 2024

Report to the Chief Engineer
On Water Permit Application No. 8856-3
Jensen Rock and Sand

08/23/2024

Water Permit Application No. 8856-3 proposes to appropriate an amount not exceeding 0.4 acre-feet of water annually at a maximum instantaneous diversion rate of 1.11 cubic feet of water per second (cfs) from one well to be completed into the Coteau Lakes aquifer (55 feet deep) located in the NW ¼ SE ¼ Section 23-T122N-R53W for commercial use in a wash plant to clean aggregates. A holding pond will be used to capture wash water at the site located in the SE ¼ Section 23-T122N-R53W. This site is located in Day County approximately two miles east of Waubay SD.

AQUIFER: Coteau Lakes (COL)

HYDROGEOLOGY:

This application proposes to use a well completed into an outwash body that has been mapped several times and called several different names. The shallow outwash in Day County is several discontinuous outwash bodies generally surrounding the area lakes. Leap (1988) separated the outwash deposits into several aquifers dependent on location and depth to aquifer material. However, Hedges and others (1982) lumped the outwash deposits including portions in Marshall and Roberts Counties under one name, the Coteau Lakes aquifer. These deposits have also been considered collectively as the Coteau Lakes aquifer by Gilbertson (1996) or the Coteau Lakes aquifer system by Thompson (2001). This report will use the Hedges and others (1982) designation. These discontinuous outwash deposits can be connected through buried channels of outwash and fairly permeable till (Leap, 1988). Hedges and others (1982) estimated the Coteau Lakes aquifer to underly approximately 90,200 acres in Day and Marshall counties but mapped several distinct deposits. However, Hedges and others (1982) did not estimate an extent in Roberts County. Thompson (2001) reported the Coteau Lakes aquifer system underlies approximately 102.9 square miles (65,856 acres) in Roberts County.

The Coteau Lakes aquifer as described by Hedges and others (1982) is a group of unconsolidated sand and gravel outwash deposits that are at or near ground surface in southeastern Marshall, eastern Day, and southwestern Roberts County. These deposits may or may not all be hydrologically connected to each other. However, these discontinuous outwash deposits can often be connected through buried channels of outwash and fairly permeable till (Leap, 1988).

Leap (1988) constructed a map of “Vertical variability map of drift aquifer materials in Day County, South Dakota” for the elevation interval (1800-1700 feet above mean sea level (fsml) using NGVD29. At the point of diversion, the land surface elevation is approximately 1850 fmsl. The outwash shown in the well completion report for the well be used by this application, if approved, is slightly above and within that interval (Water Rights, 2024c and 2024d). That interval was determined for the drift aquifer material in Day County (Leap, 1988).

Mathiowetz (2014) delineated the areal extent of a portion of the Coteau Lakes aquifer in Day and Roberts Counties by examining previous studies including Thomson (2001), Leap (1972 and 1988), SD DANR-Geological Survey lithologic logs (SDGS, 2024), SD-DANR Water Rights Program observation well records (Water Rights, 2024b), and water well and test hole completion reports on file with the SD-DANR Water Rights Program (Water Rights, 2024d). Mathiowetz (2014) estimated that this portion of the Coteau Lakes aquifer underlies approximately 32,660 acres of Day and Roberts Counties (as shown in Figure 1). This application proposes to withdraw water from the portion of the Coteau Lakes aquifer delineated by Mathiowetz (2014). For the remainder of this report, references to the Coteau Lakes aquifer are in reference to the Mathiowetz (2014) delineation. The Coteau Lakes aquifer is generally under unconfined conditions (Water Rights, 2024b and 2024d).

Review of hydrogeologic data for the area, including SD-DANR Geological Survey lithologic logs, SD-DANR Water Rights Program observation well records (Water Rights, 2024b) and water well and test hole completion reports on file with the SD-DANR Water Rights Program (Water Rights, 2024d) suggests that the areal extent of this portion of the Coteau Lake aquifer as delineated by Mathiowetz (2014) is appropriate and may be conservative, with additional aquifer material likely occurring west of Ortley, SD. Therefore, the best information available indicates the well this application proposes to use is included in the aquifer delineated by Mathiowetz (2014). The geology as listed on the well completion report for the well this application proposes to use is recreated in Table 1. The static water level was approximately 12.5 feet at the time of well completion in July 2024.

Table 1. Water well completion report submitted with Water Permit Application 8856-3

Formation	From (ft)	To (ft)
<i>Topsoil</i>	0	2
<i>Yellow Gravel</i>	2	8
<i>Small Pea Rock</i>	8	25
<i>Large Pea Rock</i>	25	43
<i>Medium-Coarse Gray Sand</i>	43	55
<i>Blue Clay</i>	55	75

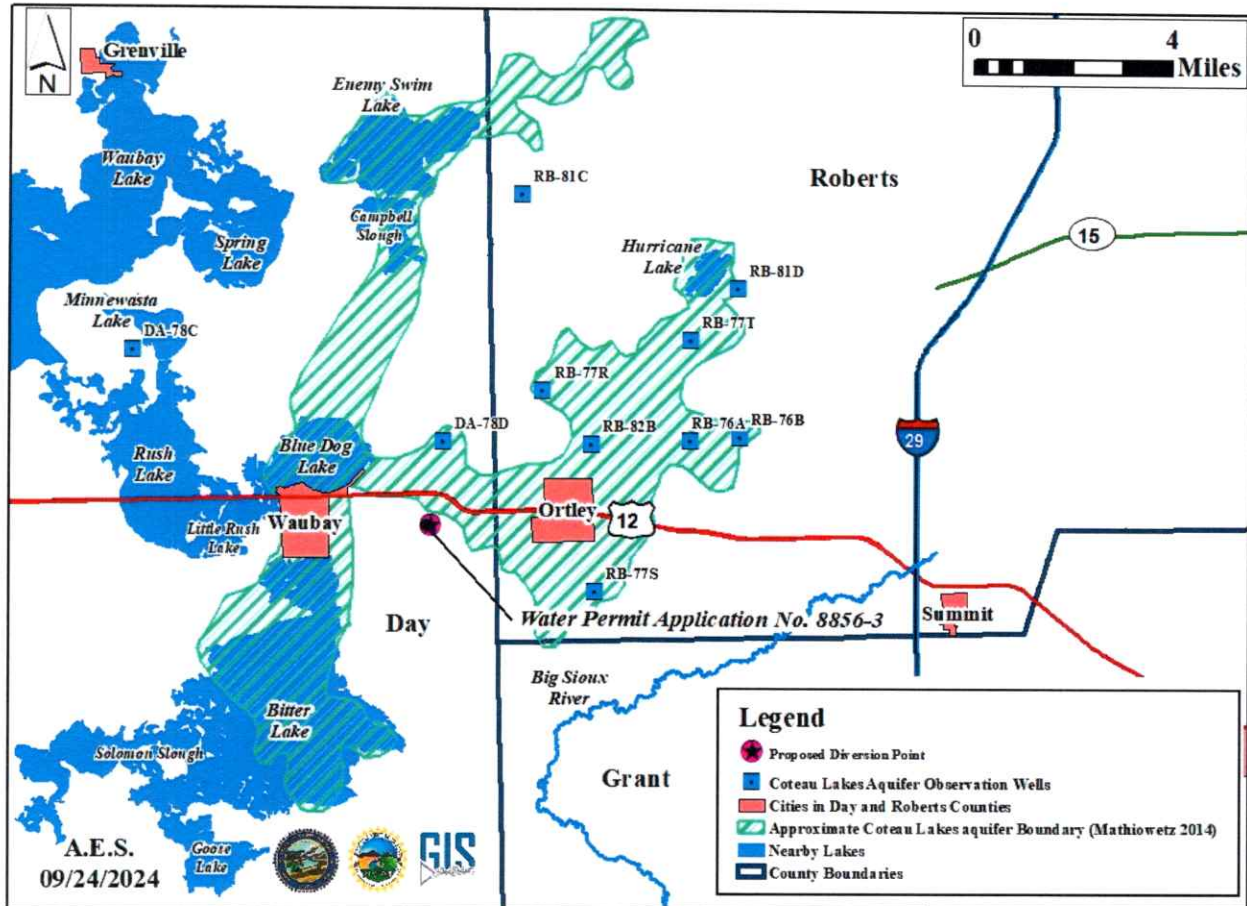


Figure 1. Map of the approximate Coteau Lakes aquifer delineated by Mathiowetz (2014) with the location of the diversion point and the Coteau Lakes aquifer observation wells (Water Rights, 2024b)

South Dakota Codified Law (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 diversion point can be developed without unlawful impairment of existing domestic water uses and water rights, and that the proposed use is a beneficial use and in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board as defined by SDCL 46-2-9 and 46-2-11.” This report will address the availability of unappropriated water and the potential for unlawful impairment of existing domestic water uses and water rights within the Coteau Lakes aquifer.

