



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

denr.sd.gov

June 2, 2016

NOTICE

TO: Thomas E Brady  
135 E Colorado Blvd  
Spearfish SD 57783

Michael M. Hickey  
Bangs McCullen Law Firm  
PO Box 2670  
Rapid City SD 57709-2670

FROM: Jeanne Goodman, Chief Engineer  
Water Rights Program

SUBJECT: Scheduling of Hearing on Water Permit Application No. 2745-2, Croell Redi Mix

Water Permit Application No. 2745-2 proposes to appropriate 19.6 acre feet of water annually at a maximum diversion rate of 0.33 cubic feet of water per second from one well to be completed into the Deadwood Aquifer (1150 feet deep) located in the NE 1/4 SW 1/4 Section 9, T1S-R7E for industrial and domestic use located in portions of the S 1/2 NE 1/4, SE 1/4 NW 1/4, that portion of the NE 1/4 SW 1/4 lying north of Highway 16, and that portion of the SE 1/4 lying north of Highway 16 in Section 9, T1S-R7E and that portion of the S 1/2 NW 1/4 lying west of Highway 16 and the portion of the SW 1/4 lying north and west of Highway 16 in Section 10, T1S-R7E.

In response to the public notice, a petition was filed in opposition to Water Permit Application No. 2745-2. Then in response to the April 13, 2016, notice of hearing sent to parties of record scheduling a hearing, counsel for the petitioner requested a postponement of the scheduled May 4, 2016, hearing before the Water Management Board pursuant to SDCL 46-2A-5.

**The Water Management Board will now conduct a hearing to consider Application No. 2745-2 at 9:30 AM (Central Daylight Time) on Thursday, July 7, 2016, at the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol Avenue, Pierre SD.** The agenda time is an estimate and may be delayed due to prior items. Future notice will be provided to all parties if there is a significant change to the hearing time. Pursuant to SDCL 46-2-9, 46-2-11, and 46-2A-23, the Board has legal authority and jurisdiction to conduct this hearing.

Applicable provisions of the notice of application published in the Rapid City Journal on April 1, 2016, and the notice of hearing sent to parties of record on April 13, 2016, will still apply at the hearing.

Questions regarding the hearing process may be directed to Eric Gronlund, Water Rights Program at (605) 773-3352 or Ann Mines-Bailey, Assistant Attorney General at (605) 773-3215.

c: Ann Mines-Bailey, Assistant Attorney General