WATER AVAILABILITY:

Water Permit Application No. 8636-3 proposes to appropriate water from the Coteau Lakes aquifer. The probability of unappropriated water being available from the 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. An

application may be approved, however, for withdrawals of groundwater from any groundwater formation older than or stratigraphically lower than the greenhorn formation in excess of the average estimated annual recharge for use by water distribution systems.” The Coteau Lakes aquifer is not older than or stratigraphically lower than the Greenhorn Formation (Fahrenbach et al., 2010), and the applicant’s proposed use is not for use in a water distribution system as defined by SDCL 46-1-6(17). Therefore, the average annual recharge and average annual withdrawal rates to and from the Coteau Lakes aquifer must be considered.

HYDROLOGIC BUDGET:

Recharge

Recharge to the Coteau Lakes aquifer is primarily through the infiltration of precipitation where the aquifer material is at or near the ground surface (Leap, 1988). There is also recharge to the aquifer when hydrologically connected glacial outwashes and bodies of surface water have higher water levels than the aquifer (Leap, 1988; Thompson, 2001). Utilizing observation well analysis, Hedges and others (1985) estimated the average annual recharge rate to the Coteau Lakes aquifer system to be approximately 4.5 inches per year. By multiplying the average annual recharge rate estimated by Hedges and others (1985) by the approximate areal extent estimated by Mathiowetz (2014) (32,660 acres), the estimated average annual recharge rate to the Coteau Lakes aquifer is approximately 12,248 acre-feet per year.

Discharge

Discharge from the Coteau Lakes aquifer is primarily through evapotranspiration where the aquifer material is at or near the ground surface, seepage to glacial outwashes (such as the Big Sioux aquifer) and lakes when water levels in the aquifer are higher than in hydrologically connected aquifers and bodies of surface water, and through well withdrawals (Leap, 1988; Thompson, 2001; Water Rights, 2024d).

Currently there are 30 water rights/permits authorized to appropriate water from the Coteau Lakes aquifer, within the delineation from Mathiowetz (2014) (Water Rights, 2024c). Only the water rights/permits authorized to appropriate water from the Coteau Lakes aquifer within the delineation from Mathiowetz (2014) will be analyzed in this hydrologic budget.

Table 2 summarizes the 6 non-irrigation water rights/permits authorized to appropriate water from the Coteau Lakes aquifer with the estimated annual use for each water right/permit as determined by their limiting diversion rate or annual volume. Historically, average water use by non-irrigation appropriations limited by an instantaneous diversion rate have been assumed to be pumping 60% of full time at the respective permitted diversion rate. Water rights/permits limited by an annual volume are assumed to withdraw their entire respective annual volume limitation. This is a standard method used by the DANR-Water Rights Program for estimating annual withdrawals by non-irrigation appropriations from an aquifer (Water Rights, 2024c). Overall, the estimated average annual withdrawal rate for the Coteau Lakes aquifer non-irrigation water rights/permits is approximately 93.4 acre-feet per year (Table 2) (Water Rights, 2024c).

Table 2. Estimated annual use for the non-irrigation water rights/permits authorized to divert water from the Coteau Lakes aquifer (Water Rights, 2024c)

Permit No.	Name	Status	Use Type	Authorized Diversion Rate (cfs)	Authorized Annual Volume (acre-feet)	Estimated Use (acre-feet/year)
5570-3	Buds Resort	LC	COM	0.021		9.1
5599-3	NE-SO-DAK Bible Camp	LC	INS, REC	0.040		17.4
5648-3	Sandy Beach Resort	LC	COM	0.088		38.2
6189-3	Bur-Oak Lodge	LC	COM	0.017		7.4
6284-3	Buds Resort	LC	COM	0.027		11.7
8075-3	Labolt Farmers Grain Co	PE	COM	0.022		9.6
					TOTAL:	93.4
LC: Licensed Water Right, PE: Water Permit; COM: Commercial; INS: Institutional; REC: Recreation						

Currently, there are 25 irrigation water rights/permits authorized to appropriate water from the Coteau Lakes aquifer as delineated by Mathiowetz (2014) (Water Rights, 2024c). Irrigation water rights/permits have been typically required to report their annual usage on an irrigation questionnaire since 1979. Table 3 only lists 24 water rights/permits as reporting and currently authorized for irrigation use from the Coteau Lakes aquifer, within the delineation of the aquifer estimated by Mathiowetz (2014) (Water Rights, 2024a and 2024c). This is because Water Permit No. 8000A-3 requested to expand the annual period of use from July 1 through August 30 to May 1 through September 30 for irrigation under Water Right No. 8000-3. Water Permit No. 8000A-3 is reported with Water Right No. 8000-3.

Overall, the estimated average annual withdrawal rate for the Coteau Lakes aquifer irrigation water rights/permits that have reported over the period of record is approximately 986 acre-feet per year (Table 3) (Water Rights, 2024a). To reflect the current development of irrigation water rights/permits more accurately, the average annual withdrawal rate for irrigation appropriations from 2014 to 2023 is approximately 1,337 acre-feet per year (Table 3) (Water Rights, 2024a).

There are domestic wells completed into the Coteau Lakes aquifer that do not require a water right/permit, so the withdrawal amount from those wells is unknown (Water Rights, 2024d). Due to their relatively low diversion rates, withdrawals from domestic wells are not considered to be a significant portion of the hydrologic budget. Additionally, with the development of rural water systems in areas where the Coteau Lakes aquifer is the uppermost aquifer available; it is likely some domestic users may have transitioned to rural water. Therefore, the quantity of water withdrawn by domestic wells is estimated to be negligible to the hydrologic budget for the Coteau Lakes aquifer.

Hydrologic Budget Summary

The estimated average annual recharge rate to the Coteau Lakes aquifer is approximately 12,248 acre-feet per year. The estimated average annual withdrawal rate from the Coteau Lakes aquifer is approximately 1,430.8 acre-feet per year (non-irrigation: 93.4 acre-feet/year; irrigation (average 2014 to 2023): 1,337 acre-feet/year; Water Permit Application No. 8856-3 (if approved, 0.4 acre-feet/year). Based on the hydrologic budget, there is a reasonable probability unappropriated water is available from the Coteau Lakes aquifer for the proposed appropriation.

Table 3. Reported historic irrigation use from the Coteau Lakes aquifer, not including the water rights/permits outside the delineation of the aquifer estimated by Mathiowetz (2014) (Water Rights, 2024a)

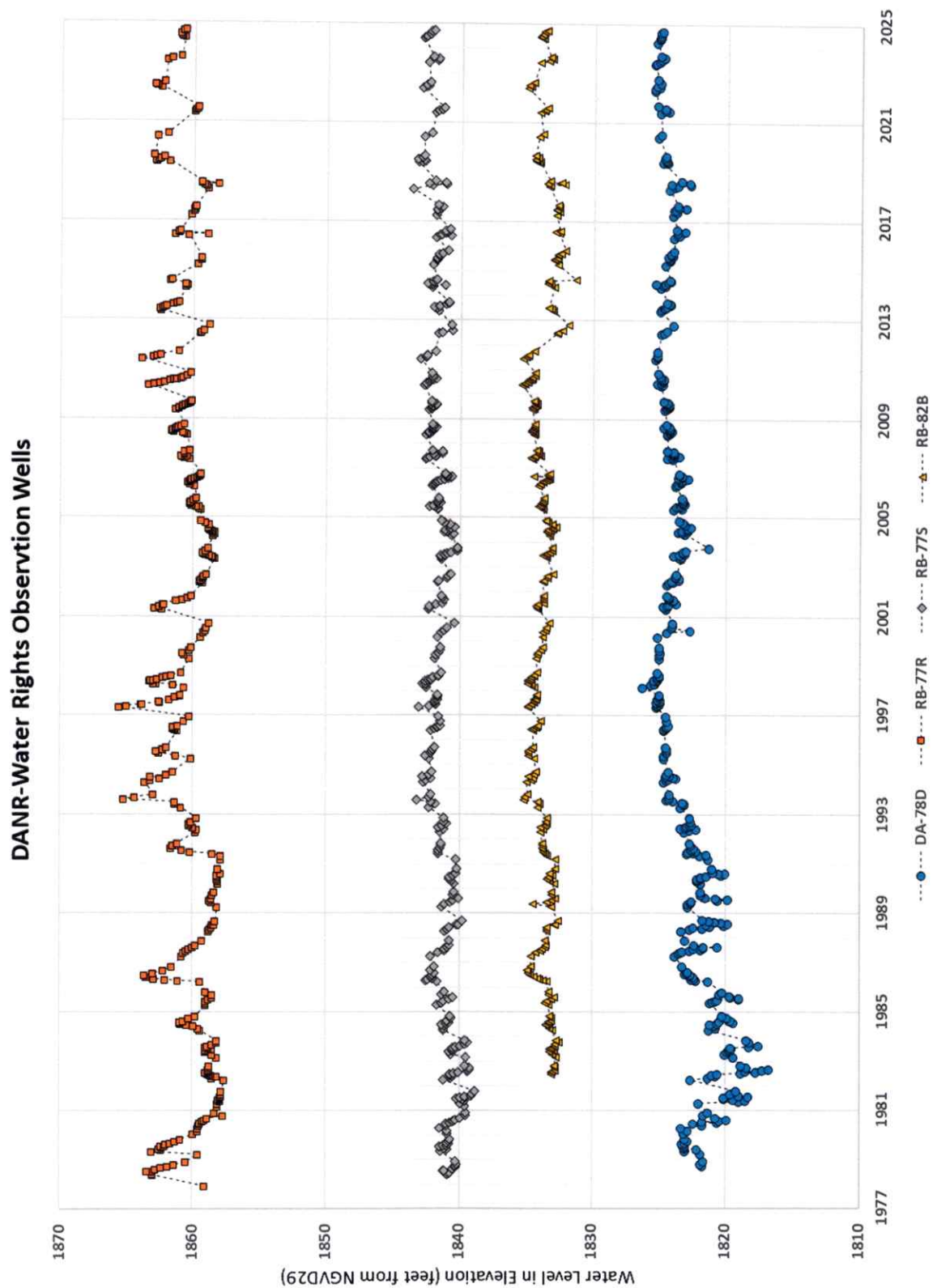
Year	No. of Permits Reporting	Reported Pumpage (acre-feet)
1979	6	207
1980	6	700
1981	11	794
1982	8	822.61
1983	10	597.51
1984	13	811.5
1985	11	570
1986	11	67
1987	11	836.6
1988	13	1,155.60
1989	14	620.6
1990	13	651
1991	11	218
1992	10	282
1993	10	65
1994	12	678.54
1995	13	151.63
1996	13	827.66
1997	14	861
1998	15	1,117.22
1999	15	1,271.62
2000	14	1,378.83
2001	14	1,503.50
2002	14	1,230.24
2003	14	1,421.90
2004	15	1,504.82
2005	14	1,484.01
2006	14	1,888.85
2007	16	972.80
2008	17	1,008.56
2009	18	951.68
2010	18	862.41
2011	20	768.65
2012	19	1,294.36
2013	19	1,420.08
2014	20	997.20
2015	22	1,356.18
2016	22	1,724.32
2017	23	1,538.75
2018	23	1,266.40
2019	23	556.06
2020	24	1,272.52
2021	23	1,641.51
2022	25	1,239.44
2023	24	1,777.91
Min	6	65
Max	25	1888.85
Avg (1979-2023)	15	985.93
Avg (2014-2023)	23	1,337.03

OBSERVATION WELL DATA:

Administrative Rule of South Dakota (ARSD) 74:02:05:07 requires that the Water Management Board shall rely upon 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 average annual recharge of the aquifer.

Observation wells provide data on how the aquifer reacts to regional climatic conditions and local pumping. The DANR-Water Rights Program monitors 11 observation wells completed into the Coteau Lakes aquifer with 9 completed into the portion of the aquifer delineated by Mathiowetz (2014) (Water Rights, 2024b). The four closest observation wells to the wells the applicant proposes to use are DA-78D (approximately 1.7 miles north), RB-77S (approximately 3.6 miles southeast), RB-77R (approximately 3.6 miles northeast) and RB-82B (approximately 3.6 miles northeast) (as shown in Figure 1) (Water Rights, 2024b). The hydrographs for these observation wells are displayed in Figure 2 (Water Rights, 2024b). The data points utilized to construct the hydrographs are measurements of the static water level in the observation wells from the top of the well casing.

Figure 2. A graph showing the elevation of water levels for observation wells DA-78D, RB-77R, RB-77S and RB-82B (Water Rights, 2024b)



The hydrographs for the observation wells display stable to increasing water levels over their respective periods of record and are consistent with the hydrographs for the other observation wells completed into the aquifer. The hydrographs for the Coteau Lakes aquifer indicate that the aquifer responds well to climatic conditions because water levels are rising during wetter periods and declining to a stable water level during drier periods. Additionally, the water levels in the observation wells display that the amount of recharge to and natural discharge from the aquifer greatly exceeds pumping with the aquifer returning to pre-pumping conditions between irrigation seasons. Aquifer recovery indicates that climatic conditions and therefore, the effects of recharge to and natural discharges from the aquifer govern the long-term fluctuations of waters levels in the aquifer rather than the impacts of pumping from the Coteau Lakes aquifer. By recognizing that both recharge to and natural discharge from an aquifer can be captured for pumping, the observation well hydrographs demonstrate unappropriated water is available for the proposed appropriation.

POTENTIAL FOR UNLAWFUL IMPAIRMENT OF EXISTING WATER RIGHTS:

Water rights/permits in the general vicinity of the existing well site for this application are shown in Figure 3 and summarized in Table 4 (Water Rights, 2024c). The closest water right/permit (not held by the applicant) to the diversion points is Water Right No. 8000-3 which is held by Earl Althoff. The diversion point for Water Right No. 8000-3 is located approximately 0.5 miles east of the diversion point for this application (Water Rights, 2024c). There are domestic wells on file with the DNR-Water Rights Program that are completed into the Coteau Lakes aquifer, with the closest domestic wells on file (not held by the applicant) approximately 0.7 miles north and 0.8 miles east of the diversion point (Water Rights, 2024d). The location of domestic wells are based on the well completion report submitted by the driller. There could potentially be other domestic wells completed into the Coteau Lakes aquifer near the diversion point that are not on file with the DNR-Water Rights Program. The hydrograph for the observation wells document that there have been minimal effects from pumping by nearby appropriative wells on the water level of the aquifer.

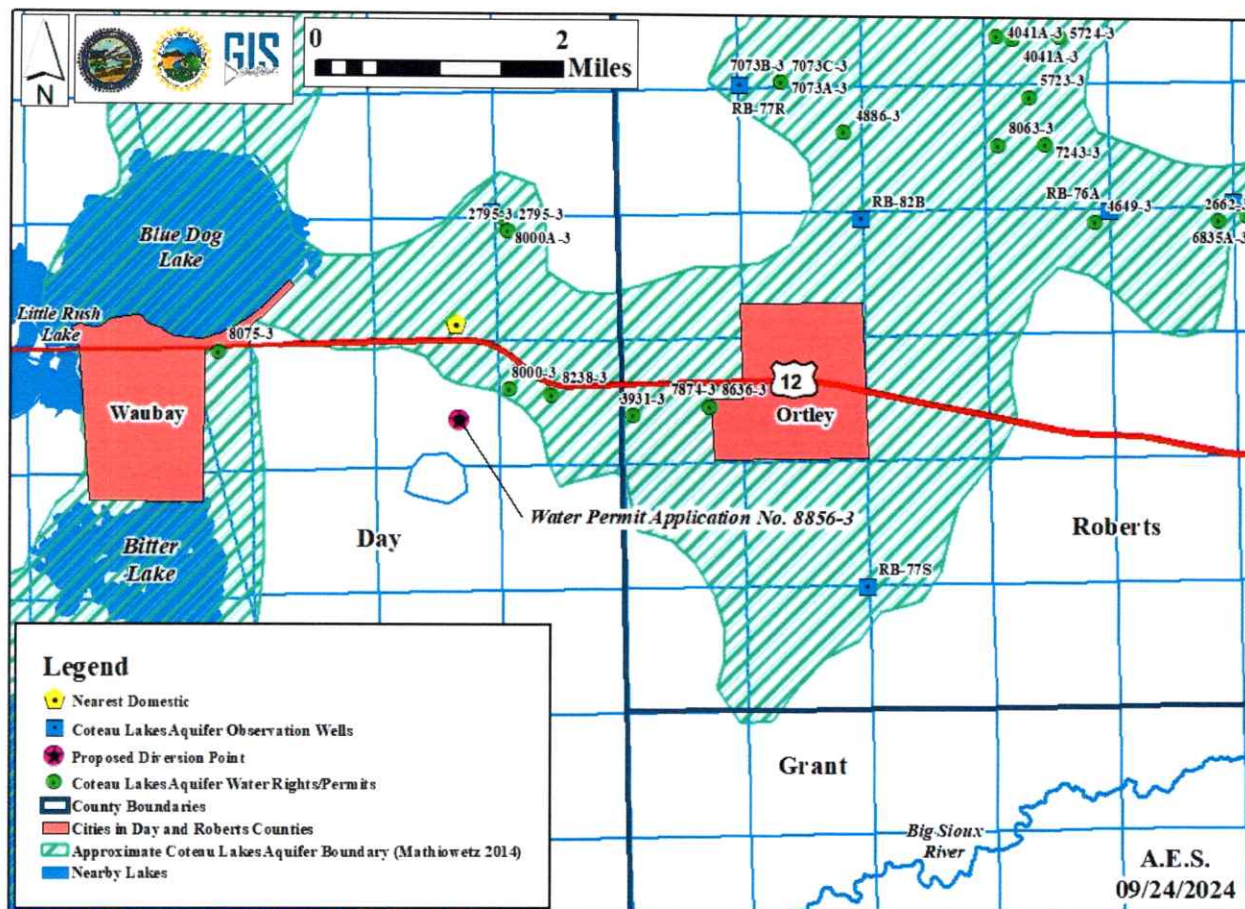


Figure 3. Map of the water rights/permits, nearest domestic well, and observation wells that are within approximately 6 miles of the diversion point for Water Permit Application No. 8856-3 all within the Coteau Lakes aquifer (Water Rights, 2024b, 2024c, and 2024d)

The Water Management Board recognizes that putting water to beneficial use requires a certain amount of drawdown to occur. The Board has developed rules to allow water to be placed to maximum beneficial use without the necessity of maintaining artesian head pressure for domestic use. The Water Management Board defined an “adversely impacted domestic well” in ARSD 74:02:04:20(7) as:

“A well in which the pump intake was set at least 20 feet below the top of the aquifer at the time of construction or, if the aquifer is less than 20 feet thick, is as near to the bottom of the aquifer as is practical and the water level of the aquifer has declined to a level that the pump will no longer deliver sufficient water for the well owner’s needs.”

Table 4. Water rights/permits authorized to withdraw water from the Coteau Lakes aquifer within the vicinity of the applicant's well, as shown in Figure 3 (Water Rights, 2024c)

Permit No.	Name	Status	Use Type	Authorized Diversion Rate (cfs)	Authorized Acres
2662-3	HOSH WOHLLEBER	LC	IRR	2.00	267
2795-3	EARL ALTHOFF	LC	IRR	1.33	193
3931-3	MAURICE S DORSETT	LC	IRR	1.89	132
4041A-3	NORTH STAR CATTLE & RANCH CO LLP	LC	IRR	3.17	222
4649-3	HOSH WOHLLEBER	LC	IRR	0.99	69
4886-3	GREGORY ENDRES	LC	IRR	1.78	136
5723-3	WOHLLEBER ENTERPRISES LLC	LC	IRR	1.89	132
5724-3	JAY HARRIS	LC	IRR	1.89	132
6835A-3	WOHLLEBER ENTERPRISES LLC	LC	IRR	2.22	130
7073A-3	COROL G GAIKOWSKI	LC	IRR	1.71	120
7073B-3	DANIEL D GAIKOWSKI	LC	IRR	1.73	121
7073C-3	D J DAIKOWSKI	LC	IRR	0.13	9
7243-3	MOREHOUSE FAMILY TRUST	LC	IRR	2.00	140
7874-3	ARNIE BEISCH	LC	IRR	0.89	48
8000-3	EARL ALTHOFF	LC	IRR	1.22	75
*8000A-3	EARL ALTHOFF	PE	IRR		
8063-3	MOREHOUSE FAMILY TRUST	LC	IRR	2.06	144
8075-3	LABOLT FARMERS GRAIN CO	PE	COM	0.022	
8238-3	NEIL HOLSCHER	LC	IRR	1.67	120
8636-3	ARNIE BEISCH	PE	IRR		15
*8000A-3 EXTENDS THE PERIOD OF ANNUAL USE ON PERMIT NO. 8000-3 AND HAS NO ADDITIONAL ACRES OR CFS					

Based on the well completion report on file for the well proposed to be used, the Coteau Lakes aquifer is unconfined at the existing well site (Water Rights, 2024d). Drawdown created by pumping a well generally does not extend far from the pumped well in an unconfined aquifer. However, the exact drawdown behavior of a well cannot be known without an aquifer performance test.

In the past, the Water Management Board has recognized that to place water to maximum beneficial use, a certain amount of drawdown may occur. Since the aquifer is under unconfined conditions, drawdown due to pumping would not be significant far from the well site. There has also been a history of large capacity wells in the area and from this aquifer without any history of complaints (Water Rights, 2024e). Therefore, nearby adequate wells are not expected to be adversely impacted by the proposed diversion.

This portion of the Coteau Lakes aquifer is a relatively thin aquifer with a limited amount of water in storage. While the average annual withdrawal would not exceed average annual recharge to the aquifer, conditions may occur when the withdrawal exceeds recharge. When this occurs, water will be removed from storage, consequently reducing the saturated thickness of the aquifer. If the saturated thickness is reduced to the extent that water rights/permits can no longer pump at their developed or "historically established" diversion rates, this may be considered an

adverse impact. If approved, the water permit should include a qualification that the well owner should 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.

Based on the laws and rules, the distance to the nearest domestic and appropriative wells, the unconfined nature of the aquifer, and the historical development of appropriative uses without filed complaints, there is a reasonable probability this proposed diversion can be developed without unlawfully impairing adequate appropriative wells or domestic user with adequate wells.

CONCLUSIONS:

1. Water Permit Application No. 8856-3 proposes to appropriate an amount not exceeding 0.4 acre-feet of water annually at a maximum instantaneous diversion rate of 1.11 cfs from one well to be completed into the Coteau Lakes aquifer (55 feet deep) located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23-T122N-R53W for commercial use in a wash plant to clean aggregates. A holding pond will be used to capture wash water at the site located in the SE $\frac{1}{4}$ Section 23-T122N-R53W. This site is located in Day County approximately two miles east of Waubay SD.
2. Based on the observation well data and hydrologic budget, there is a reasonable probability that unappropriated water is available from the Coteau Lakes aquifer to supply the proposed appropriation.
3. There is a reasonable probability that the proposed diversion by Water Permit Application No. 8856-3 will not unlawfully impair adequate wells for existing water right/permit holders and domestic users with adequate wells.



Austin Settje
Natural Resources Engineer
SD DANR - Water Rights Program



Adam Mathiowetz, PE
Natural Resources Engineer IV
SD DANR - Water Rights Program

References

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- Gilbertson, J.P. 1996. Investigation of Ground Water Resources in Portions of Roberts County, South Dakota. SD DENR-Geological Survey Open-File Report 81-UR. SD DANR-Geological Survey, Vermillion, South Dakota.
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- Water Rights, 2024c. Water Right/Permit Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2024d. Well Completion Reports, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2024e. County Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

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

September 30, 2024

Jensen Rock & Sand, Inc.
c/o Courtney Davis
PO Box 609
Mobridge SD 57601

Dear Ms. Davis:

Water Permit Application No. 8856-3 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 Waubay Clipper printed in Waubay SD (Ph # 605 947-4501) and the Public Opinion printed in Watertown SD (see attachment for contact number). You will need to contact the newspapers 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 newspapers to authorize publication of your Notice and to arrange for payment. Early contact with the papers can eliminate delays. Upon receiving authorization from you, the publishers have been instructed to publish your notice. The newspapers have 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,

Rachel Rodriguez

Rachel Rodriguez
Water Rights Program
(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.

NOTICE OF APPLICATION NO. 8856-3 to Appropriate Water

Notice is given that Jensen Rock & Sand, Inc., PO Box 609, Mobridge SD 57601 has filed an application for a water permit to appropriate an amount not exceeding 0.4 acre-feet of water annually at a maximum pump rate of 1.11 cubic feet of water per second from one well to be completed into the Coteau Lakes Aquifer (55 feet deep) located in the NW 1/4 SE 1/4 Section 23-T122N-R53W for commercial use in a wash plant to clean aggregates. A holding pond will be used to capture wash water at the site located in the SE 1/4 Section 23-T122N-R53W. This site is located approximately two miles east of Waubay SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8856-3 with qualifications because 1) unappropriated water is available, 2) existing domestic water uses and water rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing this application or recommendation shall allege that the application, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the application, or other matter concerning the application within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition to oppose the application with BOTH the applicant and Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contesting the Chief Engineer's recommendation, the applicant shall also file a petition. A petition filed by either an interested person or the applicant must be filed by October 23, 2024.

The petition shall include a statement describing the unique injury upon approval of the application on the petitioner, the petitioner's reasons for opposing the application, and the name and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by October 23, 2024.

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.

Published once at the total approximate cost of_

Rodriguez, Rachel

From: Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>
Sent: Monday, September 30, 2024 11:29 AM
To: Rodriguez, Rachel
Cc: courtney@jensenrockandsand.com
Subject: [EXT] 10625886 RE: 8856-3 Jensen Rock & Sand, Inc. - Public Notice
Attachments: Order_Confirmation_Liners - 2024-09-30T122623.753.pdf

Hello!

Please find your order confirmation and proof of ad attached.

Your notice is set to run in the Watertown Public Opinion on 10/12. The order cost is \$52.27 which includes an affidavit that will be sent 7-10 business days after the last day of the notice printing. Please email before 10/10 @ 8am with any changes.

Although not required, if you would like to prepay, please call the number below my signature before 10/10@ 8am and reference order #10625886. Anyone who answers can help you.

All orders are subject to a 3.99% service fee. As an incentive for customers, we provide a discount off the order cost equal to the 3.99% service fee if you pay with ACH. Pay by ACH and Save!

Final order cost provided at time of payment and via a receipt.

Your notice is scheduled to run per your request and will publish unless you reply to this email before the deadline above requesting changes or to cancel.

Thank you!

Kerri Furnace

Public Notice Representative



Office: 844-254-5287

*NOTE: We are not legally trained, and it is your responsibility to make sure your ad meets the requirements of your State/Court which includes wording and publication times. Please verify all information is there and that it is correct. If your ad is not complaint with applicable law and needs to be re-published you will be responsible for all additional fees incurred.

From: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>
Sent: Monday, September 30, 2024 11:54 AM
To: SD-Watertown Legals <legals@thepublicopinion.com>
Subject: 8856-3 Jensen Rock & Sand, Inc. - Public Notice

Attached is a notice to be published on October 12, 2024.

Jensen Rock & Sand, Inc., c/o Courtney Davis, PO Box 609, Mobridge SD 57601, 605-845-7213, courtney@jensenrockandsand.com 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 Ave, Pierre SD 57501.

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

Thank you,

Order Confirmation
Not an Invoice

Account Number:	545623
Customer Name:	Jensen Rock & Sand-Mobridge
Customer Address:	Jensen Rock & Sand-Mobridge PO Box 609 Mobridge SD 57601-0609
Contact Name:	Jensen Rock & Sand-Mobridge
Contact Phone:	6058457213
Contact Email:	
PO Number:	

Date:	09/30/2024
Order Number:	10625886
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	163.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
WAT The Public Opinion	1	10/12/2024 - 10/12/2024	Public Notices
WAT thepublicopinion.com	1	10/12/2024 - 10/12/2024	Public Notices

As an incentive for customers, we provide a discount off the total order cost equal to the 3.99% service fee if you pay with Cash/Check/ACH. Pay by Cash/Check/ACH and save!

Total Cash Order Confirmation Amount Due	\$52.27
Tax Amount	\$0.00
Service Fee 3.99%	\$2.09
Cash/Check/ACH Discount	-\$2.09
Payment Amount by Cash/Check/ACH	\$52.27
Payment Amount by Credit Card	\$54.36

Order Confirmation Amount	\$52.27
----------------------------------	----------------

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Monday, September 30, 2024 10:53 AM
To: 'clpjoint@abe.midco.net'
Cc: 'linda@waubayclipper.com'
Subject: 8856-3 Jensen Rock & Sand, Inc. - Public Notice
Attachments: 8856-3 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on October 12, 2024.

Jensen Rock & Sand, Inc., c/o Courtney Davis, PO Box 609, Mobridge SD 57601, 605-845-7213, courtney@jensenrockandsand.com 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 Ave, Pierre SD 57501.

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

Thank you,

Rachel Rodriguez
DANR | Program Assistant
Rachel.Rodriguez@state.sd.us



Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Monday, September 30, 2024 10:54 AM
To: legals@thepublicopinion.com
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Thank you,

Rachel Rodriguez
DANR | Program Assistant
Rachel.Rodriguez@state.sd.us



LOCALiQ

Aberdeen News
Watertown Public Opinion

PO Box 630567 Cincinnati, OH 45263-0567

AFFIDAVIT OF PUBLICATION

Water Rights Program
Water Rights Program
523 E Capitol Ave
Pierre SD 57501

STATE OF SOUTH DAKOTA, COUNTY OF CODINGTON

The Watertown Public Opinion is, and during all the times hereafter mentioned was, a daily legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4, as amended, published at Watertown, Codington County, South Dakota, by Watertown Public Opinion; that the notice, order or advertisement, a printed copy of which is attached, was published in said newspaper in the issue dated:

10/12/2024

and that the fees charged are legal.
Sworn to and subscribed before on 10/12/2024

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$52.27

Tax Amount: \$0.00

Payment Cost: \$52.27

Order No: 10625886

Customer No: 545623

PO #:

of Copies:
1

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

KEEGAN MORAN
Notary Public
State of Wisconsin

RECEIVED
OCT 18 2024
OFFICE OF
WATER

NOTICE OF
APPLICATION NO. 8856-3
to Appropriate Water

Notice is given that Jensen Rock & Sand, Inc., PO Box 609, Mobridge SD 57601 has filed an application for a water permit to appropriate an amount not exceeding 0.4 acre-feet of water annually at a maximum pump rate of 1.11 cubic feet of water per second from one well to be completed into the Coteau Lakes Aquifer (55 feet deep) located in the NW 1/4 SE 1/4 Section 23-T122N-R53W for commercial use in a wash plant to clean aggregates. A holding pond will be used to capture wash water at the site located in the SE 1/4 Section 23-T122N-R53W. This site is located approximately two miles east of Waubay SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8856-3 with qualifications because 1) unappropriated water is available, 2) existing domestic water uses and water rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at

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RECEIVED

OCT 18 2024

OFFICE OF
WATER

either an interested person or the applicant must be filed by October 23, 2024.

The petition shall include a statement describing the unique injury upon approval of the application on the petitioner, the petitioner's reasons for opposing the application, and the name and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

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Published on October 12, 2024 at the total approximate cost of \$52.27 and may be viewed free of charge at www.sdpublishnotices.com

RECEIVED

OCT 18 2024

OFFICE OF
WATER

Affidavit of Publication

State of South Dakota
County of Day

SS.

I, Paula Beisch, of said county and state being duly sworn, on oath says that she is a reader of the Waubay Clipper, a weekly newspaper printed and published in Waubay of said County of Day, and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bonifide circulation of at least two hundred copies weekly; and has been published within said County for fifty successive weeks next prior to the publication of the notice herein mentioned; and was and is printed wholly or in part in an office maintained at said place of publication; that the notice of:

Water Appropriation Request

153 lines - 11 ems

a printed copy of which is attached was printed and published in said newspaper at least once each week, for 1 successive weeks on the day of each week on which said newspaper was regularly published, to wit:

Oct. 12 - 2024

That the full amount of the fees for the publication of the annexed notice is \$ 54³²

Paula Beisch

Subscribed and sworn to, before me this 14th day of

October, 2024

Linda M. Walters

Notary Public



Notice of Application No. 8856-3 to Appropriate Water

NOTICE IS GIVEN that Jensen Rock & Sand, Inc., PO Box 609, Mobridge SD 57601 has filed an application for a water permit to appropriate an amount not exceeding 0.4 acre-feet of water annually at a maximum pump rate of 1.11 cubic feet of water per second from one well to be completed into the Coteau Lakes Aquifer (55 feet deep) located in the NW 1/4 SE 1/4 Section 23-T122N-R53W for commercial use in a wash plant to clean aggregates.

A holding pond will be used to capture wash water at the site located in the SE 1/4 Section 23-T122N-R53W.

This site is located approximately two miles east of Waubay SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8856-3 with qualifications because

1. unappropriated water is available;
2. existing domestic water uses and water rights will not be unlawfully impaired;
3. it is a beneficial use of water; and
4. it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board.

The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

VED

2024

OFFICE OF
WATER

Page Seven

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Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition to oppose the application with BOTH the applicant and Chief Engineer.

A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer.

The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501" or call (605) 773-3352. The applicant's mailing address is given above.

If contesting the Chief Engineer's recommendation, the applicant shall also file a petition.

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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

(Continued on Page 8)

Notice to Appropriate Water

(Continued from Page 7)

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.

**WATER RIGHTS
PROGRAM**

FOSS BUILDING

523 E CAPITOL

PIERRE SD 57501

(Publish October 12, 2024)

Published one time at the total approximate cost of \$54.32 and may be viewed free of charge at www.sdpublicnotices.com

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Monday, September 30, 2024 11:45 AM
To: Courtney Davis
Subject: 8856-3 Jensen Rock & Sand, Inc. - Public Notice
Attachments: 8856-3 Rec.pdf; 8856-3 Ltr.pdf; 8856-3 PubNotice.pdf; 8856-3 Invoice PublicOpinion.pdf

Good morning,

Attached is a copy of the report, chief engineer's recommendation, and information regarding the public notice for your water permit application. As stated in the letter, **please contact the paper(s) as soon as possible to authorize publication and arrange for payment.** This information is also being mailed to you today.

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

Thank you,

Rachel Rodriguez
DANR | Program Assistant
Rachel.Rodriguez@state.sd.us





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

OCT 31 2024

Jensen Rock & Sand
c/o Courtney Davis
PO Box 609
Mobridge SD 57601

Dear Ms. Davis:

Enclosed is Water Permit No. 8856-3 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,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

**Affidavit of Public Notice
Posting on DANR Website**

Pursuant to SDCL § 46-2A-4, public notice of the following application was posted on the DANR web site at <https://danr.sd.gov/public>. The posted public notice is the same notice as published in the pertinent newspaper(s) and a copy of the public notice is maintained in the application file. If the application is contested, the posting is moved to the DANR contested case website at <https://danr.sd.gov/public/ContestedCase.aspx> until final action is taken on the application pursuant to SDCL § 46-2A-4.

Application No.: 8856-3

Name of Applicant: Jensen Rock & Sand, Inc., Courtney Davis

Date of Posting: 10/7/2024

Date of Removal: 10/31/2024



Ron Duvall, Engineer III

10/31/2024

Date

Subscribed and sworn to before me, a notary public, this 31st day of Oct, 2024.



Notary Public - South Dakota
My commission expires ~~Rachel Rodriguez~~
My Commission expires
May 16, 2029

(SEAL)



8856-3

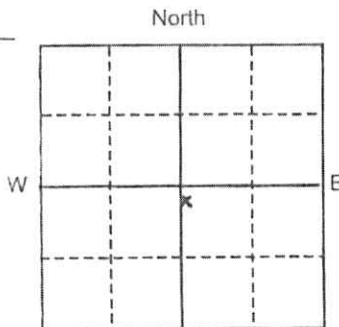
SD EForm - 1621LD V1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW ¼ SE ¼ Sec 23 Twp 122N Rg 53WCounty Day

Please mark well location with an "X"

45.33373,
-97.25720

Well Completion Date

5-30-25

1 Mile

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

PROPOSED USE:

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

METHOD OF DRILLING:

Forward RotaryCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>SDR-21</u> LB/FT	<u>8</u> IN	<u>0</u> FT	<u>37</u> FT	<u>12 1/4</u> IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type No. of Sacks Grout Weight From 01/21/2024 To 37 Ft

Grout-Well 5 Lb/gal 0 Ft 37 Ft

Describe grouting procedure

Tremie line pressure grouted from bottom to topSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 8 Inches Length 20 FeetMaterial PVCSlot Size 0.070 Set From 37 Feet to 57 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
☐ No, Why Not?
 Lab to which water quality sample sent for analysis

Well Owner:

Business Name: Jensen Rock & Sand IncAddress: 601 9th Ave SWCity, State, Zip: Aberdeen, SD 57401

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Topsoil</u>	<u>0</u>	<u>1</u>
<u>Yellow sand</u>	<u>1</u>	<u>14</u>
<u>Yellow clay</u>	<u>14</u>	<u>16</u>
<u>Large Pee Rock</u>	<u>16</u>	<u>43</u>
<u>Coarse Gray Sand</u>	<u>43</u>	<u>57</u>
<u>Blue clay</u>	<u>57</u>	<u>63</u>

STATIC WATER LEVEL 16 1/2 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?

RECEIVED

WELL TEST DATA:

JAN 20 2026

☒ Pumped Describe:☐ Bailed☐ OtherOFFICE OF
WATER

Pumping Level Below Land Surface

20 1/2 Ft. After 4 Hrs. pumped 100 GPM

Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

This well was drilled under license # 839 and this report is true and accurate.Drilling firm: Wieber Drilling LLC

Signature of License Representative:

Deek Wieber

Signature of Well Owner or Equitable Property Holder:

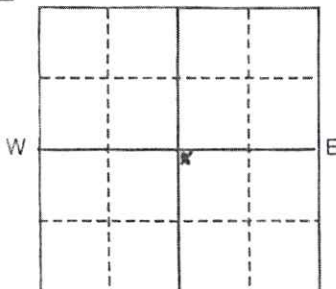
Date: 6-5-25

8856-3

SD EForm - 1621LD V1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location ~~NE~~ 1/4 ~~SE~~ 1/4 Sec 23 Twp 122N Rg 53WCounty Day per TJ+AM
9/21/2026 NorthPlease mark well
location with an "X"45.33431,
-97.25711

Well Completion Date

5-29-25

1 Mile

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

200 ft. from Septic Tank (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Forward Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
SDR-21 LB/FT	8 IN	0 FT	37 FT	12 1/4 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Grout-Well	5	Lb/gal	0 Ft	37 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

Tremie line pressure grouted from bottom to top

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 8 Inches Length 20 Feet

Material PVC

Slot Size 0.070 Set From 37 Feet to 57 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
☐ No, Why Not?
Lab to which water
quality sample sent for analysis

Well Owner:

Business Name: Jensen Rock & Sand IncAddress: 601 9th Ave SWCity, State, Zip: Aberdeen, SD 57401

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Topsoil	0	2
Yellow Gravel	2	8
Small Pea Rock	8	25
Large Pea Rock	25	43
Coarse Gray Sand	43	57
Blue Clay	57	63

STATIC WATER LEVEL 16 1/2 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?

RECEIVED

WELL TEST DATA:

JAN 20 2026

☒ Pumped Describe:☐ Bailed☐ OtherOFFICE OF
WATER

Pumping Level Below Land Surface

20 1/2 Ft. After 4 Hrs. pumped 100 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

This well was drilled under license # 839 and this report is true and accurate.Drilling firm: Wieber Drilling LLC

Signature of License Representative:

Deek Wieber

Signature of Well Owner or Equitable Property Holder:

Date: 6-5-25



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 10, 2026

8856-3

Jensen Rock & Sand
c/o Office Manager
PO Box 609
Mobridge SD 57601

To whom it may concern:

Two well completion reports (copies enclosed) were submitted by Wieber Drilling LLC for commercial wells drilled May 30, 2025, in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23, T122N, R53W, for Jensen Rock & Sand Inc.

Water Permit No. 8856-3, held by Jensen Rock & Sand authorizes the appropriation of up to 0.4 acre-feet of water annually, at a maximum rate of 1.11 cfs (approximately 500 GPM) from one well (Coteau Lakes Aquifer), located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23-T122N-R53W.

With this letter I hope to confirm whether the second well was drilled with the intention of being used as an additional diversion point, a backup well, a replacement well, or an entirely new permit. I would also like to confirm that the addition of this well does not increase the combined diversion rate beyond what is permitted.

Please review the information provided and respond as a review will need to be conducted to rule out the potential for interference with existing permits/rights in the area, as well as any adequate domestic wells.

Sincerely,

Amanda Dewell
Water Rights Program
Permitting Administrator
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

Approval of Location Change and/or Additional Diversion Point(s)**Owner:** Jensen Rock & Sand Inc., c/o Courtney Davis (office manager), PO Box 609, Mobridge SD 57601**County:** Day**Date:** February 20, 2026**General Description of Authorized Project:**

Water Permit No. 8856-3 authorizes the appropriation of up to 0.4 acre-feet of water annually, with a maximum diversion rate of 1.11 cfs from one well to be completed into the Coteau Lakes Aquifer (COL). The well, to be located in NW ¼ SE ¼ Section 23-T122N-R53W, is to be used for commercial use in an aggregate wash plant.

Authority:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed and/or additional diversion points may be added, provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- 1) **The developed water source is the same as permitted and no additional water is appropriated.**
The permit holder had a second well drilled to obtain the amount of water permitted and needed for the project. The second well was drilled approximately 100 ft from the first well; both of which are located in the NW ¼ SE ¼ Section 23-T122N-R53W. The Permit holder confirmed that completion of the second well did not increase the diversion rate beyond 1.11 cfs and knows an increase to the volume of water or diversion rate under WP No. 8856-3 is NOT authorized.
- 2) **If the use is for irrigation, no new lands are irrigated.** N/A

Review of Existing Diversions:

There are 27 water rights/permits located within a five-mile radius of where the wells were developed for WP No. 8856-3. Of those 27 permits/rights, 13 authorize appropriations from the COL; the nearest of which is approximately 0.5 miles east (8000-3, Earl Althoff), the next nearest being approximately 1.0 miles east (8238-3, Neil Holscher).

It has been determined that there is reasonable probability that interference due to pumping from the developed location will not adversely or unlawfully impair existing permits/rights.

The closest domestic well (completed into the Coteau Lakes Aquifer), is approx. 0.7 miles north, located in the SW ¼ SE ¼ Section 14-T122N-R53W, and was drilled for Travis Shepard in 2014. The location of domestic wells in the well completion report database maintained by the Water Rights Program is based on the location listed by the driller on the Well Completion Report.

Recommended Action:

Based on the above criteria, it is recommended that the additional diversion point be approved.



Amanda Dewell, Permitting Administrator
DANR, Water Rights Program

2/20/2026

date

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

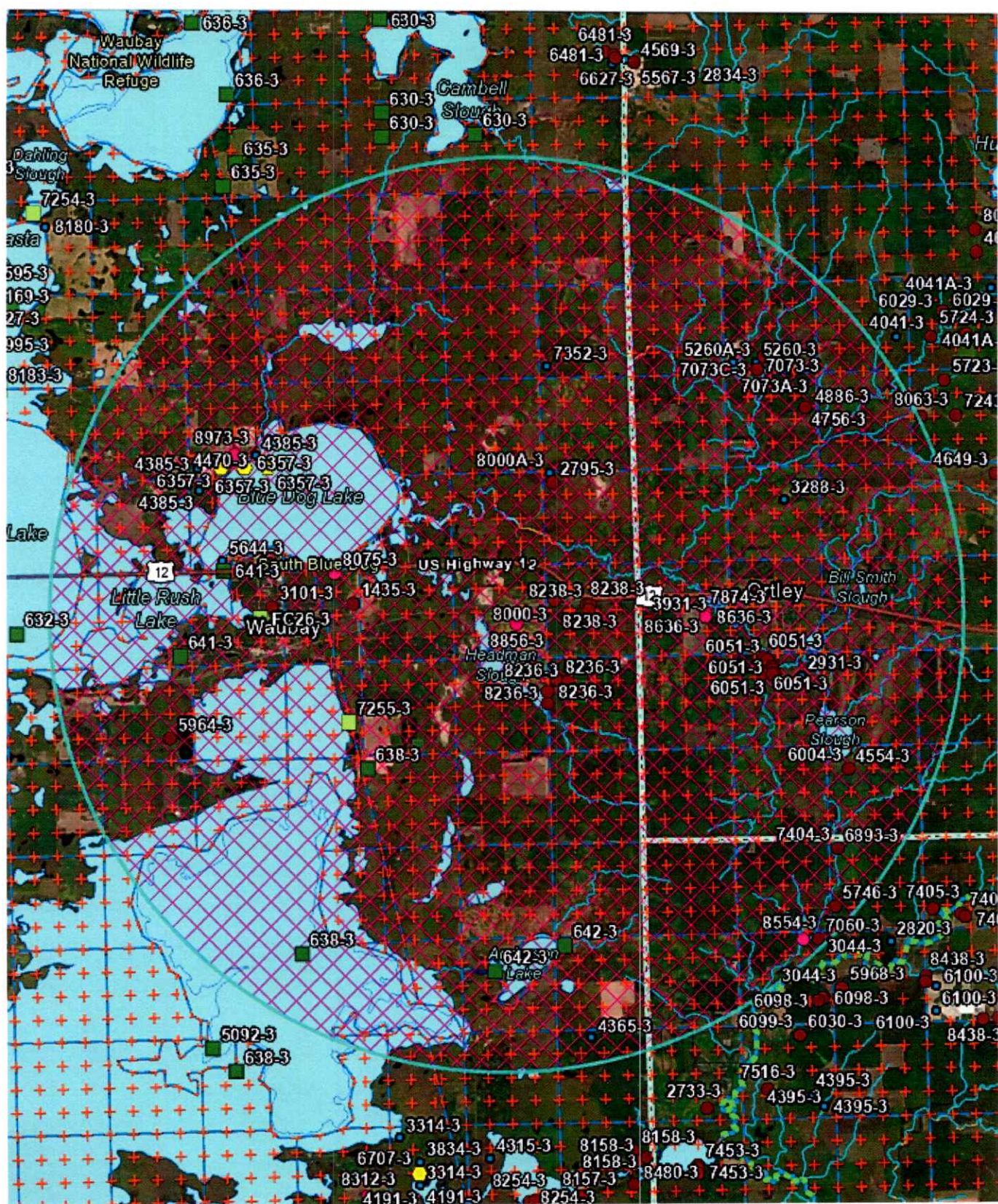
This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing water rights/permits.



Adam Mathiowetz, PE
Acting Chief Engineer, DANR, Water Rights Program

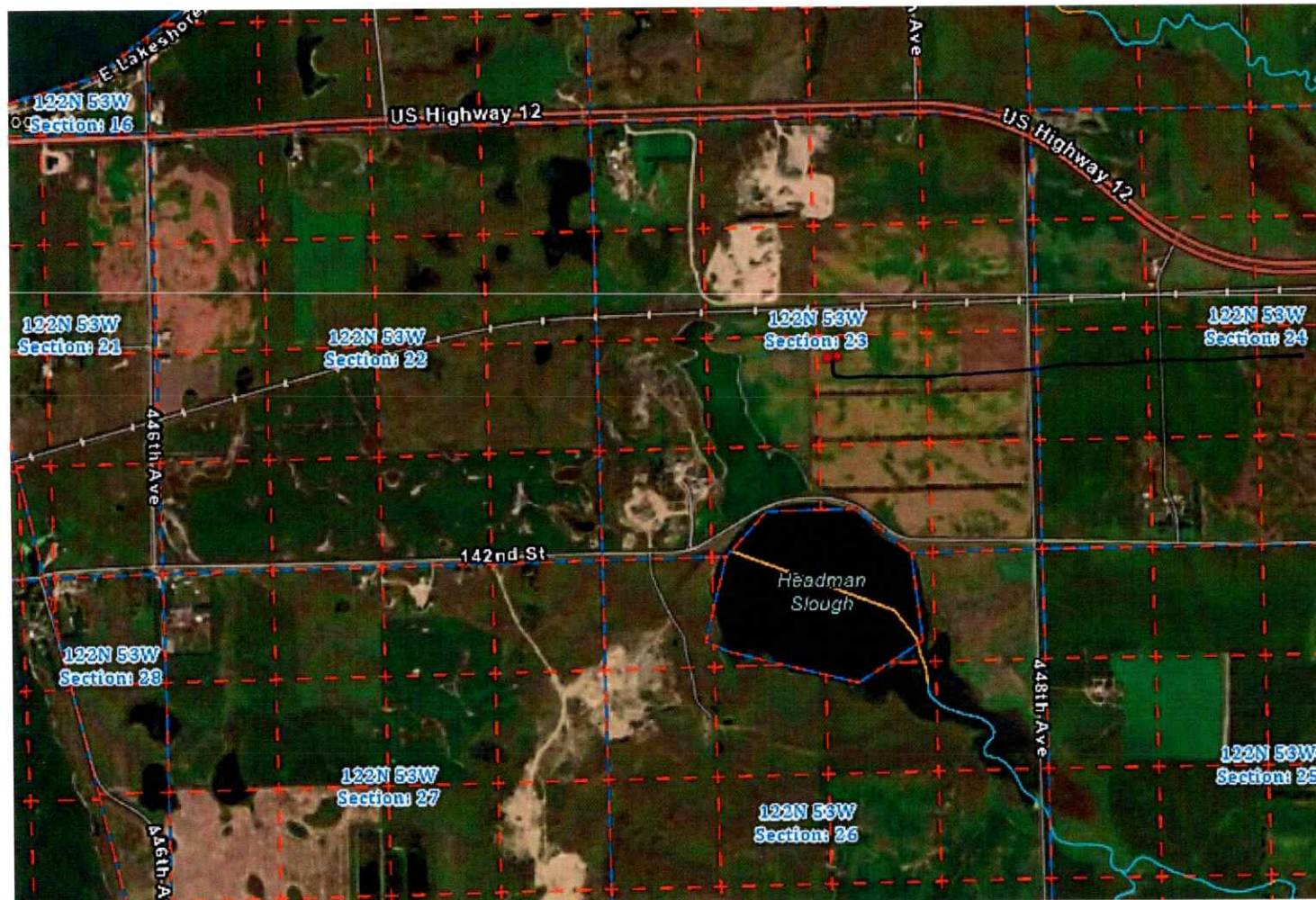
FEB 20 2026

date



5 miles

- 7073A-3 - Carol Gaikowski (COL) —
7073B-3 - Dan Gaikowski (COL) — ≈ 3.75 mi. NE
7073C-3 - DJ Gaikowski (COL) —
4886-3 - Greg Endres (COL) — ≈ 4 mi NE
2795-3 - Earl Althoff (COL) — ≈ 1.5 m N
8973-3 - SD GF+P (COL) — ≈ 3.5 m NW
6357-3 - SD GF+P (Blue Dog Lake)
6051-3 - Jerry + David Wieber (BS:N)
7874-3 - Arnie Beisch (COL) ≈ 2.2 m E
8636-3 - Arnie Beisch (COL) ≈ 2.2 m E
8238-3 - Neil Holscher (COL) ≈ 1 m E
3931-3 - Maurice Dorsett (COL) ≈ 1.5 m E
8000-3 - Earl Althoff (COL) ≈ 0.5 m NE
8236-3 - Arnie Beisch (PCO)
1435-3 - City of Waubay (PCO)
8075-3 - Labolt Farmers Grain Co. (COL) ≈ 1.9 m NW
3101-3 - City of Waubay (A)
641-3 - SD GF+P (Blue Dog Lake)
5964-3 - Maurice Dorsett (COL) ≈ 3.8 m SW
7255-3 - Gary Block (Bitter Lake)
638-3 - SD GF+P (Bitter Lake)
642-3 - SD GF+P (Anderson Lake)
6004-3 - Greg Pearson (BS:N)
7404-3 - Zirbel Dairy (BS:N)
5746-3 - Zirbel Dairy (BS:N)
7060-3 - Zirbel Dairy (BS:N)
8554-3 - Ferdy Zirbel (BS:N)



well locations

NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 23 - T122N - R53W

- W Well $\approx 45.3333^{\circ} / -97.25638^{\circ}$
- E Well $\approx 45.3334^{\circ} / -97.25613^{\circ}$

Dewell, Amanda

From: Courtney Davis <Courtney@jensenrockandsand.com>
Sent: Tuesday, February 17, 2026 1:55 PM
To: Dewell, Amanda
Subject: Re: [EXT] Water Permit #8856-3
Attachments: Screenshot 2026-02-17 112226.png

Follow Up Flag: Follow up
Flag Status: Flagged

Amanda,
I hope this worked. I am told the wells are about 100' apart and are located approximately where the red dots are.

Thank you,

Courtney Davis

From: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Sent: Tuesday, February 17, 2026 11:24 AM
To: Courtney Davis <Courtney@jensenrockandsand.com>
Subject: RE: Water Permit #8856-3

Thank you, Courtney, for the prompt response. Could you please mark on the attached areal image, the approx. locations of the wells to be used for 8856-3, and return it to me? There is additional paperwork I will need to complete for approval of this second diversion point.

Amanda Dewell
DANR - Water Rights Program
Permitting Administrator
Main Phone: 605 773-3352
Website: danr.sd.gov



From: Courtney Davis <Courtney@jensenrockandsand.com>
Sent: Tuesday, February 17, 2026 10:47 AM
To: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Subject: [EXT] Water Permit #8856-3

Good morning,
In response to the letter sent to Jensen Rock & Sand, Inc. regarding water permit #8856-3, the second well was dug to be used as an additional diversion point. Each well has 100GPM which combined is still below our limit of 500GPM for the permit.

Please let me know if you need anything further.

Thank you,
Courtney



Courtney Davis

Office Manager

☎ 605-845-7213 ☎ 605-230-0440

✉ courtney@jensenrockandsand.com

PO Box 609, Mobridge, SD 57601

jensenrockandsand.com

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